



FIRST READING



ILLINOIS GENERAL ASSEMBLY LEGISLATIVE RESEARCH UNIT

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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 584 bills passed both houses in the spring 2017 session. This issue summarizes 349 bills of general interest, classified into 13 categories.

Major laws from the spring 2017 session created a new system for determining how much state aid each school district gets; increased individual and corporate income tax rates (but allowed larger credits and exemptions, especially for taxpayers over 65); required presumptive sentences of 7 to 14 years for most firearms violators; and required most juvenile records to be expunged if the juvenile has no further charges filed for 6 months.

Other new laws will allow physician assistants and advanced practice registered nurses to do some procedures formerly reserved for physicians; improve the recovery and recycling of household electronic devices; and increase the state’s efforts to fight cyber attacks.

Pages 34-35 of this issue gives Public Act numbers for laws resulting from bills summarized here. Information on all bills of the 2017 session is available at the Illinois General Assembly’s website:

www.ilga.gov

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Inside This Issue

Appropriations & State Budget.....	2
Business & Economic Development	3
Civil Law	6
Criminal Law	8
Education	12
Environment & Conservation	16
Health & Safety.....	18
Local Government	20
Professions & Occupations	22
Revenue.....	23
Social Services	26
State Government & Pensions	28
Transportation	33
Bills With Governor’s Action	34
Abstracts of Reports Required to be Filed With General Assembly	36

APPROPRIATIONS & STATE BUDGET

The state's total operating budget for fiscal year 2018 is \$78.0 billion; appropriations from the General Funds are about \$34.4 billion.

The fiscal 2018 operating budget was passed in one bill in early July. The Governor vetoed it, but the General Assembly overrode his veto. (A separate Budget Implementation act made some changes in how state funds are categorized.)

Because the last full-year operating appropriations were for fiscal year 2015, no comparison of current appropriations to any previous year will be attempted.

Elementary and secondary education's share of the total budget is about 20.2%, and its share of the General Funds about 35.1%. The Foundation Level per student remained at \$6,119.

The FY2018 Budget Implementation Act (among many other changes) defined the term "General Funds" in the State Budget Law to consist of seven funds:

- General Revenue Fund
- Common School Fund
- General Revenue Common School Special Account Fund
- Education Assistance Fund
- Fund for the Advancement of Education
- Commitment to Human Services Fund
- Budget Stabilization Fund

Also, general obligation bond authority was increased by \$6 billion for income tax proceed bonds to pay old bills.

FY 2018 Operating Appropriations

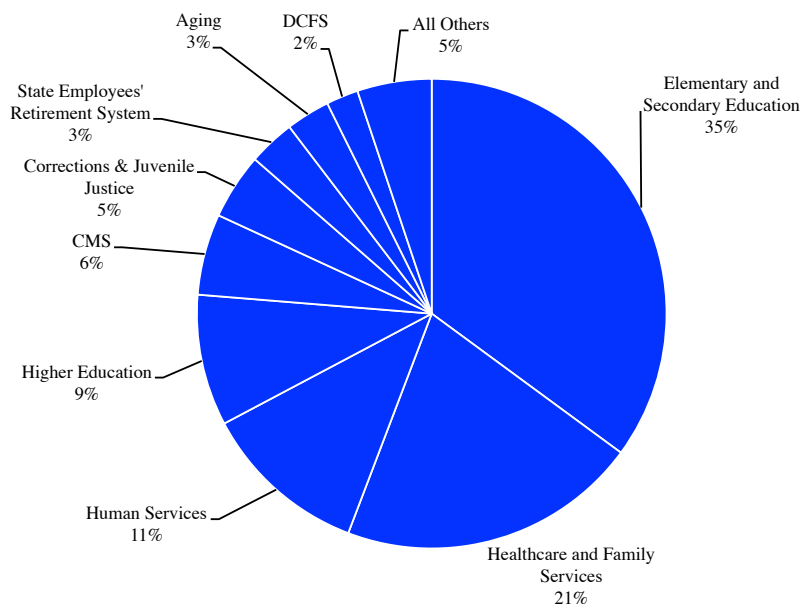
P.A. 100-21, enacted by S.B. 6 (Steans-Hunter-Trotter-Collins-Martinez—G.Harris-Sims et al.).

FY 2018 Budget Implementation

P.A. 100-23, enacted by S.B. 42 (Trotter-Collins et al.—G.Harris). □

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BUSINESS & ECONOMIC DEVELOPMENT

The General Assembly voted to raise the state's minimum wage in stages to \$15 per hour by 2022; make several reforms in workers' compensation law; and regulate health insurers' preferred provider networks. Installment sales of residences will be more highly regulated. Some new or expanded programs will seek to promote startup businesses. A revamped committee will try to bring more military spending to Illinois.

Automobile Crash Arbitration. An Insurance Code section requiring arbitration of automobile physical damage subrogation claims for under \$2,500 is repealed (S.B. 1444, Haine-Mulroe—Lang).

Bank Monitoring. The Division of Banking will review federal performance evaluations of state banks to monitor their efforts to meet credit needs in their communities. The Department of Financial and Professional Regulation can post annual reports on the federal evaluations (H.B. 823, Ford—Hunter-Collins-Trotter-N.Harris).

Day Labor and Temp Agencies must tell workers the types of equipment, clothing, and training needed for each job. If an agency takes workers to a work site, it must return them unless they agree to alternative transportation. They may not be charged for credit reports, background checks, or drug tests. Agencies must report annually to the Department of Labor on race and gender of laborers they serve (H.B. 690, Ammons-Lilly-Tabares-Hernandez-Walsh et al.—Martinez-Lightford-McCann-Hunter et al.).

EDGE Tax Credit Reporting. EDGE tax credit recipients must report annually on procurement goals and spending on small business suppliers and minority-, female-, and veteran-owned suppliers (S.B. 1567, Castro-Collins-Raoul et al.—Davis-Wallace-Ammons-Harper-Stratton et al.).

Electronic Notarization Study. A task force is created to study practices and standards for electronic notarization of documents, and report recommendations by June 2020 (S.B. 1459, Holmes—Kifowit).

Employee Classification. The Department of Labor is to create an online system to refer complaints of employee misclassification (apparently as contractors) to the proper agency, based on information from complainants; anonymous complaints will not be accepted. Agencies investigating a complaint (except the Department of Employment Security) will report to the Department of Labor their determinations; the employer and complainant must also be notified. State agencies licensing or regulating businesses must put a description and link to the system on their websites (S.B. 1978, Cunningham-McGuire-Murphy—Walsh et al.).

Entrepreneur Pilot Program. Subject to appropriation, the Department of Commerce and Economic Opportunity (DCEO) will offer a pilot program to pay some licensing and permit fees for entrepreneurs to start information service, biotech, or green technology businesses. An applicant may not own a business or have 5 or more years' experience as a business owner. Total annual reimbursements may not exceed \$500,000 (S.B. 1462, Holmes-Van Pelt—Kifowit-Scherer-Moylan et al.), **amendatorily vetoed.**

Health Insurance—Provider Networks. Starting in 2019, health insurers must file with the Department of

Insurance (DoI) detailed information on their preferred provider networks, including policies for adding providers based on patient need and types of services provided. DoI must annually set maximum ratios of beneficiaries to providers and maximum travel times for beneficiaries to reach in-network providers; DoI can grant exceptions. Insurers must post updated electronic directories of providers. A network must notify a provider and the provider's beneficiaries at least 60 days before terminating the provider; in some cases it must allow coverage during a beneficiary's transition to a new provider (H.B. 311, G.Harris-Hays-Williams-Ives-Demmer et al.—Holmes-Rezin-Connelly-Collins-Harmon et al.).

Home Kitchen and Cottage Food Operations. In lieu of listing items that cottage food operations may sell, prohibited items are listed. They include meat, fish, eggs or dairy products (except as ingredients in candy or baked goods), nonacidic pies, and nonacidic canned foods. Cottage food operations no longer are limited to gross annual receipts of \$36,000 (H.B. 3063, Guzzardi-Harper-K.Wheeler-Gabel et al.—Koehler-Holmes-Van Pelt et al.).

Insurer Insolvency. If a property-casualty insurer becomes insolvent, any of its data held by a third-party claims administrator becomes the property of the company's estate and must be transferred to the liquidator by 10 days after an order of liquidation. The Illinois Insurance Guaranty Fund and similar funds will have first claim on an insolvent insurer's assets, followed by expenses approved by the liquidator (S.B. 683, Mulroe—Rita et al.).

Location Information From Mobile Devices. Collecting, storing, or disclosing a person's location information

(continued on p. 4)

BUSINESS & ECONOMIC DEVELOPMENT

(continued from p. 3)

collected by a location-based application on a mobile device without giving notice of how it will be used and getting consent is prohibited (some activities, including emergency services and helping parents find minor children, are exempt). Several kinds of entities, including phone service providers, financial institutions, and political parties, are exempt (H.B. 3449, Williams-Turner-Ammons-Costello-Sente et al.—T.Cullerton-Holmes-McCann-Martinez-Biss et al.).

Military Economic Development.

The Interagency Military Base Support and Economic Development Committee is renamed the Military Economic Development Committee, and moved from DCEO to the Lieutenant Governor's office. Its purpose of coordinating activities on current and former military bases is expanded to include attracting new military missions and defense-related businesses; helping communities affected by military closures; and offering a military installation information clearinghouse (H.B. 3032, Butler-Beiser-D.Harris-K.Stuart et al.—Schimpf).

Minimum Wage. Illinois' minimum wage would rise in stages to \$15 per hour for employees at least 18 years old and minors working over 650 hours per year (or \$12 per hour for minors working up to 650 hours per year) in 2022. Some businesses with up to 50 employees would be eligible for withholding tax credits partially offsetting the cost (S.B. 81, Lightford-Biss-Collins et al.—Guzzardi-Turner-Riley-Hernandez-Wallace et al.), **vetoed.**

Minority- and Women-Owned Business Contracts. The Department of Central Management Services is to report to the Business Enterprise

Council (1) all state agency non-construction solicitations over \$20 million that had less than 20% diversity goals before publication; and (2) such contracts over \$20 million and their diversity goals. Communications companies, such as cable and Internet providers, may report annually to the Commerce Commission and Business Enterprise Council on diversity goals and participation; if they do not report, chief procurement officers may deny them state contracts. State agencies and higher education institutions are to review each vendor's compliance with its contractual diversity commitments before renewal, and may rebid a contract for lack of good-faith efforts to meet goals (S.B. 262, Clayborne-Hunter-Collins-Raoul et al.—Davis-Mah-Conyyears-Ervin-Gordon-Booth).

“Networking for Success” Program.

DCEO may start a program to help small and mid-sized businesses with market research, social media marketing, and search engine optimization, among other things. DCEO will report on its effectiveness by the end of 2018 (H.B. 1813, K.Wheeler-Sente-Bourne-Chapa LaVia-McCombie et al.—J.Morrison-Bush et al.), **amendatory vetoed.**

Non-Disparagement Clauses. Contracts to sell or lease consumer merchandise or services may not waive a consumer's right to make statements about the seller, service, or merchandise (S.B. 1898, Stadelman—Wallace-Ammons).

Partnerships—Document Services.

The Secretary of State is to offer partnerships expedited services within 24 hours, including providing photocopies, certified copies, and certificates of existence, at a charge of \$20 to \$200 per expedited service (H.B. 2713, Welch-Sims et al.—Cunningham).

Prevailing Wage Act. The Department of Labor must determine prevailing wages for each county and post them on its website by each August 15 (H.B. 3044, Hoffman-K.Wheeler-T.Jones-Durkin et al.—Silverstein-McConnaughay). In lieu of publishing determinations of prevailing wages in a newspaper, a public body can post on its website a link to the Department of Labor's prevailing wage determination for the locality (H.B. 3120, Demmer—Bivins).

Price Lists for Common Services.

Tailors, barbers, hairdressers, dry cleaners, and laundries are to state prices of their 10 most frequently used services on request. But a stated price may be varied based on the time required or difficulty involved, among other reasons (S.B. 298, Bush-Hunter et al.—Cassidy).

Railroad Spending Diversity.

A railroad with annual revenues of at least \$250 million (expressed in 1991 railroad prices) can voluntarily report annually to the Commerce Commission on procurement goals and spending on small businesses and minority-, women-, and veteran-owned businesses. The Commission will hold an annual public railroad supplier diversity workshop (S.B. 1267, Sandoval-Collins-Hunter et al.—Evans-Gordon-Booth et al.).

Religious Dress Discrimination.

Employers may not impose conditions of employment requiring an employee or applicant to violate a sincerely held religious practice, including a practice relating to clothing or facial hair, unless the employer can show that accommodating it would be an undue hardship on the business. But employers can have dress or grooming codes for workplace safety and sanitation (S.B. 1697, Collins-Holmes-Castro-Hunter et al.—Mah-Gabel-Flowers-Stratton-Davis et al.).

Rental Vehicle Damage Waivers.

The limit on how much a vehicle rental company can charge per day for a collision damage waiver is removed (S.B. 1730, Muñoz-Hastings et al.—Turner-Unes-Hammond-Hernandez-Feigenholtz et al.).

Residential Installment Sales.

A seller of more than three residences by installment sales contracts within 1 year must include a number of disclosures in each contract, including: (1) who has to pay for property taxes, insurance, and maintenance; (2) whether a balloon payment is due at the end of the contract period; and (3) when the buyer will get title to the property. A 3-day cooling-off period will apply after both parties accept such a contract. The seller must record notice of the contract with the county recorder. A buyer defaulting in payment has 90 days to pay all charges and fees to cure default (S.B. 885, Koehler-Collins-Martinez-Clayborne-Lightford et al.—Gordon-Booth-Halpin-Ammons-Ford-McDermed et al.).

Small Business Aid. Grants. DCEO may offer a grant program for public aid recipients to start new businesses. Applicants must submit business plans and describe expected use of grants. DCEO will set other grant application requirements, and limit grant sizes and numbers of grants for which an applicant can apply within a time period (H.B. 736, Flowers-Fortner-Wallace-Harper-Stratton—Hunter-Trotter-Collins).

Loans. The maximum loan for a single project under DCEO's participation loan program rises from \$750,000 to \$2 million. The maximum loan for businesses owned by minorities, veterans, women, or people with disabilities rises from \$100,000 to \$400,000. A new State Small Business Credit Initiative Fund will finance intermediary agreements; technical

aid agreements; and loans, grants, or investments for small businesses (H.B. 2698, Turner-K.Wheeler-Ammons-Chapa LaVia-Kifowit et al.—Hutchinson-McConnaughay-Manar-Weaver-Castro et al.).

Vehicle Dealers. A motor vehicle manufacturer cannot require a dealer to remodel its facility for 10 years after approving the last remodel. Manufacturers may not require dealers to use specific vendors if a dealer can find a vendor of similar quality, unless the manufacturer offers substantial reimbursement. If a dealership will be sold, the manufacturer must follow stated requirements to exercise its right of first refusal, including paying at least as much as the dealer has already contracted to receive (S.B. 1687, Sandoval-McConnaughay et al.—D'Amico-Unes et al.).

Volunteer Emergency Workers.

With some exceptions, employers may not discipline volunteer emergency workers for responding to calls or text messages seeking emergency help (S.B. 1895, McCann-Manar—Phelps et al.).

Workers' Compensation. Workers' comp insurers must file proposed rates with the Department of Insurance before (formerly 30 days after) they take effect; if DoI disapproves them within 30 days, they cannot take effect. An insured employer can request a premium review by the Director of DoI.

To be compensable, injuries must be causally connected to employment. Accidental injuries from travel in the course of work are compensable. An employer paying a repetitive- or cumulative-injury claim can seek reimbursement from any prior employers that contributed to the injury.

An employer with a safety or return-to-work program certified by the

Workers' Compensation Commission can get lower workers' comp premiums (or a lowering of the fee paid to the Commission by a self-insured employer).

The Commission, consulting with the Workers' Compensation Medical Fee Advisory Board, will create a drug formulary; only drugs on the formulary will be paid for under workers' comp unless a request for another drug is approved in a review process. The Commission will investigate all covered procedures, treatments, and services of ambulatory surgical treatment facilities, and establish a fee schedule for such treatments.

Unreasonable delay in authorizing treatment (usually meaning taking 14 or more days after the employer gets records needed for a determination) can bring fines of \$30 per day, up to the lesser of \$10,000 or the total due under the fee schedule.

The Commission will report annually to the Governor and General Assembly on workers' comp self-insurance. A task force will study how Illinois employers' premiums compare to national recommendations, and the feasibility of creating a nonprofit workers' comp insurer (see also "State Government & Pensions" article, "Workers' Compensation Insurer" summary) (H.B. 2525, Hoffman-Welch-Sims et al.—Raoul-Holmes-Bush-Castro), **vetoed.** □

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CIVIL LAW

The General Assembly voted to revise provisions on calculating child support payments by divorced parents; make it easier for employees to allege pay discrimination; simplify terminology and rules for tenant eviction; and revise provisions on placement of juveniles by juvenile courts. Interstate adoptions will be easier, as will hearings on appointing guardians for adults with disabilities. A new procedure for consensual resolution of family-law issues is authorized.

Adoption (Interstate). The Department of Children and Family Services (DCFS) is to issue procedures for interstate adoptions based on standards of review in the Interstate Compact on the Placement of Children, and issue lists of pre-adoption requirements to all licensed adoption agencies. DCFS must approve an adoption unless it will be against the child's best interest. It must approve or deny a placement decision within 3 business days after receiving a complete referral packet. If any needed items are missing, DCFS must notify parties within 2 business days. DCFS must give reasons for denials, based on its requirements. It can issue provisional approval pending receipt of missing or incomplete items. It can use e-mail for these purposes (H.B. 703, Feigenholtz-Riley—Raoul).

Birth Record Fees. *Homeless persons.* Fees are to be waived for birth record searches or copies (up to 4 records per year) for persons verified as homeless. False verification can bring a \$100 fine (H.B. 3060, Guzzardi-Wallace-Ford-Turner-Harper et al.—Martinez-Van Pelt et al.).

Released prisoners. The fee for searching for a birth record, or for a certified copy of it, is to be waived once for a person released from prison who verifies identifying information (S.B. 1413, Connelly-Van Pelt-Hunter-Collins—Butler-Ford-B.Stewart-Flowers).

Blind Parents. Blindness cannot be the basis for denying parenting time, parental responsibilities, adoption, foster care, or guardianship. If a court denies or limits such actions by a blind

person, it must state the basis for the decision in writing. DCFS must create procedures to provide equal access to child welfare services, and train welfare investigators and caseworkers on them (H.B. 2626, Fine-Gabel-Moeller et al.—Rezin-Van Pelt-Murphy et al.).

Condo Associations. Condominium and common-interest community associations, if they need mortgagor or lienholder consent to amend organizing documents, can consider them approved by any mortgagor or lienholder who does not disapprove within 60 days after a request for approval is sent by certified mail. Association members can request access to financial records and records of contracts and other agreements (along with other records as under current law). Such a request will be deemed denied unless the board makes the records available within 10 business days (formerly 30 calendar days).

An association with at least 100 units must use generally accepted accounting principles to fulfill accounting obligations. A condo association board will have several options for dealing with an annual surplus or deficit. If 20% of owners object within 30 days after notice of that action, owners can vote to address a surplus or deficit differently.

A unit owner who objects to selling the condominium development must receive the greater of: (1) the appraised value of the owner's interest minus unpaid assessments or charges, or (2) the balance of any mortgage on the owner's interest minus unpaid assessments or charges. Objecting owners are also entitled to relocation costs

(H.B. 189, Thapedi-S.Andersson-Williams-Breen-Hoffman et al.—Raoul-Hunter-Connelly).

False Claims. In false-claims suits brought by the state, the minimum and maximum civil penalties will be adjusted for inflation as provided in a federal law. But the current civil penalties will apply in such suits brought by private plaintiffs claiming underpayment of state taxes (other than income tax), if the amount of tax owed does not exceed \$50,000 and the state does not intervene (S.B. 1577, J.Morrison-Bush-Hunter-Collins-Althoff et al.—Moeller).

Family Law. *Adult dependent support.* A surviving spouse is to receive at least \$5,000 from the estate of the deceased spouse per adult child of the deceased who was financially dependent on the decedent, lived with the surviving spouse at the time of the death, and is apt to become a public charge. The award is to be used to care for the dependent for 9 months after the death. If the dependent did not live with the surviving spouse at the time of the death, the court is to provide the award to another person to benefit the dependent (H.B. 2516, S.Andersson—Schimpf).

Child support revisions. Many revisory changes are made, reflecting changes by three acts in 2015 or 2016. Other changes: Child support "awards" will be called "obligations" and parents will be called "obligors" or "obligees." Support payments must be determined using parents' combined net income; number of children; and a "schedule" of basic child support obligations to be issued by the Department of Healthcare and Family Services. Self-employment

taxes (added to other taxes under current law) must be included in an “individualized tax amount” used to calculate income. Support paid by a parent for that parent’s other children, if any, will be deducted in calculating that parent’s income, unless that would cause such children economic hardship. A parent’s payments for private health insurance for a child are to be considered in calculating each parent’s support obligations (S.B. 69, Hastings-N.Harris—K.Burke).

Companion animals. Divorcing persons can agree to allocate ownership or responsibility for pets. A petition for simplified divorce must include an allocation of any such animals owned by the parties. A court must allocate ownership and responsibility if it finds a pet to be a marital asset, and must consider a companion animal’s well-being. Service animals that assist people with disabilities are excluded (S.B. 1261, Holmes—Kifowit).

Conciliation. Subject to Illinois Supreme Court supervision, persons with family law issues (such as parentage, adoption, divorce, maintenance, and/or child support) can try resolving them by a “collaborative process” without court involvement. They can hire lawyers; but most related court proceedings will be stayed during the process, and statements made during it will generally not be admissible in court. If the parties reach a full or partial agreement, they are to present it to the court for approval (S.B. 67, Hastings-Connelly et al.—Williams).

Name changes; maintenance. Applicants to change a minor’s name must give notice and a hearing opportunity to any parent whose rights were not terminated and any person allocated parental responsibilities. Provisions on paying maintenance after divorce are slightly revised. A court can give a payer credit for any maintenance paid under a temporary maintenance order (H.B. 2537, Nekritz et al.—Hastings-Castro).

Guardians for Adults. *Hearings.* Judges can allow persons to take part in an adult guardianship hearing by video conference or at a place convenient to the adult (S.B. 1319, Bivins—Spain).

Training. The State Guardian must offer training on the responsibilities of guardians for adults with disabilities. Each guardian outside Cook County must get such training within 1 year after appointment. Courts can vary training requirements. Government guardians, lawyers, corporate fiduciaries, and persons with certificates from the national Center for Guardianship Certification are exempt. The Governor can designate, without Senate confirmation, the State Guardian’s Office as interim public guardian in a county up to 500,000 until a county public guardian is appointed (H.B. 2665, Davis—Harmon).

Inheritance—Afterborn Child. For purposes of intestate succession, a child born after a parent’s death, if not *in utero* at the time of the death, will be deemed a child of the decedent only if several conditions are met, including that the decedent consented in writing for such an afterborn child to be deemed the decedent’s child; the child is born within 3 years after the decedent’s death; and the administrator of the estate is properly notified. (Those provisions apply to estates of persons dying after 2017.) For inheritance under an instrument such as a will, a child born after a parent’s death will be deemed the decedent’s child only if (1) the child was *in utero* at the time of death and the decedent did not expressly exclude such afterborn children as heirs in writing; or (2) the instrument states a clear intent to make such a child an heir (a provision more permissive to afterborn children applies until 2018) (S.B. 883, Mulroe—K.Burke).

Judicial Misconduct Complaints. The Judicial Inquiry Board must design a notice stating that anyone can file a complaint against a judge, with contact information on the Board. Court clerks

must post it in common areas of courthouses (H.B. 3054, Davis—Collins).

Jurisdictional Objections. A party in a civil case can file a motion for judgment or relief from a judgment (including a default judgment, and relief based on domestic violence or military status) before objecting to the court’s jurisdiction over the person. Motions thus challenging jurisdiction must be filed within 60 days after a court disposes of any of those other kinds of motions. An objection motion can also be combined with a motion seeking judgment or other relief (H.B. 188, Thapedi—Raoul).

Juror Exclusion. No one is to be excluded from jury service due to race, color, religion, sex, national origin, or economic status (S.B. 889, Hutchinson-Bush-Martinez-Collins et al.—Welch-Stratton-Drury-Halpin et al.).

Juvenile Placement Orders. Courts reviewing home placements of minor wards can determine that current (or planned) placements are not “necessary or appropriate” to achieve permanency goals. Courts must make specific findings based on evidence reviewed, and put factual bases in writing. Upon such a decision, a court can order DCFS to follow placement recommendations of a minor’s treating clinician, of a clinician contracted by DCFS, or of DCFS. DCFS can remove a minor from a placement to protect the minor’s health, safety, or best interests. It must notify parties of such a change 10 days before removal, or immediately after an emergency removal (H.B. 1791, Feigenholtz-Ammons-Wallace—J.Morrison).

Military Member Contracts. Military members ordered to relocate for at least 90 days can cancel or suspend contracts for Internet, television, cable, satellite radio, and gym memberships. Each provider must be given notice and a copy of official relocation orders. Members later ending active

(continued on p. 15)

CRIMINAL LAW

Legislators voted to limit forfeiture of property seized in connection with criminal cases; set presumptive sentences of 7-14 years for repeat firearms violators; eliminate limitations periods for prosecuting most sex crimes against children; and strengthen DUI enforcement. Other bills that passed both houses will restrict Freedom of Information Act requests by prisoners; prevent police from enforcing immigration laws; strengthen protection of victims under protective orders; and require most juvenile records to be automatically expunged if the juvenile has no further charges for 6 months.

Bail Reform; RICO; Threatening Social Work Employee. A defendant must be allowed counsel at a bail hearing, including a public defender if needed. Courts are to consider each defendant's socio-economic circumstances, and impose the least restrictive conditions that will reasonably assure appearance at trial—such as electronic home monitoring, in-person reporting, and drug counseling. A person in jail on a “Category B offense” (most misdemeanors and Class 3 or 4 felonies) due to lack of bail is to have a rehearing on the amount or conditions of bail by 7 days after bail is set. Such a defendant is also to have \$30 deducted from bail per day in jail. Courts can also reconsider conditions of release for any defendant if lack of bail is the sole reason for jailing, even on a more serious “Category A” offense. The Illinois Supreme Court can create a statewide risk assessment tool to assess defendants' likelihood of returning to court and their threat to public safety.

The Illinois “RICO” law is extended 5 years to 2022. The prohibition on threatening public officials is expanded to protect lawyers for the Department of Healthcare and Family Services, Department of Human Services, Department of Children and Family Services, and Guardianship and Advocacy Commission, along with public guardians and many of their employees (S.B. 2034, Trotter-Hastings-Connelly-Raoul-Collins—Sims-Durkin-C.Mitchell-Zalewski et al.).

Cellphone Number Transfer. A domestic violence victim can ask a

court to order a cellphone company to transfer to the victim (at the victim's expense) the right to use a telephone number, to avoid sharing a phone plan with an abuser (S.B. 57, Stadelman-Hutchinson-Martinez-Collins-Bush et al.—Wallace-Stratton-Davis et al.).

Child Sex Crimes. Limitations periods. The limitation period for prosecuting involuntary servitude, involuntary sexual servitude, or trafficking of a minor is lengthened from 1 year after the victim turns 18 to 25 years after that happens (S.B. 1842, Mulroe et al.—Hoffman). A prosecution for sexual assault or sexual abuse of a child (except misdemeanor criminal sexual abuse), with or without physical evidence and whether or not a mandated reporter reported it, will have no limitation period (S.B. 189, S.Bennett-Bertino-Tarrant-Cunningham-Bush-Van Pelt et al.—Mussman-Chapa LaVia-Gordon-Booth-Costello-Moeller et al.).

Traveling to meet child. For purposes of the crime of traveling to meet a child (formerly called traveling to meet a minor), a “child” is defined as a person under 17 (formerly, no definition of “minor” clearly applied to the crime) (S.B. 1321, Connelly—Breen).

Cyberstalking is expanded to include secretly and without lawful justification installing monitoring software or spyware on an electronic device to harass another person if the offender also threatens harm to the victim or a family member; puts the victim or a family member in reasonable apprehension of harm; or solicits commission of a crime against the victim or a family member

(H.B. 3251, Winger-Andrade-Fortner-Riley-Harper et al.—T.Cullerton-Bertino-Tarrant).

Defendants Unfit for Trial. Placement. The Department of Human Services (DHS) must evaluate a defendant found unfit for trial, or not guilty by reason of insanity, and tell the sheriff which secure facility the defendant is to be housed in within 20 days after a court places the defendant in its custody. If DHS fails to notify the sheriff within 20 days, the sheriff is to tell DHS that the defendant will be taken to the nearest DHS mental health facility. The Department is to respond within 2 days with an estimated date for admission to that facility or another one with an opening (H.B. 649, Turner-Wallace et al.—Cunningham et al.).

Treatment. If a defendant's mental fitness for trial is questioned and a medical report finds unfitness, the report is to advise the court on whether the defendant could be made fit within the maximum time the defendant could be confined if convicted of the most serious charge, up to 1 year (currently 1 year in all cases). Treatment plan reports on defendants found not guilty by reason of insanity will be given to the court every 90 days (was 60) (S.B. 1276, Barickman—Turner).

Drugs. Emergency use. EMS personnel can administer legal controlled substances without prescriptions when acting in their scope of employment (H.B. 3910, Willis-Costello-Cabello-Tabares-Winger et al.—Martinez-Castro-N.Anderson).

Homicide. Drug-induced homicide can be charged if death occurs in Illinois, even if illegal delivery occurred in another state (S.B. 639, Haine-Mulroe—K.Stuart-McSweeney et al.).

Synthetic analogs. The list of banned synthetic drugs is expanded again to include variations of fentanyl, amphetamines, morphine, and some other compounds (H.B. 2534, Bourne-Fortner-Hammond-Costello et al.—Mulroe-Collins-Holmes-Bush-McCarter et al.).

DUI. Aggravated. Driving with a license suspended or revoked due to aggravated DUI that caused death will bring the same penalties as driving with a license suspended or revoked due to reckless homicide. Prosecutions for aggravated DUI causing death will have no limitations period (H.B. 3084, Breen-D’Amico-Moylan-Bellock-S.Reick et al.—Connelly).

Offender handling. Police officers are to be trained in handling persons arrested for DUI. Officers must make a reasonable attempt to contact a responsible adult willing to take custody of a person under 21 arrested for DUI. If an officer believes that a person of any age, arrested for DUI, is likely to repeat the offense immediately if released, the arrestee’s vehicle must be impounded for a full 12 hours unless another licensed driver lawfully takes it (S.B. 2185, Manar-Van Pelt-Collins et al.—Bourne et al.).

Reporting. Courts are to report to the Secretary of State offenses of operating a watercraft or snowmobile under the influence (added to DUI in highway vehicles) (H.B. 2611, D’Amico-Bellock—J.Morrison).

Explosive Components. A FOID card would be required to buy or possess “pre-packaged explosive components” (two or more separate substances that, if combined, make an explosive substance). Their unlawful sale would be

a Class 4 felony (S.B. 315, J.Morrison et al.—Conroy), **vetoed**.

FOIA Requests by Prisoners. Records requested by persons in prison or jail are exempt from disclosure if it would risk harm to any person, or escape. Personal information on a requesting prisoner’s victim or that victim’s family, and law enforcement records on other persons are also exempt unless relevant to a requester’s actual or potential case or claim (H.B. 619, Walsh-Costello-K.Wheeler-Bourne-Pritchard et al.—Haine-Bertino-Tarrant et al.).

Hate Crimes. Expansion. Hate crimes are expanded to include intimidation, stalking, and cyberstalking due to victims’ perceived characteristics. Victims of such actions can sue civilly for redress. The Attorney General can seek injunctions or civil penalties. A civil penalty up to \$25,000 per violation is authorized (H.B. 3711, Wallace-Feigenholtz-Hernandez-Mah-G.Harris et al.—Aquino-Silverstein-Stears-Van Pelt-Harmon et al.).

Religious places. The definition of “hate crime” based on attacking a religious place is expanded to include an attack on the building or grounds of any place “identified or associated with” a religion. An imprisoned hate crime offender must, as a condition of mandatory supervised release, do at least 200 hours of public service and physically attend an education program discouraging hate crimes against the victimized class. The \$1,000 limit on restitution or fines for hate crimes is removed, and a victim can seek punitive damages in addition to (formerly in lieu of) actual damages (H.B. 2390, Kifowit-Feigenholtz-Olsen-Sauer-Wallace et al.—Stears-S.Bennett et al.).

Immigration Enforcement. Police are not to stop, arrest, search, or detain a person based solely on citizenship or immigration status unless they

have an enforceable federal warrant. Communication with federal officials is not prohibited. Police agencies are to train officers on this ban by January 1, 2018 (S.B. 31, J.Cullerton-Harmon-Martinez-Biss-Sandoval et al.—Welch-Hernandez-Yingling-Mah-Currie et al.).

Juvenile Electronic Monitoring. With approval of the chief judge of the circuit, a drug court program can allow electronic monitoring (formerly only electronic home monitoring) of juveniles (S.B. 1399, Mulroe et al.—Sims et al.).

Limitations Periods. Prosecutors need not prove facts extending or tolling (suspending the running of) a limitations period that are properly pled in the charging document; but if the defense seeks dismissal because a limitations period has passed, the prosecution will have the burden of proving by a preponderance of the evidence that it has not (S.B. 1422, Nybo—Breen-Bellock). (See also “Child Sex Crimes” and “DUI” earlier in this article.)

Orders Protecting Victims. Provisions added to the Code of Criminal Procedure consolidate and expand procedures for seeking orders to protect victims of domestic violence, sex crimes, and stalking, in conjunction with criminal or juvenile proceedings. At a victim’s request, the state’s attorney can petition for an order. A petition is to be granted if the court finds *prima facie* evidence that the defendant has committed domestic violence, a sex crime, or stalking. Each order is to last for 2 years (instead of up to 2 years) after supervision, parole, or other parts of a sentence end. A law enforcement officer can make an arrest without warrant, based on probable cause, for violating an order (H.B. 3718, Sims-Wallace-Ammons-Harper-Slaughter—Bush-Holmes-J.Morrison-McConnaughay-Connelly et al.).

(continued on p. 10)

CRIMINAL LAW

(continued from p. 9)

Police Conduct. *Drug and alcohol testing.* Law enforcement agency policies must require any officer involved in shooting a person to be tested for alcohol and drugs by the end of the officer's shift (S.B. 58, Hunter-Collins-Van Pelt et al.—Stratton-Lilly-Ammons-Flowers-Sims et al.).

Sex assault. A new act requires that any officer-involved sexual assault (which it defines as the commission of a specified sex crime while a law enforcement officer is on duty) be investigated by at least two persons with specialized sexual assault and abuse investigation training, not employed by the same agency as the officer investigated. Allegations of such assaults in Chicago are to be referred to an independent agency for investigating police misconduct (H.B. 270, Wallace-Currie-Gordon-Booth-Harper-Chapa LaVia et al.—Stadelman et al.).

Police Education and Training. *Mental health issues.* The Illinois Law Enforcement Training Standards Board must create a course on mental health issues, including signs of illness, common treatments, potential interactions officers may have with the mentally ill, and how to de-escalate situations (H.B. 375, Fine-Hurley-Conroy-Ammons-Sims et al.—Steans-Van Pelt-Collins-McGuire et al.).

Officer stress. Probationary police training must include training on recognizing and responding to police officer stress, trauma, and post-traumatic stress (H.B. 1895, Cabello-Welter-Sims-Costello-B.Stewart et al.—Bivins-Stadelman-Syverson-McGuire).

Veterans' requirements. A veteran who served on a combat mission or has at least 3 years of continuous active military service, and was honorably discharged, will be deemed to meet the college education requirement to be a state police officer (H.B. 3095,

B.Stewart-Cabello-Costello-Kifowit-Chapa LaVia et al.—Muñoz-Bivins-Cunningham-McCann-Righter et al.).

Prisoner Education. Subject to appropriation, the Department of Corrections will start a 5-year pilot program allowing prisoners meeting specified criteria to learn business skills including computer skills, budgeting, and public speaking. If funds are available, the program can also provide post-release help to its graduates, including résumé and job search help (H.B. 698, Slaughter-Batinick-K.Wheeler-Sente-Flowers et al.—Aquino-Van Pelt-Collins et al.).

Prisoner Visits. *In-person.* The Department of Corrections may not limit personal visits with prisoners due to its video calling capabilities. Its website must post policies for in-person visits at each facility, including number of visits per prisoner per week or month; hours for visits; and identification required. Any visiting restrictions for the day and for the next 5 days (such as due to lockdowns) must also be posted (H.B. 2989, Slaughter-Bryant-Cabello-Sims-Cassidy et al.—Raoul-Van Pelt-McGuire).

Tablet computers. The Department of Corrections can provide content-controlled tablet computers to compliant prisoners for educational and visitation opportunities (H.B. 3712, Mayfield—Van Pelt-Aquino-Collins).

Video. Prisoners must be allowed video calls if available, unless the prison administrator determines that it would be harmful or dangerous. The Department of Corrections must recover costs of video calling from prisoners, but may not make any profit on it (H.B. 2738, Ammons et al.—Collins-Van Pelt-Hunter et al.).

Property Seizure and Forfeiture. An act effective next July 1 will require law enforcement agencies to report specified information on property seized to the Department of State Police. The Department is to have a public Internet database with aggregate

data on seizures by each agency. A technology upgrade for the database will be funded from 5% of forfeited currency and 5% of proceeds of forfeited asset auctions until enough is collected. Forfeiture reforms include the following: Courts must find probable cause to forfeit property. If (a) defendants in the related criminal proceeding are acquitted, or (b) prosecutors do not get an indictment and the court does not order forfeiture in a preliminary hearing, prosecutors must prove by clear and convincing evidence that the property should be forfeited. Joint owners' interests in property apparently will be protected. Owners claiming innocence can seek judicial redress (H.B. 303, Guzzardi-S.Andersson-Demmer-Davis-Nekritz et al.—Harmon-Rose-Van Pelt-Connelly et al.).

Records. *Juvenile.* A juvenile adjudication “shall never be considered a conviction.” Unless expressly stated by law, it also may not create any civil disability (including a restriction on holding office, getting a public job, or being licensed). No public or private employer, except the military, may ask applicants about expunged juvenile records or consider them for any purposes.

Juvenile records may never be disclosed to the general public. Sealed juvenile records can be obtained in stated circumstances by order of the juvenile court. Willful disclosure or use of juvenile records will be a Class C misdemeanor punishable by a fine of \$1,000 and the greater of actual damages or \$1,000.

Law enforcement agencies must automatically and annually expunge every juvenile record on a person who was under 18 when the events occurred, if the person had no petition for delinquency or criminal charges filed, and no further arrest, juvenile petition, or criminal charge in the last 6 months. Other juvenile records, including those of adjudication for acts that would be a Class B or C misdemeanor, petty

offense, or business offense if committed by an adult, must be expunged within 60 business days. Records may be expunged 2 years after a juvenile case (except first-degree murder or a crime requiring registration as a sex offender) is completed, if no further proceeding is pending and the person has no later adjudication or conviction (H.B. 3817, Nekritz-Slaughter-Flowers-Wallace-Stratton et al.—Hastings-Silverstein-Hutchinson-Harmon-Collins et al.).

Sealing. A defendant who is acquitted, or has a criminal charge dismissed with prejudice, can petition to have the record sealed at the same hearing in which the case was heard. The court must inform a defendant of this right after entering a disposition eligible for sealing. The state’s attorney must be notified and can oppose the petition (H.B. 514, Ford-Harper-Wallace-Stratton-Hernandez—Hunter-Van Pelt-Collins). The list of felony convictions that can be sealed is expanded to include all felonies not specifically excluded by existing law (plus misdemeanor public indecency)—except felonies under the Humane Care for Animals Act, and except that a person whose crime requires registration cannot have the record sealed until the registration requirement ends (H.B. 2373, Lilly-Ford-Hernandez-Demmer-Gordon-Booth et al.—Harmon-Nybo-Van Pelt-Collins-Martinez et al.).

Sentencing Changes. Persons with prior felony firearm-related or other listed convictions, who commit unlawful use or possession of a weapon by a felon in the years 2018 through 2022, will be subject to new sentencing guidelines. The sentence is to be between 7 and 14 years unless the court finds compelling justification, under standards stated in this act, to impose a lower sentence otherwise authorized by law. The Illinois Sentencing Policy Advisory Council will study these provisions and report by yearend 2022 on their effectiveness.

A First Time Weapon Offender Program is created to divert from prosecution first-time, nonviolent offenders charged with some weapons offenses. The current Offender Initiative Program for first-time committers of some nonviolent offenses is expanded to include more such offenses, and to allow a person to have charges dismissed under it once every 4 years. The Second Chance Probation program is similarly expanded. A person can, more than once, be put on probation or supervision for violating the Cannabis Control Act or Controlled Substances Act, and can have a discharge for a drug violation as often as every 4 years. Some prisoners can have their minimum time to be served reduced more by sentence credit earned after 2017 than before. The “habitual criminal” section will no longer require a Class X sentence for three Class 1 or 2 felonies if the third felony is theft.

Burglary is lowered from a Class 2 to a Class 3 felony if it is committed in a vehicle, boat, or aircraft and causes no damage to it. Higher penalties for delivering illegal drugs near a school will apply only within 500 (now 1,000) feet of school property, and only if persons under 18 were present or could reasonably have been assumed to be present. Higher penalties for delivering illegal drugs near a religious building or building used for senior services will apply only if persons are using it. The Prisoner Review Board can release a low-risk offender from mandatory supervised release based on a risk and need assessment.

The Director of State Police may establish a Violent Crime Intelligence Task Force to fight gun violence (S.B. 1722, Raoul-Muñoz et al.—Durkin-Andrade-Cabello-Bellock-D.Harris et al.).

Sexual Assault Evidence Tracking. A Sexual Assault Evidence Tracking and Reporting Commission will make a plan for a statewide system to track the location and testing status of sexual assault evidence, and a secure

electronic system allowing victims or their designees to get information on the evidence in their cases (H.B. 528, McDermed-Wallace-Ammons-Bellock-Andrade et al.—McConchie-Manar-McConnaughay-Collins-Bush et al.).

Sexual Orientation Not Mitigating Factor. An “action” that does not otherwise mitigate first-degree murder, or constitute serious provocation for second-degree murder, is not to be a mitigating factor or serious provocation due to discovery, knowledge, or disclosure of the victim’s sexual orientation (S.B. 1761, Biss-Harmon et al.—Wallace-Guzzardi-Moeller-Cassidy-Stratton et al.).

Streetgang Activity. The offense of having contact with streetgang members is replaced with the narrower offense of committing an act in furtherance of streetgang-related activity—also a Class A misdemeanor (H.B. 3803, Cassidy-Slaughter-Rita-Williams—Hutchinson-Martinez-Van Pelt-Collins et al.).

Supreme Court Marshals meeting basic police training requirements will have powers of police officers and sheriffs, which can be exercised statewide (H.B. 3106, Zalewski—Mulroe).

Switchblade Knives. Persons with valid FOID cards can carry switchblade knives (S.B. 607, Bivins et al.—B.Stewart).

Veterans’ and Mental Health Courts. The prosecutor’s consent will no longer be needed for a defendant (eligible for probation) to participate in a Veterans and Servicemembers Court or Mental Health Court program before adjudication. After adjudication, only the court’s approval will be required (S.B. 1312, Muñoz et al.—Kifowit-Costello-Pritchard-Cabello-Wallace et al.). □

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EDUCATION

Legislators passed a new school funding formula to provide more state aid to needier districts. They also voted to encourage several kinds of nontraditional study (including entrepreneurial education) in schools; relax some restrictions on teacher credentials; and bar expulsions from early childhood education and day-care centers. Other bills that passed both houses will make it easier for students to study above their grade levels, and authorize districts to use transportation funds to help prevent students from becoming homeless.

Elementary & Secondary

Accelerated Placement. School districts are to have policies to evaluate, place, and support students in curricula above their grade levels. The State Board of Education is to prescribe data to be collected on such placement, and a way to make it publicly available (S.B. 1223, Lightford-Weaver-Koehler-McConchie et al.—Lilly-Pritchard-Fortner-Wallace et al.).

Assessment Exams. The State Board may administer exams to assess college readiness only on school days and during school hours (H.B. 2442, T.Bennett-Pritchard-Willis-Lilly-Crespo et al.—Barickman et al.).

Average Daily Attendance (ADA). Districts' monthly ADA data for calculating General State Aid must now be reported by grade level (H.B. 3059, Pritchard-Davis—Bertino-Tarrant-Collins et al.). School report cards must include ADA (as defined for that purpose). Each such card must report ADA of students with individualized education programs or “504” special education plans (S.B. 1532, Collins—Chapa LaVia-Pritchard).

Boundary Changes. Procedures for detaching, dissolving, or annexing districts are changed to reflect current practice and replace outdated provisions. If a suburban Cook County district wants to detach or dissolve, and has no township school trustees, a hearing panel will oversee the process (H.B. 2612, Pritchard-Davis-Crespo-Chapa LaVia et al.—Bertino-Tarrant-Bush-Murphy).

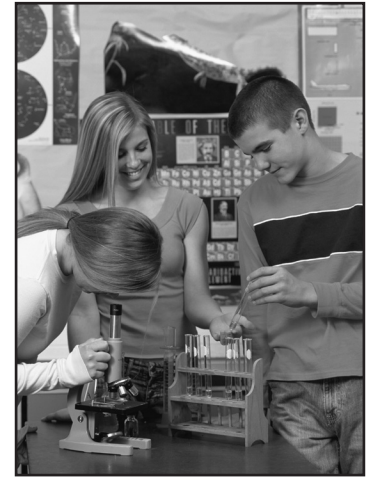
Breastfeeding Students. A public (including charter) school with a lactating student must provide accommodations and time for her to express and store milk or breastfeed her child (H.B. 2369, Harper-Wallace-Gordon-Booth-Stratton et al.—Hunter).

Child Abuse Reporting. The state child abuse hotline number and information on reporting suspected child abuse may be posted in public (including charter) schools (H.B. 370, Mayfield-Fine-Sims et al.—Link).

Chronic Absentees. Starting in July 2018, each publicly funded or publicly aided school must collect and review data on chronically absent students, and determine how best to engage them and their families to reduce absenteeism (H.B. 3139, Chapa LaVia-Batinick et al.—Collins).

Community Group Advertising. Community groups may advertise free student-related events or after-school programs in schools. If a school has a significant number of students whose primary language is not English, the school board may require such groups to translate their advertising into another language (H.B. 3745, Conyears-Ervin et al.—Van Pelt).

Concussions. The types of medical professionals who may provide concussion-related services to student athletes (if they have continuing education on concussions) are expanded. A school concussion oversight team may have only one person, who need not be a licensed medical professional but cannot be a coach (S.B. 1692, Raoul-Hunter et al.—C.Mitchell-Sente).



Cursive Writing. Starting in 2018, public elementary schools must offer at least one unit of instruction in cursive writing by 5th grade (H.B. 2977, Welch-Scherer-Willis-Conroy-Greenwood et al.—Lightford-Collins-Hunter), **vetoed**.

Early Childhood Education Expulsions. Early childhood education programs getting State Board grants may not expel students, and must offer those with serious behavior problems various resources. Children who exhaust those services may be moved to another program. Children found to be serious safety threats may be temporarily removed from group settings but must be returned as soon as possible. The State Board and the Departments of Children and Family Services (DCFS) and Human Services are to help in addressing challenging behaviors. Starting July 1, 2018, early childhood education programs must report data on participants to the State Board annually; the Board is to publish the data biennially starting in FY 2020. DCFS is to adopt rules barring expulsion from day-care centers due to “persistent and serious challenging behaviors,” but can allow children to “transition” out (H.B. 2663, Stratton-Welch-Moeller-Bourne-S.Andersson et al.—Lightford-McConnaughay-Martinez-Hutchinson-Steans et al.).

Funding Formula. A new school funding law takes effect this fall. An “adequacy target” (considered the cost

of a quality education) will be calculated for each district based on its costs for “research-based activities,” its student demographics, and regional pay variations. Two factors are added to determine how near a district is to its target: (1) an amount it should raise from local taxes (generally higher in districts with higher property values per student) and (2) how much state funding it gets. Added state funds will go first to the districts farthest from their adequacy targets. A yearly goal of \$350 million is set for added state funding. The previous formula set a goal of providing each district the same total funding (local plus state) per student.

High-taxing districts can seek state aid to cut some property taxes. A district whose local plus state funds exceeds 110% of its adequacy target can cut taxes by referendum. Chicago’s tax levy for teacher pensions can rise from 0.383% to 0.567%. Other provisions include: (1) an income tax credit for gifts to organizations that make private school scholarships; (2) a streamlined process for seeking mandate waivers; and (3) a Tax Increment Financing Reform Task Force (S.B. 1947, Manar-Lightford-Barickman-Rezin-N.Harris—Davis-Pritchard-Currie-Bourne).

(S.B. 1 proposed a similar funding model but without some parts of S.B. 1947, such as a scholarship tax credit and letting districts that exceed adequacy targets cut taxes by referendum. It was amendatorily vetoed. The Senate overrode, but the House did not.)

Gifted Education Data. School report cards must state numbers and percentages of students assessed for gifted or advanced programs, and demographic information on them; how many teachers hold gifted education endorsements; criteria for finding students eligible for such programs; and how parents are informed of those criteria (H.B. 2461, McAsey-Pritchard-Fine-Mayfield-Crespo et al.—Bush-Lightford et al.).

Homelessness Prevention. If a student is homeless or at risk of becoming

homeless, the school district may (but is not required to) help pay the family’s housing costs using district transportation funds, subject to some conditions (H.B. 261, Mussman et al.—S.Bennett-Collins-Hunter).

Implicit-Bias Training. School boards must provide in-service training for school personnel on understanding and reducing implicit racial bias (H.B. 3869, Wallace-Chapa LaVia-Harper-Ammons-Evans et al.—Hunter-Stadelman-Collins).

Military Child Absences. Students are to be allowed at least 5 days of excused absence per school year if their parent or guardian is called to active military duty in, on leave from, or immediately returned from deployment in a combat zone or combat-support position. Students must complete all assigned work for an excused period (H.B. 3507, Greenwood-Kifowit-Manley et al.—Clayborne-Castro-Hastings-Collins et al.).

Nontraditional Study or Credit. Adult learners. Schools and other authorized nonprofit entities may create programs to award high school diplomas (not GEDs) to adult learners. Instructional staff must have educator licenses, and curricula must be consistent with specified Illinois learning and content standards. The Illinois Community College Board may approve programs for 2 school years initially, and renewals up to 4 years, if required student progress occurs (H.B. 2527, Sosnowski-Pritchard-Cabello-Wallace—Stadelman et al.).

Agriculture education. A 16-member task force will study the number of agriculture education teachers in Illinois, licensing standards, numbers of graduates of such programs, and open high school agriculture education teaching positions. It will report by January 2019 with recommendations on teacher recruitment and retention, and funding (S.B. 1991, S.Bennett-Holmes et al.—Costello-Chapa LaVia-Mayfield-Pritchard-Cavaletto et al.).

Career and technical teachers. Study at an accredited trade or technical institution may help qualify for a career and technical educator endorsement on an Educator License with Stipulations. Part-time provisional career and technical educator endorsements are renewable for 5-year periods (formerly only once) and without taking more courses (H.B. 2470, Walsh-Pritchard-Costello et al.—Bertino-Tarrant).

Entrepreneurial skills. With input from business groups and universities, the State Board is to post resources for teaching entrepreneurial skills in high schools (H.B. 3368, Sims-B.Wheeler-Gordon-Booth-Breen et al.—Trotter-Bush-Collins).

High-skilled manufacturing education. The State Board is to post resources for teaching high-skilled manufacturing in high school and vocational education (H.B. 3369, Sims et al.—Van Pelt-Castro et al.).

Law enforcement training. School districts in counties of at least 175,000, working with police departments, may offer police job training programs in high schools. Subject to appropriation, students completing them may get college scholarships from a new scholarship fund. The State Board of Education will study program participation and report annually on its success (H.B. 243, Flowers-Ford-G.Harris-Turner-Greenwood et al.—Van Pelt-Hunter).

Pension Data Reporting. School report cards must report the state’s contribution to teacher pensions (and, in Chicago, for employee health care) in the preceding year—both district totals and amounts per student (S.B. 865, Manar—C.Mitchell-Davis).

Performance Evaluation Advisory Council. The Council’s life is extended 4 years to June 2021. Its duties are changed to advising the State Board on the implementation of performance evaluations in Illinois (S.B. 449, Lightford—Chapa LaVia-Bellock).

(continued on p. 14)

EDUCATION *(continued from p. 13)*

Police Stations in Schools. Schools are prohibited from having places on their grounds for police to work, including taking students into custody. But students suspected of violent acts may be detained and isolated in school buildings, if necessary, until the threat is resolved (H.B. 3903, Stratton-Mayfield-Cabello-Davis-Parkhurst et al.—Hutchinson-McConnaughay-Holmes-Bush et al.).

Preschool Grant Funding. Starting in FY 2018, at least 25% of any funding increase over the previous year's to the Chicago District's Preschool Education, Parental Training, and Preventive Initiative programs must go to programs for children under 3. Such increases may not replace funds from other sources (H.B. 2426, Currie-Chapa LaVia-Hernandez et al.—Aquino-Lightford-McConnaughay-Collins).

Produce from school or community gardens may be served in schools if done in compliance with state health regulations (H.B. 2993, Slaughter-Harper-Lilly-Davis-Meier et al.—McGuire-Van Pelt-Castro et al.).

School Bond Hearings. Starting in 2018, a school district seeking to issue bonds through an exception to a statutory debt limit must give public notice of the issue's effects for a \$100,000 home and hold a public hearing (H.B. 760, Lang—Silverstein-Landek).

School Social Workers are defined as employees with at least master's degrees in social work and Professional Educator Licenses. No one else may use that title. Schools are authorized to employ one such worker per 250 students (H.B. 826, Lilly—Koehler-Castro-Van Pelt).

Special Education Agreement Withdrawals. Suburban Cook County school districts seeking to withdraw from special education joint agreements may appeal a disapproval decision to township school trustees. A district

without township oversight may appeal to a three-person hearing panel. If withdrawal is approved, the district can exit the next July 1 (H.B. 2540, Willis-McAuliffe-Pritchard-Chapa LaVia-Fine et al.—Harmon).

Student Data Online Protection. Websites aimed at K-12 schools may not send targeted advertising; create profiles on students except for school purposes; or sell or otherwise disclose protected student information. Other uses of such information are restricted. The Attorney General can prosecute violators (S.B. 1796, Hastings-Connelly-Martinez-T.Cullerton et al.—Hoffman-Thapedi-Conyears-Ervin-Ammons et al.).

Teacher Credentials. The minimum age to teach in public schools is reduced from 20 to 19. A person with a career and technical educator endorsement on an Educator License with Stipulations, but no bachelor's degree, can substitute-teach in career and technical education. Some requirements for teacher or administrator license applicants trained outside Illinois are modified (H.B. 3820, Crespo-Cavaletto-Pritchard et al.—Bertino-Tarrant-Bush).

Higher Education

The General Assembly voted to allow college students to get credit for military training or prior learning relevant to their fields of study, and help high school students take college courses.

Credit for Military Experience. Before June 1, 2018, each educational institution certified to receive MAP grants must adopt a policy on awarding academic credit for military training relevant to the student's degree program. Each institution must maintain a list of military programs and courses qualifying for credit (H.B. 3701, Greenwood-Halpin-K.Stuart-Welch-Flowers et al.—Clayborne-Castro-Hastings-T.Cullerton-Collins).

Data Request Fees. The Board of Higher Education and Community College Board may charge fees to answer individual student-level data requests, except those for state- or federally-mandated reports. Proceeds may be used to maintain and update student data systems (S.B. 887, McGuire—Zalewski-Ammons).

Dual Enrollment. High schools must inform juniors and seniors of dual enrollment and dual credit opportunities at community colleges (H.B. 2794, Ford-Flowers et al.—Martinez).

High School Equivalency Certification. Starting in 2018, the Community College Board is to make available alternative ways to get high school equivalency certification, including post-secondary credit, foreign diplomas, or completing a Board-approved competency-based program (H.B. 2740, Welch-Sims—Rezin et al.).

Prior-Learning Credit. Public universities and community colleges must submit policies on awarding credit for prior learning to the Board of Higher Education and Community College Board, which must adopt rules on granting such credit (H.B. 2404, Willis-Kifowit-McAuliffe-Pritchard-Chapa LaVia et al.—Rose).

Student Loan Help. Student loan servicers must be licensed and regulated by the Department of Financial and Professional Regulation, and are prohibited from engaging in unfair, deceptive, or misleading practices. They may charge late fees only in proportion to their cost to process late payments. The Attorney General may prosecute violators. A Student Loan Ombudsman in the Attorney General's Office will help student borrowers and mediate disputes between them and servicers (S.B. 1351, Biss-Harmon-Collins-S.Bennett-Bush et al.—Guzzardi-Welch-Hernandez-Flowers-C.Mitchell et al.). □

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CIVIL LAW (continued from p. 7)

duty can reinstate suspended service (H.B. 2449, S.Reick-Pritchard-Chapa LaVia et al.—Castro et al.).

Name Changes. A petition for a name change must state under oath whether the petitioner (1) has been found guilty of a crime or (2) has been arrested but not yet charged, or has a charge pending. The court clerk must serve copies of such a petition on the state's attorney and Department of State Police. The state's attorney can file written objections to a petition within 30 days after getting a copy. If a petitioner has a conviction or arrest record, a court ordering a name change must forward a copy of the order to the State Police to update the person's criminal history. A state's attorney can also ask, or the court can order, a petitioner to initiate a criminal history update with the State Police (H.B. 2559, Nekritz-S.Andersson-B.Stewart-D.Harris-Cabello et al.—Muñoz-Barickman-Harmon-Righter-Althoff et al.).

Organ Donor Age. Persons at least 16 (formerly 18) can register to be organ donors. The Secretary of State must allow such registration when issuing or renewing drivers' licenses or ID cards. Parents can change or revoke anatomical gifts by unemancipated minors. Organizations procuring such gifts must search for guardians of unemancipated minors, and offer them an opportunity to change or revoke a gift (H.B. 1805, Conroy-D. Brady-Stratton-Manley-K.Stuart et al.—Hunter-N.Harris-Murphy-Collins et al.).

Parent Locating. Cellphone (except prepaid) and wireless carriers are added to the entities that can be required to provide addresses, phone numbers, and e-mail addresses of subscribers for paternity or child support purposes. Such information is not to include actual location tracking (H.B. 2812, Hammond-Frese-Bellock—Harmon).

Pay. In addition to other prohibited acts, employers cannot: (1) require employees to sign contracts forbidding disclosure of pay information; (2) screen applicants based on pay history; (3) discriminate based on failure to answer pay-history inquiries; or (4) ask former employers for applicant pay histories (unless such information is publicly available or the application is for a position with the same employer). An employee can receive special damages (up to \$10,000) and other appropriate damages, injunctions, or court costs.

Pay differentials may not be based on factors that: (1) are derived from differentials based on protected characteristics; (2) are not job-related or consistent with a business necessity; or (3) do not explain the entire differential. If a differential is based on a protected class and imposed maliciously, employees can recover compensatory or punitive damages, or get injunctions (in addition to receiving amounts not paid as under current law). The defense that a pay differential is based on a lawful practice (available under current law) will be inapplicable if employees identified an alternative practice that would serve the same purpose and the employer refused to use it (H.B. 2462, Moeller-K.Stuart-Lang-Currie-Hernandez et al.—Biss-T.Cullerton-Martinez-Holmes-Hutchinson et al.).

Tenancy. Eviction. Proceedings formerly known as “forcible entry and detainer” or related terms are to be called “eviction.” The Illinois Supreme Court may prescribe a standard form for eviction orders (H.B. 3359, Sims—Hastings).

Security deposits. A lessor of residential property with at least 5 units, when providing a statement of damages and a cost estimate to a former tenant, can

withhold from the deposit a dollar amount stated in a lease for damage to specific components. The statement must refer to that amount and include a copy of the lease provision. A landlord who cannot provide receipts for repairs must give an itemized list of costs, any other cost evidence, and a verified statement explaining why receipts cannot be provided. Any statements, receipts, or security deposits must be delivered in person or mailed to the tenant's last known address; the lessor will not be liable for damages if a tenant provided no address (H.B. 3001, Rita-Thapedi—Hastings et al.).

Vehicle Protection Products. The term “vehicle protection products” as used in the Insurance Code is expanded to include protective chemicals (except those for propulsion systems). Any warranties on such products must be backed by warranty reimbursement insurance. A service contract for a vehicle can provide coverage for incidental costs due to failure of a vehicle protection product, but is distinct from a warranty on the product. Providers offering such coverage in service contracts must tell buyers whether they will be entitled to refunds of the price of a vehicle protection product if the coverage is cancelled (H.B. 3072, Martwick-Hammond—Hastings-Connelly et al.).

Zoning Appeals Reviews. Procedures on notification of actions to review decisions by municipal zoning boards of appeals will apply in all municipalities (currently only Chicago) (S.B. 731, Murphy—Fortner-Moylan). □

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ENVIRONMENT & CONSERVATION

The General Assembly voted to strengthen the recycling of consumer electronics devices; expand a program for abating lead hazards to the entire state; and toughen requirements on those seeking local approval of pollution control facilities. Self-reporting of pollution violations will be encouraged; bobcat hunting is restricted, but restrictions on crossbow use are reduced.

Cooking Oil and Grease Collection. A public collection center for used cooking oil and grease, hosted by a charitable organization or a government, is exempted from registration, licensing, fees, and reporting under a state law on disposal of dead animals and grease (S.B. 1420, Nybo—Breen).

Electronics Recycling. Under a new Consumer Electronics Recycling Act (as amended by a followup act), each maker of “covered electronic devices” (CEDs—mostly household electronic devices) must submit annual e-waste program plans to the Illinois EPA; pay a \$5,000 annual registration fee; and help fund “e-waste” programs to transport and recycle eligible CEDs. Makers must assume financial responsibility for implementing their e-waste program plans. The Pollution Control Board must issue regulations on allocating this responsibility among manufacturers. (CED makers and e-waste programs need not accept nonresidential CEDs for recycling.) Starting in 2019, retailers may not sell in Illinois CEDs made by unregistered manufacturers, and CEDs and similar electronic devices may not be landfilled or burned. The Illinois EPA website must post hyperlinks to manufacturer e-waste programs. A county may elect to participate in a manufacturer e-waste program and/or operate other collection sites. An older act on electronics recycling is amended to conform to the new Act, but will expire January 1, 2020 (S.B. 1417, Althoff-Koehler-Bush-Holmes—Manley-McAsey-Williams-Fortner et al.; H.B. 1955, Fortner-McAuliffe-Unes-Hammond-Manley et al.—Althoff-J.Morrison-Koehler).

Elephants. Federally protected African or Asian elephants may not be in traveling animal acts. They may still be in zoos (S.B. 1342, Holmes-Silverstein-J.Morrison-Martinez et al.—Fine-Welter-Skillicorn et al.).

Human Remains Scattering. Land owned by the Department of Natural Resources (DNR) and used for outdoor recreation or natural resource conservation may be designated for scattering of cremated human remains (S.B. 1586, Cunningham—Kifowit).

Hunting. Bobcats. Hunting or trapping bobcats is banned in 33 northern or north-central counties, and in parts of three others. No more than 350 bobcats may be taken in the 2017 hunting season, rising to 375 in the 2018 season (H.B. 3399, Feigenholtz-Skillicorn-B.Wheeler-Costello—Harmon-Holmes-J.Morrison-Silverstein).

Crossbow use. The special restrictions on hunting of wild birds and mammals by crossbow are repealed (H.B. 2893, Costello et al.—N.Anderson).

Lead Abatement. The Illinois Department of Public Health (IDPH) Comprehensive Lead Education, Reduction, and Window Replacement Program is expanded from pilot areas to statewide. Subject to appropriation, and consulting with the Safe Housing Advisory Council, IDPH is to offer a Lead Direct Assistance Program, with goals including abating lead in plumbing. IDPH will report annually to the Governor and General Assembly on effects (S.B. 1774, Harmon-Van Pelt-Koehler—Evans-Turner et al.).



Lead Tests in Schools; Waste Application on Land; Industrial Materials Exchange. The kind of testing laboratories to which a provision allowing school districts to seek waiver of some lead testing requirements applies is changed from an Illinois EPA-accredited laboratory to a laboratory meeting specified national accreditation standards. Producers of vegetable by-products for land application need only keep copies of their annual reports on site for 5 years, in lieu of reporting to the Illinois EPA. The EPA’s authority to support an industrial materials exchange service is ended (S.B. 1943, Koehler—Beiser).

Mahomet Aquifer Protection. A Mahomet Aquifer Protection Task Force will address preserving clean drinking water in the Mahomet Aquifer in east-central Illinois. The Illinois EPA will provide administrative support. The Task Force is to report to the General Assembly by July 1, 2018 (S.B. 611, S.Bennett-Manar et al.—Ammons-Hays-Bellock-Beiser et al.).

Natural Areas Stewardship. DNR is authorized to make stewardship grants from the Natural Areas Acquisition Fund to eligible conservation land trusts for land stewardship. DNR must set priorities for considering applications and making grant awards (S.B. 1029, Barickman et al.—T.Bennett-D.Brady-Bellock-Butler-Currie et al.).

Petroleum Education and Marketing. The Illinois Petroleum Education and Marketing Act is extended 10 years to 2028. The Illinois Petroleum Resources Board's duties are expanded to include supporting oilfield environmental restoration activities. Restrictions are added on how it can spend funds (S.B. 730, Righter—Severin-Bryant-D.Reis et al.).

Plant Sales. Plants and plant materials obtained or grown by the Department of Natural Resources may be sold as "liner stock" by agreement with the Illinois Green Industry Association. Prices must approximate acquisition, production, and distribution costs (H.B. 2488, Hammond-Frese-Bellock et al.—Tracy-T.Cullerton).

Pollution Control Facilities. *Definition.* The part of a permitted facility used for transferring comingled landscape and food scrap held less than 24 hours, in a home-rule municipality with a 2010 population of 25,000-30,000, will not be a pollution control facility under the Environmental Protection Act (S.B. 1456, J.Morrison—Fortner).

Regulation. With limited exceptions, the Solid Waste Planning and Recycling Act will not authorize a county (except Cook) to require a permit for, or impose regulations on, a municipal solid waste landfill, storage site, transfer station, or other waste disposal site that has Illinois EPA permits (S.B. 1561, Koehler-Weaver et al.—Walsh-Butler).

Site approval. An applicant for local approval of a pollution control facility must submit evidence of compliance with siting criteria and offer at least one witness, subject to cross-examination, at a public hearing. The written siting decision must confirm that these requirements were met (H.B. 2842, Rita-Ives—Cunningham).

Self-Reporting of Violations. A small entity (as defined) that voluntarily discloses pollution control noncompliance to the Illinois EPA need not pay the portion of a resulting fine or penalty that is not based on the economic benefit of noncompliance (S.B. 1433, Schimpf et al.—Fortner-Bellock).

Shingle Recycling. Asphalt roofing shingles may be landfilled if they are commingled with municipal waste or were rejected by a shingle recycling facility. The Illinois EPA can issue a notice to rescind recognition as an eligible shingle recycler to a facility not complying with its conditions. The section on shingle recycling is extended 5 years to 2023 (H.B. 2876, Hoffman—Hastings-Manar et al.).

Sulfur Dioxide Control. A 13-member task force will study sulfur dioxide emission control technology, seeking to increase use of Illinois coal in power plants, and report to the General Assembly by yearend 2017 (H.B. 3656, Bourne-Severin-Meier-Swanson-S.Reick et al.—Manar-McCann et al.).

Trails. DNR is to offer an "Adopt-a-Trail" program so volunteer groups can help maintain and improve trails on state land. DNR will designate and approve activities by the groups, which may not include work historically done by DNR employees. Each group must agree to provide at least 200 service hours over 2 years (H.B. 3455, Spain-Harper-Skillicorn et al.—Weaver et al.).

Wind Energy. Certification requirements for electric generating facility installers, maintainers, and repairers are amended to remove utility-scale wind projects from their scope (S.B. 71, Harmon-Martinez-McCann-B.Brady et al.—Lang-D.Brady et al.).
□

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LRU Publications

The following are some of the publications that are available on the LRU Internet site at: http://www.ilga.gov/commission/lru/lru_home.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. It also has a State Trust Fund section that identifies the trust fund(s) used for depositing federal grants. A table shows which programs are supported and what regions and populations of Illinois are served by the federal grants.

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.

HEALTH & SAFETY

Legislators voted to expand authority for medical care to be provided using telehealth or telemedicine (remote evaluation of patient data); inform the public about dangers of heroin and opioid abuse and meningococcal disease; and mandate insurance coverage for several additional diseases or conditions. Other successful bills will permit pharmacies to offer additional kinds of health-care products, and require collection of data on asthma during school health exams.

Animal Sale and Adoption. *Microchipping; source restrictions.* Dog dealers and cattery operators must offer evidence that animals for sale have been microchipped and enrolled in a nationwide searchable database. A pet store must tell buyers of the option to list the store as a secondary database contact. Pet shops are restricted from selling pets from breeders with recent federal animal welfare violations (S.B. 1882, Hastings et al.—Costello-Hammond-S. Andersson-Lang-Davis et al.).

Research animals. A research facility owning dogs or cats must have an adoption policy; post it on its website; and make reasonable efforts to offer suitable dogs and cats for adoption. Such a facility that follows its adoption policy will not be civilly liable except for willful or wanton misconduct (S.B. 1884, Holmes-T.Cullerton-Silverstein-J.Morrison-Bush et al.—Fine-McDermed-Moylan-D.Burke-Kifowit et al.).

Asthma in School Health Exams. Illinois Department of Public Health (IDPH) regulations on school health exams must require collection of data on asthma. The exams must include collection of health exam data and factors relating to asthma. IDPH may collect and store data on asthma's extent, nature, and impact (S.B. 1846, Hunter et al.—Davis-Hernandez-Bellock-Welch-Fine et al.).

Counseling and Therapy for Minors. Outpatient counseling or psychotherapy provided without parental notice to a person under age 17 will be initially limited to eight 90-minute sessions (increased from five sessions of up to

45 minutes). If such services relate to parental abuse or neglect, getting parental consent will be deemed harmful to the minor's well-being, and the parent(s) need not be informed (H.B. 3709, Sims-Stratton-Wallace et al.—Lightford-Martinez-Hunter-Collins-Stears et al.).

EMS Service Levels. A provider of "ambulance assistance vehicles" (such as a fire department) may propose an "in-field service level upgrade" to the local EMS medical director. With approval, the provider may be upgraded to the highest level of EMT license or Pre-Hospital RN certification held by a person staffing its vehicles. Such upgrades may be to a licensed ambulance, alternate response vehicle, or specialized emergency medical services vehicle (H.B. 1952, Cabello-Willis-B.Stewart-Cavaletto-Hurley et al.—N.Anderson et al.).

Fire Hydrants. A new law addresses responsibility for maintenance of and access to "dry hydrants" (hydrants for firefighting that can draw water from lakes or ponds, rather than from water supply systems) on both private and public property (H.B. 2382, Riley et al.—Hutchinson).

"Food Deserts" Reports. IDPH must report annually to the General Assembly on locations of, and health problems in, food deserts (areas with few fruits, vegetables, and other whole foods due to lack of stores, farmers' markets, or other healthy-food providers) (H.B. 3157, Harper-Wallace-Slaughter-B.Wheeler-Lilly et al.—Hunter-Lightford-Collins et al.).

Food Safety. *Communal kitchens.* Neither IDPH nor local health departments (except in Chicago) may regulate preparation and serving of food in private residential leaseholds by or for lessees and their guests (S.B. 2057, Rose—Hays).

Farmers' markets. A Chicago mayoral appointee is added to the Farmers' Market Task Force. Farmers' market vendors must keep potentially dangerous food at 41° F. or below; they may use iced coolers to do so. They also may share handwashing stations (H.B. 2820, S.Andersson-Harper-Pritchard et al.—Koehler-Holmes-Bush-Collins et al.).

Hospital Admission. No hospital may keep a list of persons who are to be denied admission for treatment. But it may recommend other providers, coordinate transfers, or arrange access to other services (H.B. 2762, Davis—Hunter).

Human Remains—Donation. Public officials must notify persons requesting burial funds of the option to donate remains for medical science. If no burial funds are available or a body is unclaimed, the coroner may donate the body for medical science. IDPH must keep a registry of bodies donated and institutions eligible to receive donated bodies (H.B. 3488, D.Brady et al.—Muñoz et al.).

Infectious Disease Testing. A medical provider, EMT, firefighter, or police officer, if accidentally exposed to a body fluid of a person in a way that might transmit infectious disease, may require testing of that person for evidence of infectious disease. Informed consent will not be required (H.B. 3002, Cavaletto-Bellock et al.—Manar).

Insects in Rented Items. A business that rents or leases furniture or electronics must inspect them before renting them again, and treat them to eradicate pests such as bedbugs and

roaches if any are found. Customers can seek damages for violations (H.B. 3741, Andrade et al.—Martinez).

Mandated Insurance Coverages.

Breast screening. Health insurance, Medicaid, and similar policies must cover physician-prescribed MRI of a breast in which mammography shows dense or heterogeneous tissue (S.B. 314, Murphy-Bush-Van Pelt-Cunningham—K.Stuart-Moylan-Stratton et al.).

Eating disorders. Group and individual policies for medical expenses must cover treatment of eating disorders including pica, rumination disorder, and other feeding or eating disorders (added to anorexia and bulimia) (H.B. 1332, Fine-Conroy-Harper et al.—J.Morrison et al.).

Pediatric neuropsychiatric disorders. Unless the federal government requires states to pay such costs, group or individual policies of accident and health insurance and managed-care plans must cover therapy for pediatric autoimmune neuropsychiatric disorders due to streptococcal infections, and pediatric acute-onset neuropsychiatric syndrome. Coverage must include intravenous immunoglobulin therapy (H.B. 2721, Conroy-Fine-Breen-Gabel-Harper et al.—T.Cullerton-Bertino-Tarrant-Nybo-Connelly-Van Pelt et al.).

Pre-existing conditions. Individual and group accident and health insurance policies may not impose pre-existing condition exclusions, as defined in an Illinois act (H.B. 2959, Fine-Yingling et al.—Biss-S.Bennett-Raoul-Collins-Holmes et al.).

Prescription refill timing. Health insurance and other plans that cover prescription drugs must allow “synchronization” of refills at least once a year, subject to some conditions. “Synchronization” means coordination of refill dates for a person taking two or more drugs for chronic conditions (H.B. 2957, Fine—Mulroe et al.).

Meningococcal Disease. IDPH must issue a brochure on this disease and vaccines for it. IDPH must post the brochure on its website and notify public colleges and universities of it; they must provide it to each adult student, and the parents of students under 18 (H.B. 679, Gabel-Bellock-K.Wheeler et al.—Mulroe-Van Pelt).

Mental Health Advisory Council. An Advisory Council on Early Identification and Treatment of Mental Health Conditions is created to make recommendations and plan to address barriers to early and regular screening and identification of mental illness in young persons (H.B. 3502, Conroy-Stratton-Kifowit et al.—Bush-Althoff-J.Morrison et al.).

Mercury Switch Removal. The repeal of an act on removing mercury switches from junked vehicles is accelerated 5 years to January 1, 2022 (S.B. 1372, Harmon—Walsh).

Needles and Syringes. The number of needles or syringes that a person 18 or older may buy and possess is raised from 20 to 100. Prescriptions for original or refill syringes and needles may be sent electronically (S.B. 1944, Nybo-Trotter—Ford-Phillips-Soto-Lilly).

Nursing Homes. ID bracelets. An identification wristlet may be used for any nursing home resident by physician order. The facility may require them on Alzheimer’s patients with histories of wandering (H.B. 223, Ford-Soto-Flowers—Martinez-Murphy et al.).

Staffing. IDPH may temporarily waive registered nurse staffing requirements for a licensed nursing facility showing (1) its inability to hire the required number of nurses and (2) that a waiver will not endanger patients. But no nurse staffing requirement in federal regulations for Medicare- or Medicaid-certified homes can be waived (S.B. 626, McCann—Davidsmeyer-Bellock).

Opioid Abuse. The Department of Human Services must have a website informing the public about heroin and prescription opioid abuse. The Department’s activities will count toward a maintenance-of-effort requirement for getting federal block grants for drug-abuse prevention and treatment (H.B. 3161, Manley-Moylan-Mussman-Conroy-Moeller et al.—Bertino-Tarrant-T.Cullerton-Castro et al.).

Pharmacy Sales. Dialysis supplies. With prescriptions and subject to conditions, pharmacies may arrange for makers of dialysate fluid and devices to deliver them to persons with end-stage renal disease for dialysis at home (S.B. 636, Link-Bush—Mayfield-Bellock-B.Wheeler-Bryant).

Emergency refills. Under stated conditions, pharmacists can make emergency refills for chronic diseases or conditions if refill authorization cannot be obtained from the prescriber. The longest such refill allowed is a 30-day supply (S.B. 1790, Stadelman-Holmes-Bush—Wallace-Ammons-Harper).

Premature-birth drug. A pharmacist, upon a valid prescription, may inject alpha-hydroxyprogesterone caproate (to treat threatened miscarriage and prevent pre-term birth) (S.B. 317, Mulroe-Althoff—Gabel-Wallace-Ammons-Winger-Bellock).

Restaurants. Allergen safety. Certified food service sanitation managers for restaurants must get accredited training on basic allergen awareness within 30 days after hiring and every 3 years thereafter (H.B. 2510, Feigenholtz-Hernandez-Harper—Muñoz-Lightford et al.).

Catfish. A restaurant may not label an item as containing catfish unless it contains catfish. Such errors will not be violations if the restaurant relied in good faith on a supplier’s information. After two separate complaints of incorrect catfish labeling at a restaurant,

(continued on p. 25)

LOCAL GOVERNMENT

The General Assembly voted to expand provisions allowing some kinds of local governments to be eliminated or consolidated. Other successful bills will require that reports on local government mandates include estimates of their statewide costs; change the criteria for apportionment plans for electing county boards; and change some qualifications for police or fire department employees.

Annexation Near Waterway. Territory separated from a municipality by a waterway is deemed contiguous to it for annexation. A municipality annexing such territory also annexes a part of the waterway between it and the annexed territory if the waterway is under the jurisdiction of another government (except a municipality) (H.B. 2407, Kifowit-Fortner—Holmes).

Automated Cars. Local governments, including home-rule units, may not bar vehicles equipped with Automated Driving Systems (as defined) (H.B. 791, Demmer-Sosnowski-Skillicorn-Fortner—McConnaughay-McConchie et al.).

CMAF Meetings. The Chicago Metropolitan Agency for Planning is to broadcast its open board meetings, post them on its website within a reasonable time, and keep them as public records (H.B. 2538, Riley—McConnaughay).

Consolidating Local Units. *Generally.* Processes are created for two or more adjacent townships to consolidate; a township to be merged with two adjacent townships; or a township to merge into a coterminous municipality. Before such a change can happen, all affected governing boards must pass a resolution and a majority of voters in each affected township or municipality must approve.

The authority of the DuPage, Lake, and McHenry County boards to dissolve some units of local government is extended to all counties. If a county board uses its existing authority to

alter township boundaries, resulting townships are no longer limited to 126 square miles. If township organization ceases in a county, the county board will decide whether to change to the commission form of government instead of automatically making that change.

With approval of a majority of those voting on the question, a township outside Cook County can take over the functions of a road district with less than 15 miles of roads.

Home equity commissions in Chicago are reduced from 9 members to 7. A commission with a surplus of at least \$4 million in its guarantee fund may repay taxpayers amounts up to their shares of its annual levy if an independent accountant finds that doing so will not reduce its funds below \$3 million (S.B. 3, T.Cullerton-Bush-J.Morrison-Trotter et al.—Yingling-S.Andersson-Conroy-Sente-Batinick et al.).

Road districts. Township road districts outside Cook County may be abolished by referendum. The township board may put the question to the voters. If a majority of those voting approve, the road district's duties and assets (including taxing authority) will go to the township. In Cook County, if a referendum abolishing a road district passes, it will not be abolished before the date its highway commissioner's term ends. A road district will automatically expire if it has no more than 4 centerline miles (formerly 4 lane miles) of road (H.B. 607, Yingling-Demmer-Conroy-McSweeney-Willis



Photo by: Brett Gustafson (WikimediaCommons)

et al.—J.Morrison-McConnaughay-Murphy et al.).

County Apportionment Plans must allow racial and language minorities equal opportunity to participate politically and elect candidates of their choice. Members of such groups who constitute less than a voting-age majority in their districts are to have opportunities to substantially influence election outcomes. When practicable, lines must be drawn to create “cross-over,” “coalition,” or “influence” districts (to the extent consistent with the U.S. and Illinois Constitutions and the Voting Rights Act of 1965) (S.B. 910, Bush-Hutchinson—Willis-Wallace-Ammons-Feigenholtz).

Disposal Contracts. Municipalities except Chicago may not make new contracts or franchises for collection and disposal of general construction or demolition debris; this will not affect renewals or extensions of existing contracts and franchises (S.B. 1807, Harmon-Silverstein-Althoff et al.—K.Burke-Long-T.Morrison-Bellock-Tabares et al.).

Fire Chief Qualifications. Any full-time fire chief or other person responsible for more than 180 days for daily

operations of a municipal fire department (apparently excluding Chicago) or fire protection district must have either (1) specified State Fire Marshal certifications and an associate's degree in fire science or a bachelor's degree in any subject, or (2) at least 10 years' experience as a firefighter in the department or district (S.B. 1304, N.Anderson-Holmes-Bush et al.—Willis-Cavaletto-Hurley-Swanson-McAuliffe et al.).

Fire District Annexations. A fire protection district could annex property for which it provides coverage—under a section of the Emergency Telephone System Act on providing emergency telephone service to unserved areas—by mailing notice to affected owners, holding a hearing, and adopting an ordinance (H.B. 2778, Willis-D.Burke-Kifowit—E.Jones et al.), **vetoed**.

Firefighters' Tires. With fire chief authorization, a volunteer firefighter may buy four vehicle tires every 3 years under the department's or city's joint buying contract (H.B. 771, Bryant-Sente-Cavaletto-D.Harris et al.—Schimpf-E.Jones-N.Anderson et al.).

Highway De-annexation. If a highway was a township highway before being annexed, but is disconnected or de-annexed within 1 year after annexation, it reverts to the township (H.B. 764, S.Andersson—McConaughay).

Landscape Waste. *Giving away.* A road district may take wood chips, mulch, and other tree maintenance products to residents on a first come, first served basis, or randomly select recipients (H.B. 2423, Breen-Durkin-Conroy-Olsen—Nybo).

Recycling. Township employees may take brush, wood chips, and leaves from unincorporated areas to recycling centers (H.B. 2427, Olsen—Nybo et al.).

Library Financial Reports. A city's library trustees must report on financial needs and requested tax levy for the next year by 60 days before tax levy certification (formerly 60 days after the fiscal yearend) (H.B. 373, Willis-Olsen-Conroy-Kifowit-Pritchard et al.—J.Morrison-Harmon).

Park District Volunteers. A park district may not knowingly have a volunteer who is a child sex offender. New volunteers must complete an application including a question on child sex offense convictions (H.B. 786, Andrade-Olsen-Willis-Costello-Bourne et al.—Martinez-Van Pelt).

Police Educational Qualifications. Cities that require police applicants to have associates' degrees may waive that requirement for an applicant with 60 credit hours toward a bachelor's degree (added to existing waivers for some veterans) (H.B. 305, T.Bennett-DeLuca-Sosnowski-Willis-Fortner et al.—Barickman-McConchie et al.).

Recorders' Fees. By 2019, each county must adopt a "predictable" fee schedule with no surcharges based on individual attributes of standard documents recorded (pages, number of legal descriptions or tax ID numbers, etc.) unless specifically allowed by this amendatory act. The minimum fee to record any of the major types of documents will be \$21. To charge more under its first "predictable fee" schedule, a county board must average the fees collected in recent years by document class, and set the fee for each class at its average. A county board may later increase fees after doing a cost study to justify it. Fees for nonstandard documents (such as documents dividing a tax ID number, or referring to more than 5 document numbers, etc.) are not affected (H.B. 3036, Walsh-Halbrook—E.Jones-Mulroe-Althoff).

State Mandate Costs. The Department of Commerce and Economic Opportunity's decennial report on state mandates on local governments must estimate statewide compliance costs (S.B. 2066, Righter-Schimpf—Breen).

Township Fund Accumulation. A township's funds (except a capital fund) may not exceed 2½ times its average annual spending in the last 3 fiscal years (H.B. 1896, Halbrook-Ammons—Rose).

Township Purchases. Goods that are not suitable for bidding (such as those from another government, or used equipment) need not be competitively bid (S.B. 422, Castro—Moeller et al.).

Union Security Agreements. Local governments may not restrict or regulate union security agreements between private employers and unions (S.B. 1905, Silverstein-Holmes-Murphy-Lightford-McCann et al.—Moylan-Walsh-Phelps-Hoffman-Guzzardi et al.).

Water Billing. Public water authorities and municipal water systems are to bill residential customers within 12 months, and nonresidential customers within 24 months, after the service. They may not intentionally delay billing beyond the normal cycle. They are to identify amounts on a bill attributed to previously unbilled service, and must prorate those amounts to reflect the rate in effect then. Customers can make payments for previously unbilled service without interest or late fees (H.B. 3400, Sosnowski—Althoff). □

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PROFESSIONS & OCCUPATIONS

Legislators voted to authorize physician assistants and advanced practice registered nurses to do some procedures formerly reserved for physicians; limit the use of criminal convictions in licensing; and expand the kinds of procedures authorized for acupuncturists and physical therapists.

Accountants. Accounting firms with principal places of business in other states can practice without Illinois licenses if they meet specified licensing standards in their home states. The Secretary of the Department of Financial and Professional Regulation (DFPR) will appoint a CPA coordinator to offer guidance to licensees and liaison between them and the Department (S.B. 899, Althoff—Rita-D.Reis-Bellock).

Acupuncture. The Acupuncture Practice Act is extended 10 years to 2028, and the scope of practice expanded to include “dry needling” (inserting needles into the skin or underlying tissue to treat muscle pain), electric and magnetic stimulation, cupping, and other treatments based on traditional East Asian medical theory and practice. Any patient whose condition is beyond the scope of acupuncture practice must be referred to a licensed physician or dentist (H.B. 2630, Mah-Guzzardi-Lang-Flowers-Harper et al.—Martinez-Clayborne et al.).

Dentists and Assistants. Expanded-function dental assistants (with specified training and if authorized by a dentist) can offer added dental services such as removing loose or broken orthodontic appliances, taking impressions, and performing pulp vitality tests. All such procedures must be checked by the dentist before dismissing the patient (S.B. 589, N.Anderson-McCann—Phelps et al.).

Expedited Licensing. Licensees or applicants for expedited licensing under an interstate compact, who designate Illinois as their principal license state, will have their fingerprints sent to the State Police for criminal history checks

(S.B. 1085, Althoff—McAuliffe-Bellock).

Licensing After Conviction. Before denying or revoking a license due to a criminal conviction, DFPR must consider mitigating factors, including the person’s age when committing the offense; whether it was related to the occupation or profession; and passage of stated amounts of time without a further conviction. This does not apply to health-care workers if a law lists offenses that will bar licenses. If DFPR denies a license due to a conviction, it must tell the applicant in writing and send information on the appeals process or how soon the applicant can reapply, among other information. Some other state licensing entities must also consider mitigating factors before denying licenses for lack of good moral character based solely on a conviction. DFPR and other state licensing entities are forbidden to ask applicants about some kinds of past acts, or consider them in licensing (S.B. 1688, Raoul-Collins-Hutchinson-Lightford-Hunter et al.—Sims-Turner-Davis-Slaughter-Cabello et al.).

Medicine. The Medical Practice Act of 1987 is extended 2 years to December 2019 with minor changes. Being named as an abuser, or failing to report suspected abuse, of an adult living at home becomes a ground for discipline of a physician (S.B. 1348, Martinez—Soto-K.Burke).

Nursing. The Nurse Practice Act is extended 10 years to 2028. Advanced Practice Nurses will be called Advanced Practice Registered

Nurses (APRNs), and their authority expanded. APRNs certified as nurse midwives, clinical nurse specialists, or nurse practitioners can seek “full practice authority,” enabling them to provide several services without a collaborative agreement with a physician. To get such authority, an APRN must have at least 250 hours’ continuing education or training and at least 4,000 hours’ clinical experience after getting national certification. APRNs with such authority can use local anesthesia and prescribe legend drugs and Schedule II through V controlled substances—but any narcotic drugs that they prescribe require a consultation relationship with a physician and may not be injected. All APRNs must get at least 80 (was 50) hours of continuing education per 2 years. Grounds for discipline are expanded to include willful failure to report suspected abuse or neglect of, or abusing, vulnerable adults (H.B. 313, Feigenholtz-Soto et al.—Martinez-Steans-McCarter-McGuire-Aquino et al.).

Pharmacists. The Pharmacy Practice Act is extended 2 years to 2020. A task force will review pharmacy practice, with goals of improving public safety and working conditions of pharmacists and pharmacy techs. Any recommendations are to be made by September 2019; DFPR is to propose rules consistent with the recommendations, or make recommendations to the General Assembly by November 2019. Information collected by DFPR in examining or investigating an applicant or licensee under the Act may not be disclosed except to law enforcement officials, relevant regulatory agencies, or a party with a subpoena. A system is created for issuing and appealing citations for license violations (H.B. 3462, Zalewski-Flowers—Martinez-Righter).

Physical Therapists with specified training can do “dry needling.” They may not claim that it is acupuncture,

(continued on p. 25)

REVENUE

The state's individual and corporate income tax rates were raised. However, several tax credits to promote education or economic growth were renewed or increased. Legislators also voted to make property tax breaks more generous (especially for taxpayers over 65), and to enable appeals of multiple assessment years in one action. Other successful bills will promote energy conservation, and make it easier to find tax liens on delinquent taxpayers' Illinois property.

Income Taxation

Angel Investment Credit. The income tax credit for investing in small technology companies is extended 5 years through 2021. A minimum investment of \$10,000 is required. The Department of Commerce and Economic Opportunity (DCEO) must annually certify that a business receiving an eligible investment maintains a minimum employment threshold, as defined by rule, in the state and does so for 3 years; if it does not, the investor must repay any credit received. Of the \$10 million in credits offered per year, \$500,000 is to be in eligible businesses owned by women, minorities, or persons with disabilities, and \$500,000 in eligible businesses in counties with populations up to 250,000. New businesses seeking eligibility for investments must report their North American Industry Classification System code and number of employees; and for 3 years after getting an eligible investment report to DCEO information on numbers of employees, capital investments raised, and terms of any events affecting liquidity (S.B. 2012, Weaver—Sente-Sims-Wehrli-B.Stewart-Andrade et al.).

Checkoffs. Two income tax checkoffs are created: (1) a Thriving Youth check-off to go to the Department of Human Services for grants to providers delivering non-Medicaid services for youth programs, and (2) an Illinois Police Memorial checkoff for police memorials, scholarships, and financial aid for officers injured or killed on duty and their families (S.B. 2046, Steans-McCann et al.—Coneyears-Ervin-Zalewski-Lilly-Flowers et al.).

EDGE Extension. The Economic Development for a Growing Economy (EDGE) income tax credit is extended through June 2022. Formerly, credits were limited to the amount of withholding taxes of new employees at a project; the new limit is the lesser of (1) that amount, or (2) 50% of those withholding taxes plus 10% of the employee training costs (more in some circumstances, such as in a high-poverty area).

To qualify for a credit, a firm with over 100 employees must invest at least \$2.5 million and hire the lesser of 10% of the number of its worldwide employees or 50 new employees (changed from a \$5 million investment and 25 employees). A firm with up to 100 employees need make no capital investment, but must hire the lesser of 5% of the number of its worldwide employees or 50 new employees (changed from a \$1 million investment and 5 employees). Credits will be recaptured if a project closes (H.B. 162, Zalewski-D.Harris-Wehrli-K.Wheeler-Bellock et al.—Bush-Althoff-Holmes-N.Anderson-J.Morrison et al.).

New Markets Development Program. The program is extended 4 years to fiscal year 2021. To qualify for an income tax credit, 100% of an investment (was 85%) in a qualified community development entity must be used for low-income community investments. Applicants whose investments also qualify for the federal New Markets tax credit will be considered first. Up to \$125 million of qualified investments may be approved in 2019 and \$125 million in 2020. Businesses getting qualified investments are barred from some business relationships with qualified community development

entities. They must report annually to the DCEO on outstanding qualified community investments (S.B. 652, Clayborne-Muñoz-Holmes et al.—Lang-Turner-Sims-Greenwood-Davis et al.).

River Edge Credit. The income tax credit for qualified expenses of restoring historic structures in River Edge Redevelopment Zones is extended 4 years through 2021 (S.B. 1783, Stadelman-Holmes-Koehler-Syverson-Castro et al.—Wallace-Chapa LaVia-Kifowit-Spain-Gordon-Booth et al.).

Theater Credit. The income tax credit for live theater productions is extended through 2021 (S.B. 852, Hutchinson—Zalewski).

Multiple Taxes

Income Tax Rates, Credits, and Exemptions; Tax Lien Registry; Unclaimed Property. *Income tax.* Effective July 1, 2017, the individual income tax rate rose from 3.75% to 4.95% and the corporate rate from 5.25% to 7%. The research and development tax credit was retroactively reinstated through 2021. The maximum credit for family K-12 education expenses rose from \$500 to \$750 starting in tax year 2017. The earned income tax credit rises from 10% of the federal tax credit to 14% in 2017 and 18% thereafter. School instructional personnel may take credits up to \$250 for instructional supplies they buy. Taxpayers with AGIs over \$500,000 (joint return) or \$250,000 (other taxpayers) cannot claim the standard exemption, property tax credit, or education expense credit. Some corporate tax exemptions are eliminated—such as by requiring companies that take the federal deduction for domestic production activities to add it to their reported Illinois income.

Sales tax. Sales of gasohol became fully subject to state sales tax starting July 1, 2017 (a 20% exemption was to last through 2018). But the exemption

(continued on p. 24)

REVENUE *(continued from p. 23)*

for sales of majority-blended ethanol, and biodiesel and biodiesel blends with over 10% biodiesel content, was extended 5 years through 2023. The sales tax exemption for graphic arts machinery and equipment (which expired in 2014) has been included in the exemption for manufacturing equipment.

Miscellaneous provisions. The Department of Revenue is to create an indexed State Tax Lien Registry where it will file notices of state tax liens in lieu of filing with county recorders. Such a filing will put a lien on all real and personal property in Illinois of the tax debtor for 20 years or until the lien is released. The Revised Uniform Unclaimed Property Act replaces the Uniform Disposition of Unclaimed Property Act. Among many other changes, the time after which most kinds of property will be presumed abandoned is shortened from 5 years to 3 years after some event such as the owner's last act indicating interest in it (S.B. 9, Hutchinson-Trotter-Steans et al.—Davis), **veto overridden**.

Municipal Revenues Dedication; State Energy Savings. A home-rule municipality that receives revenues or taxes from the state may authorize their assignment to a financial institution that issues bonds for the municipality. Copies of the ordinance and financial institution agreement must be filed with the state agency that pays the funds.

State purchasing officers may enter into contracts or leases for energy savings, added to energy conservation program contracts already authorized. Either type of contract may last up to 15 years (formerly 10 years, for energy conservation program contracts) (S.B. 41, J.Cullerton—Currie).

Property Taxation

Appeals. If the Property Tax Appeal Board lowers an assessment for one year, after the deadline for filing complaints for any later year in that assessment period, the taxpayer may appeal assessments for all years in that general assessment period (3 years in Cook County or 4 elsewhere) (S.B. 609, J.Morrison-T.Cullerton-Bush-Cunningham—Nekritz).

Clean-Energy Assessments. A city or county may establish a “property assessed clean energy” (PACE) program to help fund energy efficiency or alternative energy projects for privately owned nonresidential properties in eligible “PACE areas” designated by the local government. An owner who applies must agree to repay the local government through assessments on the property helped by the project. Such an assessment (apparently in total amount) may not exceed 25% of the greater of the property's assessed or appraised value (H.B. 2831, Lang-Fortner-S.Andersson et al.—McConnaughay-Althoff-Bush-J.Morrison-Sandoval et al.).

Exemption Increases. In Cook County, starting in tax year 2017, maximum reductions in assessed value rise from \$5,000 to \$8,000 for the senior citizens' homestead exemption, and from \$7,000 to \$10,000 for the general homestead exemption. Also in Cook County, the income limit for the senior citizens' assessment freeze homestead exemption rises from \$55,000 to \$65,000 (and a minimum exemption of \$2,000 is established) in tax year 2017; in tax year 2018, the income limit becomes \$65,000 statewide (S.B. 473, Muñoz-Harmon et al.—Martwick-Conyears-Ervin-D'Amico-Andrade-Arroyo et al.).

Parking Lot Exemption. A parking area owned by a religious institution, and leased for nominal consideration to a municipality to provide free public

parking, is exempt from property tax (S.B. 1593, McConnaughay—Chapa LaVia).

Sales Taxes

Rental-Purchase Tax. Renting merchandise and using it in Illinois under a rent-to-buy contract will be taxed at 6.25% of gross receipts starting in 2018. The tax will not apply to property required to be titled and registered by the state. Merchants can get a one-time credit for tax paid on goods, bought in the 6 months before the tax takes effect, that will be subject to it. Merchandise subject to this tax is exempt from sales tax (S.B. 1434, T.Cullerton et al.—Hoffman-Cabello).

Rolling Stock Exemption. Motor vehicles over 16,000 pounds and trailers will qualify for the sales tax exemption of property used for hire as rolling stock in interstate commerce if the buyer certifies that they will be used by an interstate carrier for hire with an active U.S. DOT number and appropriate classification. The previous test, based in part on number of interstate trips or miles per year, still applies to limousines (S.B. 1871, McGuire-Weaver et al.—Costello-Unes-Beiser-Bourne et al.).

Other Topics

Alternative Fuels. Compressed natural gas used as a motor fuel will be taxed like gasoline at 19¢ per gallon—calculated at 5.66 pounds of CNG = 1 gallon of gasoline. Liquefied natural gas or propane used as motor fuel will be taxed like diesel fuel at 21.5¢ per gallon, calculated at 6.06 pounds of LNG or 6.41 pounds of propane = 1 gallon of diesel fuel (H.B. 2801, Zalewski et al.—Harmon-Althoff-McConnaughay et al.).

Electronic Filing. Starting with 2017 withholding, the Department of Revenue can decide whether to require employers to submit W-2 forms and

withholding returns electronically or on magnetic media rather than on paper. Starting in 2018, retailers with average annual gross receipts of at least \$20,000 must file sales tax returns electronically (except returns for vehicles required to be registered with the state). Tire sellers required to file sales tax returns electronically must do that for tire user fee returns. Sellers may retain vendor discounts for collecting required amounts only if they file assessment returns electronically (H.B. 821, Currie-D.Harris-Fortner—Althoff).

Hotel Tax—Religious Exemption.

The state hotel tax does not apply to rental receipts of a religious organization that is exempt from state sales tax, if it rents rooms to religiously exempt organizations or rents in furtherance of its religious purposes. Retreat centers, conference centers, and hunting lodges are added to the list of kinds of lodging places subject to the tax (S.B. 587, Bivins—Breen-Wallace-B.Stewart-D.Harris-K.Wheeler).

Permit Renewal. Retailers must renew their state sales tax registration certificates annually, not every 5 years (H.B. 819, Zalewski—Althoff).

Wine Shipment Reports. A third party (except a common carrier) shipping wine into Illinois on behalf of a licensed winery shipper must file with the Liquor Control Commission a statement on all shipments made to Illinois residents within 30 days after the Commission or Department of Revenue requests it (in addition to the existing annual filing requirement). The statement must identify the winery; amount shipped; and date and address of the shipment. Supporting documents must be kept 3 years. Violation is a Class C misdemeanor (S.B. 941, Connelly-Muñoz—Zalewski-Bellock). □

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HEALTH & SAFETY

(continued from p. 19)

IDPH or the local health department must investigate, and impose a \$250 fine for a first violation and \$1,000 for a second violation (S.B. 312, E.Jones et al.—Conyears-Ervin-Greenwood-Lilly).

Smoke Detectors. Starting in 2023, new or replacement battery-powered smoke detectors in dwellings must be sealed with long-term batteries. Chicago dwellings and hotels are exempt from state smoke detector requirements (H.B. 3773, Willis-Kifowit-Hurley-Sente-D.Burke et al.—Sandoval-Castro et al.).

Telehealth. Licensed or authorized health-care professionals may use telehealth (evaluation of remotely transmitted patient data for interaction or treatment recommendations) in Illinois. Telehealth care must be consistent with standards for in-person care. The definition of “telemedicine” in the Medical Practice Act of 1987 is expanded to apply to medical use of telecommunications if the patient is at a different location (formerly only if the doctor was outside Illinois). But the term will not apply merely because the doctor or patient is in travel mode (S.B. 1811, Althoff-Syverson-Martinez et al.—Soto-K.Burke-Bellock et al.).

Veterans’ Cancer Awareness. If funds are available, IDPH will start a program to promote cancer awareness in military veterans. Starting January 1, 2018, it is to include public service announcements promoting cancer screening to veterans. IDPH is to report annually to the Governor and General Assembly on its effects (S.B. 838, Lightford et al.—Scherer-Ford-Kifowit-Tabares-Halpin et al.). □

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PROFESSIONS & OCCUPATIONS

(continued from p. 22)

or represent that they practice acupuncture unless so licensed (S.B. 898, Althoff-Martinez—Mah-Hoffman-Gabel-McAuliffe et al.).

Physician Assistants. The Physician Assistant Practice Act of 1987 is extended 10 years to 2028. Procedures that physician assistants can perform in collaboration with (formerly described as under the supervision of) a physician are described broadly and will depend on the discretion granted by the collaborative physician. But physicians’ assistants cannot bill directly for their services. Under required supervision and with mid-level practitioner controlled substance licenses, they can prescribe Schedule II controlled substances. They must get 50 hours’ continuing education each 2 years, and can be disciplined for added kinds of actions (S.B. 1585, Martinez-Althoff-Connelly et al.—Soto-McCombie-Frese-Phelps-Zalewski et al.).

Police Dog Treatment. Emergency medical personnel may transport a police dog injured on duty to a veterinarian if no humans need medical transport (H.B. 2661, Sente-Costello-Cabello-Moeller-Sauer et al.—T.Cullerton-Bush-Castro). □

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SOCIAL SERVICES

The General Assembly voted to allow persons with home care assistants more freedom to select them and determine their numbers of hours of work per week; provide protection for clients of community living arrangements; and make it easier for veterans with service-related disorders to get service animals. Other successful bills will enable some homeless minors to live in transitional housing programs, and enable parents to check whether a day-care center has had a license revocation during an investigation.

Buying From Nonprofits for the Disabled. State contractors can buy, without bids, goods made by persons with significant (formerly with severe) disabilities working at nonprofit organizations accredited under listed standards. The nonprofits may subcontract for some production, subject to restrictions (H.B. 3899, Wojcicki Jimenez—McConchie).

Child-Abuse Response Program. The Department of Children and Family Services (DCFS) is to report to the General Assembly by January 15, 2018 on its current “differential response” program (in which it can respond to a child abuse or neglect report by doing either a family assessment or an investigation), with any legislative recommendations (H.B. 2556, Welch-Bellock—Hunter-J.Morrison).

Child Deaths. Each child death review team must have an Illinois Department of Public Health representative. The Child Death Investigation Task Force in southern Illinois is made permanent (S.B. 320, J.Morrison—Drury-Gabel-Fine-Wallace-Willis et al.).

Childcare Workforce Study. The Department of Human Services (DHS) is to study the early childhood care provider workforce at least every 3 years, addressing professional development; pay levels needed; and promoting career advancement (H.B. 3167, Stratton-Ammons-Harper-Sims-Lilly et al.—Collins-Hunter-Martinez-J.Morrison et al.).

Clinical Social Work and Social Work Practice Act. The Act is extended

10 years to 2028 with a number of changes. A licensed social worker may practice under supervision of a licensed clinical professional counselor or marriage and family therapist, in addition to others as under current law. Provisions on professional discipline are strengthened. Being found to be an abuser, or failure to report suspected abuse, of a vulnerable adult can bring license denials, suspension, or nonrenewal. Nonpayment of taxes or child support will (formerly “may”) bring license suspension or nonrenewal (S.B. 768, Martinez-Lightford—Moeller).

Community-Integrated Living Arrangements. *Clients.* Agencies providing community mental health or developmental services must keep identifying and contact information on each client. If an agency’s license is revoked for endangering clients, the agency must continue providing for them during their transition to other care. A nonprofit corporation designated by the Governor to administer the state plan to protect persons with disabilities will have full access to residents and their guardians to tell them their options. The DHS Inspector General can investigate such an agency for up to 1 year after a revocation (S.B. 1748, Righter-J.Morrison-Connelly-McGuire et al.—Bellock-Mussman et al.).

Inspections. DHS is to inspect the records and premises of community-integrated living arrangements at least every 2 years (H.B. 2452, Bellock—Nybo).

Day-Care Database. DCFS must create a searchable database showing

whether each licensed day-care home, group day-care home, or day-care center, in the past 5 years, had a license revoked during a child abuse or neglect investigation, or had its renewal application denied (H.B. 2388, Moeller et al.—Castro-S.Bennett-Van Pelt-J.Morrison-Collins et al.).

DHS Client Data. DHS is to report aggregate data on racial and ethnic characteristics of clients in each of its programs (H.B. 3131, Mah-Bellock-Hernandez et al.—Aquino-Van Pelt-McConnaughay).

Disabilities. *Criminal justice.* A task force will consider issues affecting people with disabilities who are involved with the criminal justice system, and report by March 31, 2018 on policies to protect their rights and public safety (H.B. 2641, Davis-Hurley et al.—S.Bennett-Van Pelt et al.).

Service funding. A task force appointed by the DHS Secretary will study current and potential federal funding for home- and community-based services for people with intellectual or developmental disabilities, reporting to the Governor and General Assembly by July 2018 (S.B. 84, Steans-Murphy-J.Morrison-Lightford-Collins et al.—Gabel-Mussman-Flowers et al.).

Domestic Violence Program; Adoption Details. If funds are available, DCFS may start a 5-year pilot program in which privately hired domestic violence advocates work in a DCFS field office with caseworkers to help families experiencing domestic violence. When a new birth certificate is issued after adoption, evidence of the adoption is not subject to inspection except on court order or as provided by rule (S.B. 646, Koehler-J.Morrison-Bush-Hutchinson et al.—Feigenholtz et al.).

Drug Administration by DD Staff. DHS-certified day programs for those with developmental disabilities are added to the settings where nurses may permit other staff to administer medicine (H.B. 2383, Frese-Demmer-Bellock et al.—Syverson et al.).

Foster Child Placement. The Foster Children’s Bill of Rights Act is amended to say that placement is to be in the least restrictive and most family-like setting available and near the parents’ home if that is in the child’s best interests (H.B. 3542, Wallace—Stadelman-J.Morrison et al.).

Homeless Minors—Housing. Homeless minors who are at least 16 but not yet 18, and meet other conditions, may participate in a youth transitional housing program. Annually from 2019 through 2024, DHS must report to the General Assembly on such minors, including how many (1) were referred to transitional housing programs, (2) could not be served, (3) were deemed ineligible, and (4) left the program before age 18 (H.B. 3212, Wallace-Feigenholtz-Ammons-Turner-Soto et al.—Trotter-Stadelman-Collins-Van Pelt-Silverstein et al.).

Institutionalized Person’s Needs Allowance. The state will add to the federal personal needs allowance for Medicaid-eligible residents of facilities for the developmentally or mentally disabled so each gets \$60 monthly (S.B. 1353, Steans-Collins et al.—Sims-Feigenholtz-Gabel et al.).

Juvenile Courts. *DCFS caseworker at hearing.* A DCFS caseworker is to attend any juvenile court hearing on a juvenile who is in DCFS custody on aftercare release (juvenile probation) (H.B. 2589, T.Jones-Stratton-Mayfield et al.—Hunter-Collins).

Reports for guardian ad litem. A guardian *ad litem* of a juvenile who is in DCFS custody, is the subject of an open DCFS intact-family services case, or is the subject of a juvenile court delinquency petition, has a right to a copy of a report of abuse or neglect of the juvenile that DCFS finds “indicated,” “unfounded,” or “undetermined” (H.B. 3168, T.Jones-Stratton et al.—Hunter-Bush-Collins).

Long-Term-Care Eligibility Determination Data. The monthly reports

on how long applications to certify eligibility for Medicaid and long-term care are pending must separate periods of 0-45 days from those of 46-90 days. The Auditor General is to report every 3 years on compliance by the Department on Aging, Department of Healthcare and Family Services (DHFS), and DHS with federal and state Medicaid requirements for such eligibility decisions (H.B. 2814, Hammond-Hays-Gabel et al.—Tracy).

Medicaid Managed Care Audit. The Auditor General is directed to do a performance audit of DHFS’s compliance with an existing section governing Medicaid clients in managed care (S.B. 321, Murphy—Mussman-Crespo-Kifowit).

Minors in Custody. *Out-of-state placement.* A minor may be sent to an out-of-state residential treatment center only if the court, using information from DCFS, finds it in the best interest of the minor and the least restrictive, most family-like setting (H.B. 2910, Bellock-Feigenholtz-G.Harris—Nybo et al.).

Reporting to courts. A public agency having custody of a minor is to report to the court within 15 days after (among other things) an emergency placement exceeding 30 days, or holding in a detention center due to lack of other available placement, on steps being taken to deal properly with the minor’s situation (S.B. 931, J.Morrison-Collins et al.—Drury-Bellock-Hernandez-Fine-Flowers).

Reporting to General Assembly. For 6 years starting at yearend 2018, DCFS is to report to the General Assembly data on youth in its or Department of Juvenile Justice custodial facilities, and steps being taken to shorten unnecessary stays (S.B. 973, J.Morrison et al.—Feigenholtz-Bellock).

Missing Children Resources. Police are to give information on agencies and organizations that help vulnerable children to anyone reporting a missing child (S.B. 1439, J.Cullerton—Williams).

Personal Assistant Hours. Home care clients under the DHS Home Services Program may choose personal assistants and determine their weekly hours up to DHS-set limits (which may not be below 55 hours a week). If DHS limits hours, it must (1) allow up to 66 weekly hours for a client who gets court-ordered services, has a Determination of Need score of 70 or above, or has an exceptional care rate; (2) have a process for exceptions and appeals; and (3) work with clients at serious risk of institutionalization to provide care (H.B. 3376, Lang-Ammons et al.—Manar-McGuire-Collins et al.).

Providers. *Contracts.* Any contract of a state agency and a nongovernmental social service provider may be cancelled, suspended, or reduced in extent by either party upon 30 days’ written notice. An agency planning to do so due to lack of funds is to notify the Governor and top legislative leaders at least 45 days in advance (H.B. 3110, Currie-Pritchard-G.Harris-Davis-Tabares et al.—Steans-Collins-McCann-Lightford et al.).

Delayed assessments. DHFS may not refuse a delayed-payment schedule for a long-term-care provider assessment on a Medicaid managed care organization that has not been paid by the state (apparently for that month) (H.B. 173, Sims—Koehler).

School Employees Investigated. *Removal.* DCFS may recommend that a school district remove an employee who is under investigation for child abuse or neglect; the district has discretion over whether to do so (H.B. 3394, Walsh-Costello—J.Morrison et al.).

Rights. If DCFS investigates a school employee for alleged child abuse or neglect, the employee will not have a right to confront the accuser. But if the investigator(s) plan to label the report as “indicated,” the employee can (1) get a copy of the investigation summary, (2) see the allegations, and

(continued on p. 32)

STATE GOVERNMENT & PENSIONS

Legislators made several changes to enable state government to be funded for fiscal year 2018. Other bills that passed both houses made some state procurement requirements more flexible; provided for a state-affiliated workers' compensation insurer; gave the Department of Innovation and Technology additional duties for fighting cyber attacks; and increased telephone taxes and requirements for 911 answering systems while limiting requirements that telephone companies provide traditional voice-circuit service to all requesting residents of their service areas.

ALPLM Changes. The Abraham Lincoln Presidential Library and Museum becomes a separate agency, governed by a board of 11 gubernatorial appointees confirmed by the Senate; the Abraham Lincoln Presidential Library Foundation's chief executive will be a nonvoting board member. After the Library's current director's term ends, the board will appoint an executive director for a 4-year term with Senate confirmation. The executive director, with board approval, will appoint a State Historian, who will preserve copies of selected Illinois newspapers and other historical records among other duties. The State Historical Library is merged into ALPLM (H.B. 136, Madigan-Currie-Butler-Wojcicki Jimenez—Manar-McConnaughay et al.).

Automatic Worker Savings. The Illinois Secure Choice Savings Program, authorized by a 2015 act, is to start employee enrollments at a time in 2018 set by its board, and by the end of 2020 enroll all willing employees of employers lacking tax-deferred savings plans. Workers not opting out or selecting a savings rate will have a percentage (chosen by the board) of their pay put into individual investment accounts (it can be as high as 6%). The program is exempted from registration under the Illinois Securities Law of 1953 (H.B. 2360, Currie-McSweeney-Martwick-Zalewski et al.—Biss-Van Pelt-Collins et al.).

Birth Certificate Sex Change. If a physician, advanced practice nurse, physician assistant, or mental health professional states in writing that a patient has received “clinically appropriate” treatment for gender transition, or has an intersex condition, the Illinois Department of Public Health must change the patient's birth certificate to show the new gender (H.B. 1785, G.Harris-Cassidy-Currie-Guzzardi-Welch et al.—Hutchinson-Castro-Harmon-Biss et al.).

Board & Commission Members. Application forms for boards and commissions to which the Governor can appoint any members will include a place for applicants to disclose (voluntarily) their sexual orientation. The Governor's annual reports on appointments to such boards must include such voluntarily disclosed information (S.B. 1670, S.Bennett-Bush et al.—Guzzardi-Moeller-Stratton et al.).

Budget Implementation. The state can issue an added \$6 billion in general obligation bonds by December 31, 2017 to pay expenses vouchered by June 30, and a separate \$2 billion in such bonds throughout FY 2018. The Treasurer and Comptroller, consulting with the Governor's Office of Management and Budget, can borrow up to \$1.2 billion from special funds between July 1, 2017 and December 31, 2018 for transfer to the state's general funds and Health Insurance Reserve Fund. Almost \$300 million in sweeps from special-purpose funds is authorized for FY 2018. The

Governor can hold in reserve up to 5% of amounts appropriated for FY 2018, except those (1) for debt service, (2) under continuing appropriation, (3) in the state's General Funds (as defined in this act), (4) from federal sources, or (5) for low-income energy assistance.

The lapse period in which FY 2017 bills can be paid is extended to December 31, 2017. From \$18 to \$45 million per fiscal year is to be transferred from the General Revenue Fund to the U of I Hospital Services Fund. Other monetary transfers, or pauses in transfers, are authorized for FY 2018 only, including intrafund transfers of up to 4% of appropriations to any agency under the Governor. Agencies subject to the Illinois Procurement Code can make energy-saving contracts or leases lasting up to 15 years including any renewals.

Some existing provisions for reducing unfunded liabilities of the state's retirement systems are delayed to FY 2019. New hires under the State Employees', State Universities, and Teachers' Retirement Systems after provisions in this act can be implemented will be subject to a lower formula for calculating pension benefits, higher employee contributions, a later retirement age, a limit on the salary counted for pension purposes, and annual pension increases of only half each year's increase in the CPI-W; as an alternative, new hires can choose a tax-deferred, defined-contribution retirement savings plan. Similar changes will apply to new members of six retirement systems for Chicago or Cook County employees. Any change in actuarial or investment assumptions of a state-funded pension system will be phased in over 5 years. State universities and school districts must pay into their pension fund the employer normal cost due to earnings of any employee to the extent they exceed the Governor's salary. Chicago's contributions to its pension funds for the next 5 years are prescribed. If Chicago employees or their survivors

recover from third parties for injuries, the city's pension funds can recover part of any disability or death benefits paid to them.

The Tax Compliance and Administration Fund will receive 2% of many kinds of tax revenue paid to local governments. A home-rule municipality can assign any of its rights to receive state revenues to a lender in exchange for capital funds; the state pledges not to impair the ability of the home-rule unit to receive the revenues.

Home health workers, persons serving people with developmental disabilities, and "homemakers" for the aged will get pay increases; reimbursements for organizations providing addiction or mental health treatment will also rise. The monthly personal needs allowance in facilities for persons with various kinds of disabilities will rise to \$60 (S.B. 42, Trotter-Collins et al.—G.Harris).

Census 2020. A Complete Count Commission will develop and help implement an outreach strategy to encourage full participation in the 2020 federal Census. Agencies under the Governor are directed to support the Commission (S.B. 100, E.Jones—Currie-Spain-Fortner).

Charitable Fundraising. The Attorney General is authorized to join a multistate organization that helps nonprofit groups and their fundraisers comply with all states' charitable solicitation laws (H.B. 140, Williams-Davis et al.—Cunningham-Van Pelt et al.).

Commemorations. *Barack Obama.* Each August 4 is designated as Barack Obama Day (S.B. 55, E.Jones-Collins-Van Pelt-Martinez-Hunter et al.—Evans-Harper-Wallace et al.).

Esther Golar. Each April 16 is designated as Esther Golar Day (S.B. 282, Hunter-Trotter et al.—Gordon-Booth-Harper-Lilly-Wallace-Sims et al.).

State Troopers. April 1 is designated to honor State Troopers, and especially those killed on duty (H.B. 769, Cabello-D.Brady-B.Stewart-Costello-Hurley et al.—Muñoz-Bivins-McCann et al.).

Constitutional Amendment Explanations. The Secretary of State must post explanations of proposed state constitutional amendments online, in addition to printing them in newspapers and mailing them to voters—except that no booklets or newspaper printings will be required for a proposal to abolish the office of Lieutenant Governor (H.B. 348, McSweeney et al.—T.Cullerton).

Contracting for Services. Contracts to provide services in place of services that state employees currently perform must meet nine conditions to be allowed, including that the contract will provide significant cost savings (H.B. 3216, Wallace-Riley-Conyears-Ervin-Davis et al.—Manar-Holmes-Castro et al.).

Corrections Employment. The Illinois Department of Corrections must employ as many persons to provide medical and mental health services as it did on January 1, 2016 (S.B. 19, McCann-Raoul-Holmes-Bertino-Tarrant-Martinez et al.—Costello-Phelps-Bryant-Scherer-Davidsmeyer et al.).

Cybersecurity. *Preparation.* The Department of Innovation and Technology (DoIT) will annually train executive-branch employees on cybersecurity (H.B. 2371, Welch-Sims-Andrade-Hurley-Pritchard—Hunter-Collins).

Reaction. Any cyberintrusion at a state agency under the Governor that compromises over 250 residents' information, or disrupts vital services or endangers anyone, must be reported to DoIT and the Attorney General. DoIT must investigate and assist the agency; the Attorney General may publicize details of the breach. If the agency

learns the identity of a perpetrator, it must notify the General Assembly unless that would endanger state residents or a security investigation (S.B. 707, Hastings-Connelly et al.—Breen-Fortner-K.Wheeler).

Elections. *Automatic registration.* An original, renewal, or change application for a driver's license will also constitute an application to register to vote unless the applicant declines to apply for registration. Several other state or federal agencies will also automatically register persons applying for their services to vote (S.B. 1933, Manar-Harmon-Collins-Biss-Bush et al.—Gabel-Fortner-K.Stuart-Ford-Curie et al.).

Incapacitated persons. Registration during grace periods, and address changes, must be offered to physically incapacitated residents of institutions such as nursing homes (S.B. 1479, Link-Van Pelt-Aquino et al.—Tabares).

Executive Order Fiscal Impacts. Each executive order spending state funds or changing state revenues is to be accompanied by a fiscal impact statement giving a "reliable estimate" of its fiscal effects for the next 5 fiscal years (H.B. 2379, Scherer-Willis-Conroy et al.—Hunter-Landek et al.).

Expatriate Firms. State agencies normally may not contract with, and public pension funds normally may not invest in, former domestic businesses that are reincorporated abroad (H.B. 3419, Andrade-Moylan-C.Mitchell et al.—Martinez-McCann-Hastings-Aquino-Murphy et al.).

Flag for Deceased Guard Member. If an Illinois National Guard member dies in training or on duty, the next of kin is to be given a state flag (H.B. 2570, D.Harris-Olsen-K.Stuart-Costello-Pritchard et al.—J.Morrison-Castro-Murphy et al.).

(continued on p. 30)

STATE GOVERNMENT & PENSIONS

(continued from p. 29)

Internships for Youth. An executive-branch agency having an opening for an intern or student worker must notify three state departments working with court-involved or homeless youth, which must notify qualified applicants of the openings (H.B. 2987, Slaughter-Ammons-Chapa LaVia-Sims-Nekritz et al.—Hunter-Van Pelt-J.Morrison et al.).

Juvenile Justice Employees. Employees working to rehabilitate and train delinquent youths still must have bachelor's or higher degrees, but the degrees need not be in fields such as criminal justice, psychology, or social work (S.B. 1519, Steans-Althoff-Raoul-McConnaughay-Lightford et al.—Bellock-Nekritz-Demmer-Stratton-Parkhurst et al.).

Labor Relations Act—Effect of Appeal. Appealing an Illinois Labor Relations Board decision to the Illinois Appellate Court will not automatically stay the Board's decision, but the aggrieved party can apply for a stay (H.B. 622, Hoffman—Biss).

Language Access. A Language Access to Government Services Task Force will study and seek to increase the ability of persons not proficient in English to use government services. It will consist of one legislator appointed by each of the four legislative leaders; one member each appointed by the Governor, Attorney General, Secretary of State, and Secretary of Human Services to represent them; and 10 persons appointed by the Governor on recommendations by two organizations representing minority or immigrant communities. It is to report to the Governor and General Assembly by July 1, 2018.

To the extent practical, the Legislative Information System must use a free

translation tool within 1 year after this act takes effect to translate its public website's contents into other languages, with the English version stated to be the only authoritative one (S.B. 1869, Aquino-Bush-Martinez-Muñoz-Murphy et al.—Mah-K.Wheeler-Lang-S.Andersson-Olsen et al.).

Legislative Synopsis and Digest. This Legislative Reference Bureau publication will be offered only online, except that (1) an annual cumulative edition will be printed and (2) any recipient of that edition can ask, before a session year, to get “a set of the printed interim editions” for that year (S.B. 1880, Link—Currie-McSweeney).

Lottery Money for Education. It is declared that starting with fiscal year 2018, all State Lottery proceeds going to the Common School Fund will be in addition to, rather than in place of, other sources of money to the Fund (H.B. 213, Ford-D.Burke-Flowers-Wallace-Davis et al.—Lightford-Hunter-Collins-Martinez et al.).

Muslim Advisory Council. A 21-member council appointed by the Governor and four legislative leaders, plus two *ex officio* members, will advise the Governor and General Assembly on issues affecting Muslim Americans and immigrants, and report twice yearly (S.B. 1696, Collins-Aquino-Hunter-Link et al.—Flowers-Stratton-Mah-Wallace-Ammons et al.).

Pensions. Board consultants. Each consultant to a public retirement system board must annually disclose to it data on its searches for investment services and its recommendations of investment advisory firms owned by minorities, women, and persons with disabilities. The board must prudently consider these disclosures when contracting with consultants. Consultants must also disclose any compensation to them from advisers they recommend (S.B. 1714, Clayborne—Turner-Ammons-Andrade et al.).

IMRF (I). For employees hired after this act takes effect, vehicle allowances will not count as pensionable earnings. Payments just before retirement for unused vacation time are exempted from the requirement that municipalities reimburse IMRF for pay “bumps” in an employee's last years (S.B. 701, J.Morrison-Bush-Murphy—Nekritz et al.).

IMRF (II). A person elected or appointed after this act takes effect to a part-time local governing board cannot join the IMRF (H.B. 3122, Moeller-Olsen-Moylan-Skillicorn—Castro-Murphy).

Police. Each downstate municipality must offer its police officers a defined-contribution retirement plan as an alternative to its police pension fund. After 2018, police chiefs cannot choose to participate in IMRF if not already members before 2019 (H.B. 418, Wehrli-Ammons-McSweeney-Wallace et al.—Connelly-McConchie).

Sheriff's law enforcement employees. This category in the IMRF article of the Pension Code is expanded to include new police or firefighter employees of a municipality that has at least 50 police officers and 30 firefighters; has no police or firefighter pension fund; and by resolution grants that status to its police or firefighter employees. (The IMRF article has several special pension provisions for such employees.) (H.B. 815, Zalewski et al.—Sandoval et al.)

Survivors convicted of felonies connected with members' service under every article of the Pension Code except SURS will be ineligible for survivors' benefits, effective for persons whose survivors' benefits accrue after this act takes effect. Relatives of SURS members will be subject to a slightly less strict limitation (H.B. 350, McSweeney-Breen et al.—Althoff-Bush et al.).

Transfer between funds. During 6 months starting when this act takes effect, (1) a downstate police officer hired as a firefighter by the same local government can transfer up to 6 years' service credit to the downstate firefighters' fund, and (2) a Chicago firefighter can transfer up to 10 years' credit under the downstate firefighters' fund to the Chicago firefighters' fund (H.B. 688, Zalewski-Pritchard et al.—Cunningham-Holmes).

TRS. Starting in mid-2017 (was mid-2014), pension contributions for teachers who are paid from federal or special trust funds are to be the employer's normal cost (currently the minimum state contributions, including amortizing unfunded liability), to be paid to TRS from those other funds (H.B. 656, Gordon-Booth-Wallace-Sosnowski-Kifowit-Jesiel et al.—Holmes-Stadelman-Manar-Bush-Koehler et al.).

Police Professionalism; Appellate

Prosecutor. A Commission on Police Professionalism will be created, consisting of four legislators appointed by the four legislative leaders, five police officers appointed by those leaders and the Governor, and nine persons from the Department of State Police, Chicago Police Department, and other law enforcement agencies. It will examine police training and other policies, and report to the Governor and General Assembly by September 30, 2018. The State's Attorneys Appellate Prosecutor is authorized to assist the Cook County state's attorney in prosecutions under major drug laws and in union negotiations (S.B. 1843, Raoul-Collins et al.—C.Mitchell et al.).

Procurement Code. Some kinds of procurement are exempted from the Illinois Procurement Code's requirements, including contracts involving railroad or utility relocation; the Illinois Student Assistance Commission's buying of services through the Illinois Prepaid Tuition Fund; and state university procurement for athletic and other events, subscriptions to online and print publications, and student health services. State

procurement officers, purchasing officers, and compliance monitors are declared to owe a fiduciary duty to the state. Bidding can be done using an electronic system in lieu of public bid opening. The maximum cost of a procurement that can be made without competitive selection is raised to \$100,000. A "best value procurement" process is created for buying heavy vehicles, to take into account all benefits and life-cycle costs; it will apply only to bid solicitations before July 2020. Provisions for joint procurement by multiple agencies are expanded. This bill also includes provisions like those in H.B. 2664 (S.B. 8, Harmon-Althoff-Rose et al.—Riley-Batinick-Pritchard-Durkin-S.Anderson et al.).

Prompt Payment. Subcontractors. Provisions requiring state contractors that receive partial payments from state agencies to pay subcontractors are strengthened. Reasonable causes for withholding payments to them are defined. A contractor that, twice in 3 years, is found to have failed without reasonable cause to make payment will be barred from state public construction contracts for 6 months (H.B. 2664, Davis-Lilly—N.Harris-Collins et al.).

Youth services. The State Prompt Payment Act's coverage is extended to providers of services to troubled youth under grants (H.B. 3143, Gabel-Flowers-Wallace-Sims-Martwick et al.—Hunter-Silverstein-McCann-Van Pelt-Lightford et al.).

State Contracts. Any company found to have violated any of a number of laws having to do with workers and pay will be barred for 5 years from bidding on state contracts. Bids and offers for state contracts must contain certifications that no such violation has been found. Penalties under the Wage Payment and Collection Act are raised to the next higher class; a repeat violation within 5 (now 2) years will

bring a higher penalty (S.B. 1720, Biss et al.—Hernandez-Flowers-Ford et al.).

State Worker Disability Claims. A State Employees' Retirement System member can apply for occupational disability benefits at any time after a claimed occupational injury (formerly only for 12 months after disability), and have disability certified by a clinical psychologist, physician assistant, or advanced practice nurse (formerly only a physician) (H.B. 2496, Martwick et al.—Aquino).

Telephone Service (I). Starting June 30, 2017, a regulated telephone provider that is affiliated with a cellphone carrier and has at least 700,000 access lines may propose to stop providing conventional, dedicated-circuit phone service to a class of residences if the Federal Communications Commission allows. Any affected customer can challenge the plan by claiming that no other voice service (including cellphone service) is available to that customer. The Commerce Commission will investigate and require the company to keep providing some kind of phone service (which can include cellphone service) to any customer for whom no other voice service with reliable 911 access is offered, unless another carrier can be recruited to offer it.

The Department of State Police will make grants for consolidating 911 systems. To get grants, systems must make upgrades including establishing backup answering points and the ability to transfer a 911 call to the call center serving the caller. The state surcharge to fund 911 systems in localities without local surcharges will rise to \$1.50 per connection next January 1. Chicago may continue collecting a 9% surcharge on prepaid wireless service through 2020 (instead of June 2017), after which it cannot

(continued on p. 32)

STATE GOVERNMENT & PENSIONS

(continued from p. 31)

exceed 7% (S.B. 1839, Cunningham-McCann-Radogno-N.Harris et al.—Phelps-D.Harris-Beiser et al.), **amendatorily vetoed; bill dead** (see next summary).

Telephone Service (II). This act made changes identical to those proposed by S.B. 1839. It also re-enacted many provisions that expired after that bill was amendatorily vetoed (H.B. 1811, Phelps et al.—Cunningham-Mulroe-J.Morrison-Murphy-Radogno et al.), **amendatory veto overridden**.

Terrorist Thwarting. The Illinois Emergency Management Agency can make grants to subsection 501(c)(3) organizations to help them identify terrorism threats and, working with local and state agencies, take steps to blunt any attacks on them (H.B. 4011, Lang et al.—Silverstein et al.).

Unclaimed Property. The State Treasurer is to cooperate with the Department of Revenue to identify owners of unclaimed property, and return some kinds of property to them without filing of claims (H.B. 1808, Evans-D.Harris-Zalewski-Riley-Ives et al.—T.Cullerton et al.).

Unpaid Bills. Each agency in the executive branch must report to the Comptroller its current liabilities monthly (was annually). Liabilities must be listed by fund, and reports must indicate amounts appropriated and estimated State Prompt Payment Act interest accrued (H.B. 3649, Crespo-Kifowit-Evans-Phelps et al.—Manar-McGuire-Martinez-Harmon-Bush et al.).

Veterans. New home. The Department of Veterans' Affairs is directed to establish a veterans' home at Chicago. The Illinois Veterans' Homes Fund

will receive any receipts from the Chicago home (S.B. 266, Mulroe-Raoul-Aquino et al.—McAuliffe-Chapa LaVia-D'Amico-Martwick-Kifowit et al.).

Suicide prevention. The Department of Veterans' Affairs is directed to take several steps to find, communicate with, and offer help to returning combat veterans and their families (H.B. 2647, Kifowit-Halpin-Costello-Riley-Bellock et al.—T.Cullerton-Hastings-Schimpf-Castro et al.).

Veterans' preference under the Personnel Code (3 points on an exam score) is offered to persons who serve at least 4 years in the National Guard or reserves, with or without active duty (H.B. 3261, Chapa LaVia-Wehrli-Butler-Bellock et al.—Weaver).

Women Prisoners. The Department of Corrections must create a Women's Division to supervise women's imprisonment based on research into their needs (H.B. 3904, Stratton-Wallace-Ammons-Gordon-Booth et al.—Hutchinson-McConaughay-Harmon-Bush et al.).

Workers' Compensation Insurer. The state will create an Illinois Employers Mutual Insurance Company to offer workers' compensation and workers' occupational disease insurance to participating employers, and make a \$10 million loan from the Illinois Worker's Compensation Commission Operations Fund for startup funding. It will have a seven-member board appointed by the Governor with Senate confirmation. The board must report to the Governor and General Assembly annually (H.B. 2622, Fine-Beiser-Guzzardi-Thapedi et al.—Biss-McGuire-Van Pelt-Collins-Manar et al.). □

David R. Miller
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SOCIAL SERVICES

(continued from p. 27)

(3) present evidence by teleconference (H.B. 3615, Jesiel-Bellock et al.—Weaver-Lightford).

SNAP for College Students. The Illinois Student Assistance Commission, working with DHS, is to identify college students who may qualify for the Supplemental Nutrition Assistance Program (SNAP—formerly Food Stamps). Colleges must give information on SNAP to Monetary Award Program recipients whom it identifies as potentially eligible (H.B. 3211, Wallace-Gabel-Hernandez-B.Wheeler-Sims et al.—J.Morrison-Stadelman-Martinez-Collins-McCann et al.).

Veterans. PTSD and service dogs. Veterans with post-traumatic stress disorder or depression are added to those eligible for service dogs under the Helping Paws Service Dog Program (H.B. 2897, Severin-Swanson-Bellock et al.—Manar-T.Cullerton-Castro-J.Morrison-Collins et al.).

Service animals information. The Department of Veterans' Affairs is to inform returning veterans about service animals for those with conditions such as loss of sight or hearing; wheelchair use; traumatic brain injury; and post-traumatic stress disorder (S.B. 866, T.Cullerton-Aquino-Martinez-Castro et al.—Kifowit-Costello-Bellock-Chapa LaVia-B.Stewart et al.).

Task force. The task force on discharged veterans is to be dissolved on July 1, 2018, and its duties transferred to the Veterans Advisory Council (H.B. 2973, Chapa LaVia—Althoff et al.). □

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TRANSPORTATION

Legislators voted to allow tractor-trailer combinations up to 65 feet long on Illinois highways, subject to restrictions; begin semiannual electronic verification that all registered motor vehicles have liability coverage; and authorize the Secretary of State to determine when to offer “REAL ID” licenses and identification cards as an alternative to conventional cards.

Accident Data. The Department of Transportation is to make motor vehicle accident data (excluding “personally identifying information”) available on request and can charge a fee for it, except to entities studying highway safety for governments (S.B. 1580, N.Anderson—Evans).

Bicycles. Low-speed electric. A three-tier system is created for low-speed electric bicycles based on motor power and top speed. They must be labeled for class, speed, and wattage. Localities can license and regulate them. Persons under 16 may not operate a Class 3 low-speed electric bicycle (which can reach 28 m.p.h.) (S.B. 396, Steans—Nekritz-Moylan).

Passing. A driver may go left of the centerline in a no-passing zone to pass a bicycle going in the same direction if (1) the bicycle is moving at less than half the speed limit, (2) the driver obeys the speed limit, and (3) there is a long enough distance left of the centerline to comply with passing requirements. A bicycle may use a steady or flashing red light in lieu of a red rear reflector (H.B. 1784, Butler et al.—Steans-Silverstein et al.).

Boat Registration and Safety. Each boat’s registration number (or a rental agreement for the boat) must be in it at all times for official inspection. Boats up to 21 feet long need not be titled. Personal flotation devices may not be in packaging or locked. Registration fees for boats under 26 feet are raised by \$10 (H.B. 434, Butler et al.—Althoff).

Commercial Drivers; School Bus Accidents. A commercial learner’s permit applicant, who has recent military experience driving similar vehicles as certified by a commanding officer, may not have to take the general knowledge test. Starting in June 2018, the Secretary of State is to post more information on commercial drivers’ medical examinations to the Commercial Driver’s License Information System. The license of a driver who causes death by passing a stopped school bus is to be revoked immediately (S.B. 822, N.Harris et al.—Moylan et al.).

Detour Notice Posting. The Illinois Department of Transportation and local governments are to post on their websites notices of anticipated detours from state highways at least 10 days in advance. Chicago, and any local government with no website maintained by a full-time staffer, are exempt (H.B. 799, S.Andersson—McConaughay).

Insurance Verification. The Secretary of State can start a program to check each registered motor vehicle for liability insurance at least twice yearly. If no insurance is found, the owner will have 30 days to prove that the vehicle was insured when it was checked. Those whose licenses or registrations have been suspended can be checked more often. Money collected under the Illinois Motor Vehicle Theft Protection Act can be used to fund this (H.B. 2610, D’Amico—Muñoz).

License Revocations. An automotive parts recycler or scrap processor whose local license to operate was revoked in the last 3 years for fraud or misconduct

is ineligible for a state license for that business. The Secretary of State can cancel a driver’s license or permit for helping a nonresident get a driver’s license or ID card by using the person’s Illinois address (S.B. 675, Stadelman—Evans).

Military-Related License Plates. Starting next year, persons with military-related (such as veteran) plates can have them transferred to another vehicle with no replacement plate fee or sticker fee (H.B. 374, Mayfield-Flowers-Kifowit-Sauer et al.—McConchie et al.).

Motor Vehicle Tax Fund Use. Local governments could use motor vehicle tax funds allotted for public transportation to improve infrastructure for electric vehicles, and for pedestrian, bicycle, or transit mobility (S.B. 789, Sandoval—Fine-Evans), **vetoed**.

Noise Monitoring. Airports. By mid-2018, each airport with over 500,000 annual takeoffs and landings must upgrade its noise monitoring system to comply with the standards stated in P.A. 99-202 (2015) (H.B. 3240, Winger-Bellock et al.—T.Cullerton-Murphy).

Lake Shore Drive. Chicago can install a noise monitoring system on Lake Shore Drive, and prepare and make publicly available noise monitoring reports starting 1 year after installation (H.B. 2361, Feigenholtz-Breen-K.Wheeler—Steans).

REAL ID Cards. The Secretary of State can determine when to start issuing drivers’ licenses and identification cards that comply with the federal “REAL ID” Act. An applicant for either kind of card can then choose whether it will be REAL ID compliant. A noncompliant card cannot be used as federal identification, for purposes such as boarding planes (H.B. 395, D’Amico-Hernandez-D.Harris et al.—Martinez-Aquino et al.).

(continued on p. 36)

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 mid-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
 IV Item and/or reduction vetoed
 V Totally vetoed

Information on all 2017 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 LRU's page.

H.B.	Public Act 100-	H.B.	Public Act 100-	H.B.	Public Act 100-	H.B.	Public Act 100-	H.B.	Public Act 100-
136	120	764	350	2461	364	2820	488	3240	165
140	289	769	300	2462	V	2831	77	3251	166
162	511	771	471	2470	8	2842	382	3261	496
173	501	786	472	2488	61	2876	266	3359	173
188	291	791	352	2496	V	2893	489	3368	174
189	292	799	473	2510	367	2897	384	3369	175
213	466	815	354	2516	478	2910	136	3376	V
223	293	819	302	2525	V	2953	523	3394	176
243	331	821	303	2527	514	2957	138	3399	524
261	332	823	304	2534	368	2959	386	3400	178
270	515	826	356	2537	520	2973	10	3419	V
303	512	1332	305	2538	479	2977	V	3449	V
305	467	1784	359	2540	66	2987	141	3455	180
311	502	1785	360	2556	68	2989	142	3462	497
313	513	1791	45	2559	370	2993	505	3488	526
348	AV	1805	41	2570	69	3001	269	3502	184
350	334	1808	47	2581	71	3002	270	3507	185
370	468	1811	20	2589	522	3032	144	3542	189
373	245	1813	AV	2610	373	3036	271	3615	191
374	246	1895	121	2611	74	3044	2	3649	V
375	247	1896	474	2612	374	3054	34	3656	499
394	335	1952	255	2622	V	3059	147	3701	195
395	248	1955	362	2626	75	3060	506	3709	196
418	281	2360	6	2630	375	3063	35	3711	197
434	469	2361	257	2641	481	3072	272	3712	198
514	282	2369	29	2647	482	3084	149	3718	199
528	336	2371	40	2661	108	3095	11	3741	500
607	106	2373	284	2663	105	3106	151	3745	V
619	26	2379	V	2664	376	3110	153	3773	200
622	516	2382	259	2665	483	3120	154	3803	279
649	27	2383	50	2698	377	3122	274	3817	285
656	340	2388	52	2713	486	3131	275	3820	13
679	342	2390	260	2721	24	3139	156	3869	14
683	343	2404	261	2738	30	3143	V	3899	203
688	V	2407	53	2740	130	3157	493	3903	204
690	517	2423	54	2762	306	3161	494	3904	527
698	283	2426	55	2778	V	3167	V	3910	280
703	344	2427	56	2794	133	3168	158	4011	508
733	346	2442	7	2801	9	3211	AV		
736	347	2449	264	2812	487	3212	162		
760	503	2452	58	2814	380	3216	V		

S.B.	Public Act	S.B.	Public Act	S.B.	Public Act	S.B.	Public Act	S.B.	Public Act
	100-		100-		100-		100-		100-
3	107	473	401	910	V	1462	AV	1811	317
6	21	587	213	931	229	1479	442	1839	AV
8	43	589	215	941	17	1519	19	1842	318
9	22	607	82	973	87	1532	448	1843	319
19	V	609	216	1029	420	1556	450	1846	238
31	463	611	403	1085	230	1561	95	1869	320
41	V	626	217	1223	421	1567	451	1871	321
42	23	636	218	1261	422	1577	452	1880	239
55	37	639	404	1267	423	1580	96	1882	322
57	388	646	406	1276	424	1585	453	1884	323
58	389	652	408	1304	425	1586	97	1895	324
67	205	675	409	1312	426	1593	455	1898	240
69	15	683	410	1319	427	1670	234	1905	V
71	16	701	411	1321	428	1687	308	1933	464
81	V	707	412	1342	90	1688	286	1943	103
84	79	730	220	1348	429	1692	309	1944	326
100	390	731	83	1351	V	1694	311	1947	465
189	80	768	414	1353	V	1696	459	1978	536
262	391	789	V	1372	92	1697	100	1991	118
266	392	822	223	1399	431	1714	V	2012	328
282	393	838	224	1413	42	1720	V	2028	241
298	207	852	415	1417	433	1722	3	2034	1
312	394	865	227	1420	93	1730	312	2046	329
314	395	866	84	1422	434	1748	313	2057	330
315	V	883	85	1433	436	1761	460	2066	242
317	208	885	416	1434	437	1774	461	2185	537
320	397	887	417	1439	438	1783	236		
321	V	889	228	1444	439	1790	237		
396	209	898	418	1456	94	1796	315		
422	210	899	419	1459	440	1807	316		
449	211								

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.

TRANSPORTATION

(continued from p. 33)

Renewal Notice “Naming” Rights.

The Secretary of State can seek sponsors for registration renewal notices to offset their preparation and distribution costs. Several restrictions will apply to the kinds of entities that can sponsor the notices (H.B. 394, D’Amico et al.—Connelly-T.Cullerton).

School Bus Operation. Buses used to transport students to extracurricular activities must (1) be registered as government or charitable vehicles, (2) comply with school bus driver permit regulations, (3) have liability insurance, and (4) meet requirements applying to school buses. Such a bus can be used to transport other passengers to a noneducational activity if it is properly registered and the “School Bus” sign is obscured (S.B. 2028, T.Cullerton et al.—Beiser-Unes et al.).

Tollway Overpass Maintenance.

Where the Toll Highway Authority builds, or has built, tollway over- or underpasses, the municipality or local highway agency is directed to make an agreement with the Authority for maintaining them (H.B. 2581, Sauer—Cunningham).

Transportation Projects. Construction, demolition, renovation, and maintenance projects of the CTA, RTA, and local mass transit districts, costing over \$40,000, must be let after public notice and bidding. Those agencies’ acquisitions of services or transit facilities for more than the Federal Transit Administration’s small purchase threshold must be let after notice and bids. (Existing law applied a \$40,000 cost threshold to all such projects.) (H.B. 2953, Evans-Rita-K.Wheeler-Turner-Riley et al.—Sandoval-McConnaughay).

Truck Lengths. Truck tractors plus semitrailers can be up to 65 (formerly 55) feet long. In a semitrailer exceeding 48 feet, the distance from the kingpin to the center axle cannot exceed 42½ feet unless it is carrying livestock. State and local governments need not widen existing roadways for the longer trucks, and may recover any damage they cause to highways and structures (H.B. 683, Beiser-Unes-Martwick et al.—Bivins).

Vehicle Storage Charges. A towing company that charges fees to store a vehicle must give notice of having a vehicle, within 2 business days, to its lienholder if any. No fees may be collected if such notice was not given.

The storage facility must allow a lienholder to inspect the vehicle on its premises within 2 days after the lienholder’s request (S.B. 1694, Koehler-Sandoval-McConchie-Hunter—Cassidy-Ammons et al.).

Vehicle Titles and Dealers. A certificate of title must list the fax number or e-mail address of any lienholder. A certificate of title can be issued to a buyer residing out of state if the dealer goes out of business and does not properly transfer the title application to the buyer. Vehicle dealers must retain ownership and insurance of vehicles under rental-purchase agreements, then transfer ownership within 20 days after each agreement is completed (S.B. 1556, Cunningham—Evans).

Windshield Obstructions. Vehicle dealers may not allow vehicles to leave the premises (even for test drives) with anything on their windshields or windows that obstructs drivers’ view. Persons injured due to violations can sue for damages (H.B. 733, Crespo-Hurley—Castro et al.). □

Ashley N. Musser
Senior Research Associate

ABSTRACTS OF REPORTS REQUIRED TO BE FILED WITH GENERAL ASSEMBLY

The Legislative Research Unit staff is required to prepare abstracts of reports required to be filed with the General Assembly. Legislators may receive copies of entire reports by sending the enclosed form to the State Government Report Distribution Center at the Illinois State Library. Abstracts are published quarterly. Legislators who wish to receive them more often may contact the executive director.

Auditor General

Annual report, 2016

Compliance Audit Division did 99 audits in FY 2015, consisting of compliance exams, financial audits, and federal audits.

Highlights from accountability audits: Office of the Governor and Office of the Comptroller need to work together to resolve Illinois’ inadequate and untimely financial reporting process; Healthcare and Family Services Dept. and Human Ser-

vices Dept. did not conduct due diligence over the Integrated Eligibility System; Employment Security Dept. overcharged tax contributions for new employers between 2013-2015; Public Health Dept. inadequately administered its awards and grants program; Lottery Dept. made prepayments to fund multi-state prize payments in noncompliance with State Finance Act and Illinois Lottery Law; Northeastern Illinois University did not conduct adequate back-

ground checks; Chicago State University did not have sufficient controls in place to ensure that hiring of new employees complied with University policies; Central Management Services Dept. had errors in its yearend financial reporting; Illinois Grain Insurance Corp. has not been funded; Illinois Finance Authority did not adequately record and monitor conduit debt; Illinois Housing Development Authority had inaccurate financial reports; Office of the Comptroller was late in paying statutorily mandated transfers between state funds; and Southern Illinois University could not find 1,068 computers during its annual inventory.

Performance audits at legislative direction examined ALL KIDS Health Insurance Program in FYs 2014 and 2015; Illinois Criminal Justice Information Authority’s community-based violence

ABSTRACTS

prevention programs, After-School Program, and Chicago Area Project; Human Services Dept.'s forensic patient transport procedures; placement of Children and Family Services Dept. wards; College of DuPage; and Regional Offices of Education. Current performance audits address Kenwood Oakland Community Organization, ALL KIDS Health Insurance Program, DHS Office of the Inspector General, Illinois Health Facilities and Services Review Board, and Regional Offices of Education.

Information Systems Audit Division audited computer operations at 21 state agencies and universities, including Central Management Services Dept. facilities processing data for approximately 103 entities. Six agencies lacked adequate disaster recovery plans; five had not complied with Payment Card Industry Data Security Standards; three had not adequately secured their computers; four had not adequately secured their computers and/or had not adequately disposed of confidential information; three did not perform adequate internal control reviews; two did not conduct due diligence over the Integrated Eligibility System development project; four had not implemented effective procedures to ensure that changes to computer applications were handled correctly; and Central Management Services Dept. had weaknesses in its midrange computing environment.

Lists all agencies audited and audit types; current audits; and performance audits, inquiries, and special reports. (30 ILCS 5/3-15; issued & rec'd March 2017, 40 pp.)

Board of Higher Education

Public university tuition and fee waivers, FY 2016

Public universities granted 44,151 waivers worth \$464 million in FY 2016. By value, 25.7% of waivers went to undergraduate and 74.3% to graduate students; 87.5% of the total were discretionary. Gives statistics by university. (110 ILCS 205/9.29; Dec. 2016, rec'd Jan. 2017, 3 pp. + 3 tables, 2 appendices)

Report on gender equity in intercollegiate athletics, 2017

In FY 2016, nine universities awarded 652 gender equity tuition waivers worth a total of about \$4.9 million. Of those, women got 550 waivers worth about \$3.9 million. Since gender equity waivers began in 1996, 86.1% more females participate in athletic programs, and funding to female athletic programs rose over threefold. Includes statistical tables and summaries of gender equity plans. (110 ILCS 205/9.24; issued & rec'd April 2017, 16 pp. + 3 appendices)

Central Management Services Dept.

Bilingual Employees, 2017

CMS had 6 bilingual employees in March 2017; all spoke Spanish. (5 ILCS 382/3-20; March 2017, rec'd April 2017, 13 pp.)

Business Enterprise Program for Minorities, Females, and Persons with Disabilities, FY 2016 annual report

State agencies and universities made about \$508 million in contracts with businesses certified under the program—20% of all eligible contracts, meeting statutory goal of 20%. Lists statutory and targeted goals, and value of 63 agencies' and universities' contracts with such firms. (30 ILCS 575/8f; March 2017, rec'd April 2017, 66 pp.)

Flex time report, 2016

Personnel Code requires agencies to have plans to reduce use of day care through flex time for eligible employees. Among 44,670 employees, 13,528 (30%) used flex time in 2016: 10,624 worked flexible hours; 2,395 worked full-time on compressed workweeks; 425 worked part time; and 84 used job sharing. (20 ILCS 415/9(13); March 2017, rec'd April 2017, 1 p.)

Service-Disabled Veteran-Owned Business and Veteran-Owned Small Business report, FY 2016

CMS certified 135 vendors under the program: 83 as veteran-owned and 52 as service-disabled veteran-owned. It made 67 contracts worth \$22.7 million under the program. (30 ILCS 500/45-57(b); March 2017, rec'd April 2017, 2 pp.)

Children and Family Services Dept.

Child abuse and neglect prevention plan, 2016

Describes how DCFS investigates and prevents potential neglect or abuse, provides

followup services, and uses available resources. Recommendations are to support evidence-based parenting programs and support specialized parent support groups statewide. (20 ILCS 505/4a; Oct. 2016, rec'd April 2017, 9 pp.)

Commerce Commission

Accidents and incidents with hazardous materials on Illinois railroads, 2016

Commission checked 16,294 railroad cars carrying hazardous materials, finding violations in 2.2%. Among 83 railway incidents involving hazardous materials, 4 derailments released hazardous materials and 14 did not, and 65 releases occurred without derailment. Tables show location, railroad, material, suspected causes, amounts involved and released, and incident dates. (625 ILCS 5/18c-1204(3); issued & rec'd March 2017, 12 pp. + attachments)

Crossing Safety Improvement Program, FYs 2018-2022

Preliminary data showed 111 collisions at public RR crossings in 2016, down 10.5% from 2015. Plan calls for \$40.3 million in improvements for FY 2018, including \$23.2 million for bridge projects. Also lists \$163 million in proposed safety improvements for FYs 2019-2022 to be funded by Grade Crossing Protection Fund. Commission plans to set aside \$28 million in contingency fund in FYs 2019-2022. Lists plans by county. (35 ILCS 505/8(c); issued & rec'd April 2017, 9 pp. + 4 appendices)

Commerce and Economic Opportunity Dept.

Build Illinois revolving funds, FY 2016

On June 30, 2016, Build Illinois Capital Revolving Loan Fund had \$3.6 million; Large Business Attraction Fund \$1.8 million; and Illinois Equity Fund \$791,759. (30 ILCS 750/9-9 and 750/10-9; issued & rec'd Nov. 2016, 7 pp.)

Illinois Film Office quarterly report, Jan.-March 2017

Estimates that 1,347 technical crew and office (26% minorities and 19% white women), 159 talent, and 232 extra jobs were created or retained. Film production brought over \$11.7 million in spending to Illinois. Office will encourage educational

(continued on p. 38)

ABSTRACTS (continued from p. 37)

opportunities for minorities to be trained for film and television work. (35 ILCS 16/45(b); undated, rec'd May 2017, 2 pp.)

Commission on Government Forecasting and Accountability

Capital Plan Analysis, FY 2018

Capital budget proposal had \$4.8 billion in new appropriations and \$12.8 billion in re-appropriations. New appropriations were from state funds (\$3.5 billion as pay-as-you-go funding), federal funds (\$134 million), and bond funds (\$1.3 billion). Two G.O. bond sales totaling \$1.03 billion occurred in FY 2016. So far in FY 2017, OMB sold \$480 million of G.O. new project bonds and \$1.3 billion of G.O. refunding bonds; it plans to sell \$200 million more of new project G.O. bonds. OMB plans to sell \$825 million in G.O. bonds in FY 2018. Current G.O. bond authorization for capital projects is \$31.4 billion. Describes current bond topics and bond debt not supported by the state. (25 ILCS 155/3(8); issued & rec'd April 2017, 86 pp. + 5 appendices)

Liabilities of State Employees' Group Health Insurance Program, FY 2018

Commission analyzes two scenarios for Group Health Insurance: Scenario 1 estimates cost if state's best and final offer is imposed and Scenario 2 if it is not. Commission projects Scenario 1 costs at \$3.028 billion for FY 2018; CMS projected \$34.6 million less. For Scenario 2, Commission projects costs at \$3.451 billion for FY 2018; CMS projected \$27.8 million less. Participation is projected at 347,874 in FY 2017. Under Scenario 1, member participation is projected to decline to 341,364 in FY 2018. Under Scenario 2, participation will decline by around 50 members. Projected cost per participant is \$9,453 in FY 2017. For FY 2018, cost per participant is estimated as \$8,767 (Scenario 1) or \$9,843 (Scenario 2). The increase per participant is partly due to higher interest payments. (25 ILCS 155/4(b)(2); March 2017, rec'd April 2017, 28 pp. + 4 appendices)

Comptroller

Fee Imposition Report, FY 2016

The state collected \$9.473 billion in fees to 72 agencies—up 2% from FY 2015.

Secretary of State reported \$2.305 billion; Healthcare and Family Services \$2.112 billion; and Toll Highway Authority \$1.26 billion (12% increase from FY 2015). Most fee money (94%) went to restricted funds. Lists fees and collections by agency. (15 ILCS 405/16.2; issued & rec'd April 2017, 12 pp. + 5 appendices)

Receivables report, 2016

Gross receivables due the state at 2016 yearend were \$17.071 billion – up \$228 million from \$16.843 billion at FY2015 yearend. Net receivables (believed to be collectible) were \$3.7 billion. Of those, child support claims were the largest group (28%), followed by interest and investment income (21%), other (licenses and fees, federal reimbursements, etc.) (20%), public assistance recoveries (13%), taxes (11%), contributions (5%), and current loan and note repayment (2%). Lists receivables by agency. (30 ILCS 210/4(d); issued & rec'd March 2017, 28 pp.)

Corrections Dept.

Quarterly report, July 2016

On May 31, 2016, adult facilities had 44,759 residents—40% over rated capacity but 15% below bed space for 52,586. Number was projected to fall to 42,726 by June 2017. Nearly all inmates were double-celled (72%) or multi-celled (22%), with about 35 square feet of living space per inmate. The number of inmates per security staff was 5.5. Adult transition centers had 863 of those residents—113 over rated capacity but 152 below bed space. Three-month enrollment (may be duplicated) in educational and vocational programs was 18,395. No capital projects were funded. (730 ILCS 5/3-5-3.1; July 2016, rec'd May 2017, 12 tables)

Quarterly report, Oct. 2016

On August 31, 2016, adult facilities had 44,324 residents—39% over rated capacity but 16% below bed space for 52,586. That number was projected to fall to 42,267 by September 2017. Nearly all inmates were double-celled (73%) or multi-celled (22%), with about 36 square feet of living space per inmate. The number of inmates per security staff was 5.4. Adult transition centers had 891 of those residents—141 over rated capacity but 124 below bed space. Three-month enrollment (may be duplicated) in educational and vocational programs was

18,571. No capital projects were funded. (730 ILCS 5/3-5-3.1; Oct. 2016, rec'd May 2017, 12 tables)

Quarterly report, Jan. 2017

On November 30, 2016, adult facilities had 43,822 residents—37% over rated capacity but 17% below bed space for 52,586. Number was projected to fall to 41,808 by December 2017. Nearly all inmates were double-celled (73%) or multi-celled (22%), with about 36 square feet of living space per inmate. The number of inmates per security staff was 5.2. Adult transition centers had 866 of those residents—116 over rated capacity but 149 below bed space. Three-month enrollment (may be duplicated) in educational and vocational programs was 19,876. No capital projects were funded. (730 ILCS 5/3-5-3.1; Jan. 2017, rec'd May 2017, 12 tables)

Quarterly report, April 2017

On February 28, 2017, adult facilities had 43,456 residents—33% over rated capacity but 19% below bed space for 53,414. Number was projected to fall to 41,349 by March 2018. Nearly all inmates were double-celled (73%) or multi-celled (22%), with about 36 square feet of living space per inmate. The number of inmates per security staff was 5.1. Adult transition centers had 829 of those residents—79 over rated capacity but 186 below bed space. Three-month enrollment (may be duplicated) in educational and vocational programs was 19,011. No capital projects were funded. (730 ILCS 5/3-5-3.1; April 2017, rec'd May 2017, 12 tables)

Environmental Protection Agency & Public Health Dept.

Lead in Public Water Systems, Final Report

Public Health Dept. and Illinois Environmental Protection Agency (EPA) collectively oversee more than 5,500 water facilities. About 99.5% of public water systems regulated by EPA did not exceed lead action level. Of 1,740 community water systems in Illinois, 343 (20%) reported lead service lines. Approximately 259 public water systems add corrosion inhibitor to treated water to prevent lead exposure. Makes policy recommendations for Public Health Dept. and EPA. (H.J.R. 153 (2016); Jan. 2017, rec'd March 2017, 3 pp.)

Human Services Dept.

Autism progress report, 2016

Describes progress of DHS Autism Task Force in addressing early intervention for children with autism; improving family support so they can stay at home; transitioning to and from public schools; and feasibility of getting federal help. Actions include promoting and supporting autism insurance law; improving transition services for persons with autism-spectrum disorders (ASDs); promoting school programs and improving early childhood education services; providing support for adults with ASDs; and finding funding for autism services. The Autism Program (TAP) funding ended at the close of FY 2015 but was refunded for FY16 through the stopgap spending bill—although during the time of non-funding, many of the sites and services were downsized or disbanded; re-startup remains challenging. (20 ILCS 1705/57; Jan. 2017, rec'd March 2017, 14 pp.)

Commission to Reform Child Care, 2016

The Commission was created in 2015 to study state and local child care. It met four times in 2016 to discuss aspects of Child Care Assistance Program, including funding, enrollment wait times, and eligibility requirements. Since the Commission began, wait times at child care resource and referral agencies have decreased. (H. Res. 254 (2015); Sept. 2016, rec'd March 2017, 11 pp.)

Emergency & Transitional Housing Program, FY 2016

Program provided over 2 million shelter nights in public and private shelters, 3.1 million meals, and 1.6 million units of support services to homeless persons, costing \$8.8 million. It served 22,852 households with 23,796 adults and 9,106 children. (305 ILCS 5/12-4.5; undated, rec'd March 2017, 20 pp.)

Homeless Prevention Program, FY 2016

Program received \$3 million, down from \$4 million in FY 2015. Its goals include stabilizing persons and families in homes, shortening time in shelters, and helping with getting affordable housing. The 21 organizations getting Program money served 790 households (428 households

with children), including 988 adults and 854 children. Among them, 60.5% of households kept their housing with program help, costing an average of \$3,797 per household. (310 ILCS 70/13; undated, rec'd March 2017, 26 pp.)

Illinois Child Care Report, FY 2016

Department spent \$933 million on child care aid, helping 127,419 families with 225,500 children. Program's income limit was \$37,176 for a family of three. School-aged children (age 6+) were 42.9% of all children served. About 68.1% of children were served in licensed care—up from 61.3% in FY 2012. (20 ILCS 505/5.15; undated, rec'd April 2017, 13 pp.)

Supportive Housing Program, FY 2016

Services provided (such as alcohol and drug abuse counseling, mental health programs, transportation, advocacy, child care, and case management) help low-income families live in community transitional or permanent housing. Support was provided to 9,963 persons (including 3,219 children) in 6,392 households, costing \$7.4 million. Reports services provided and recipient demographic data. (305 ILCS 5/12-4.5; undated, rec'd March 2017, 20 pp.)

Women's Plan and Practitioner Toolkit, 2017-2019

The number of women dying from accidental drug overdoses rose 23% from 2013 to 2015. Females received 40% of treatment admissions for all drugs except alcohol (30%) and marijuana (25%). Issues addressed include opioid use disorders; family-centered services; trauma-related care; and LGBTQ-specific needs. Gives statistics and resources for agencies and staff. (20 ILCS 301/10-10(e); Dec. 2016, rec'd Feb. 2017, 54 pp.)

Legislative Information System

Biennial report, 2015-2016

LIS provided 20 information technology services to General Assembly, including system for bill drafting, tracking, voting, and enrolling and engrossing; audio and video services for each house; posting journals and debate transcripts; hosting Illinois Administrative Code; and tracking

federal grants. LIS had \$4.95 million in expenditures in FY 2015, and \$4.76 million in FY 2016. FY 2017 appropriation is \$6.76 million. (25 ILCS 145/5.07; issued & rec'd April 2017, 30 pp.)

Public Health Dept.

Health and Hazardous Substances Registry Annual Report, FY 2015

Registry collects and analyzes data on selected public health concerns and hazardous exposures. In FY 2015, it responded to 22 inquiries on perceived excess local cancer rates and 127 requests for information, reports and registry data, or special data. It filed 5 grant proposals; released 7 epidemiologic reports; prepared 8 reports for quality control studies of registry data; and authored or co-authored two scientific papers. It received \$1.6 million in federal funds and nearly \$31,000 from other sources. Reviews activities and progress toward goals in FY 2015, and lists FY 2016 goals. (410 ILCS 525/8; Sept. 2015, rec'd Feb. 2017, 42 pp.)

State Board of Education

Attendance Commission report

The Commission, created to study chronic school absenteeism, issued these recommendations: (1) create standard definitions for "attendance" and "chronic absenteeism"; (2) introduce mechanisms to improve data systems to monitor absenteeism; (3) provide process for schools to report and account for attendance data; (4) enable schools to use data to intervene with students and families to increase attendance; and (5) respond to chronic absenteeism. (105 ILCS 5/2-3.163(d); Dec. 2016, rec'd Jan. 2017, 35 pp. + 19 appendices)

Capital Needs Assessment Survey, 2016

Responding elementary, secondary, and unit districts (total 406) reported \$7.5 billion in capital needs for building construction, additions, and repairs for the next 2 years. They are using 763 temporary classrooms due to crowding; 433 more classrooms are needed for pre-K and kindergarten classes. Districts need over \$5.7 billion for repair and remodeling projects, including \$3 billion to meet current health-life safety requirements.

(continued on p. 40)



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RETURN SERVICE REQUESTED

ABSTRACTS (continued from p. 39)

(105 ILCS 230/5-60; issued & rec'd Dec. 2016, 4 pp.)

Special education spending and receipts, FY 2016

Lists each school district's special education spending; receipts from local, state, and federal sources; and net education spending exceeding such receipts, based on districts' FY 2016 financial reports. FY 2016 average appropriation per special education student was \$5,355. (105 ILCS 5/2-3.145; issued & rec'd May 2017, 49 pp. + appendix)

Teachers' Retirement System

Final state funding certification for FY 2018

TRS board certified two state funding amounts for FY 2018: \$4.56 billion based on law, or \$6.87 billion based on actuarial standards. Includes 2016 Actuarial Valuation report. No change was deemed necessary from the actuarial valuation from June 30, 2016. (40 ILCS 5/16-158(a-1); Jan. 2017, rec'd April 2017, 2 pp. + 3 enclosures)

Toll Highway Authority

Inspector General activity report, Sept. 2016-Feb. 2017

Five Customer Service Representatives at O'Hare Oasis were found to have accepted gifts and/or cash from patrons. One was also found to have also violated Tollway policy by associating transponders with license plate numbers without proper documentation. Two resigned, one was suspended and relocated, and two were given counseling. OIG recommended installing signs stating that no gifts or tips are allowed. Six investigations were opened and eight closed; three remained pending. The public made 83 complaints by telephone. Makes no legislative recommendations. (605 ILCS 10/8.5(m); issued & rec'd March 2017, 7 pp.)

Transportation Dept.

Cooperative use of equipment and services report, CY 2016

Department had 7 cooperative programs in 2016; two were discontinued for lack of funding. Successes included helping deploy paratransit vehicles, better coordination of services to meet transportation needs of disadvantaged, and training

drivers and support personnel of transit agencies. (20 ILCS 2705/2705-215; Feb. 2017, rec'd March 2017, 10 pp.)

First Reading

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