

Senate Committee Action April 27, 2017

Commerce and Economic Development

Notary Public Cleanup Language (SB 265):

Removes language regarding a notary's signature from statute. Provides references to "electronic communication" in sections concerning advertisements and notices. Removes the sunset provision regarding the procedure for the rubber stamp seal and black ink from the "Official Seal and Signature" section of the statute (5 ILCS 312/3-101) and moves the language to the Certificate of Notarial Acts section of the statute (6-103). Provides that notaries public shall not deliver a signed, blank form to another person with the intent that it be used as an affidavit or acknowledgement.

Film Credit Reporting (SB 1461): Maintains the underlying intent, provides changes to DCEO's reporting to the General Assembly. DCEO provided this amendment after negotiations with the sponsor.

African-American Employment (SR 277):

Urges solutions be sought in order to increase the employment rate of African American youth, and urges the business community to work to identify and assist young African American adults to find employment opportunities.

Environment and Conservation

Mahomet Aquifer Protection Task Force (SB 611):

SFA 1 adds two additional members to the task force, one member from state labor organization representing employees in solid waste industry; and one member representing statewide business association with a focus on environmental issues; both members appointed by Governor. As introduced it creates the Mahomet Aquifer Protection Task Force, composed of 22 members. Tasked with identifying and offering solutions for contamination and mitigation of toxins in the

Mahomet Aquifer. On or before July 1, 2018, task force shall report findings to the General Assembly and Governor. Act is repealed on July 1, 2019. Effective Upon Becoming Law.

Natural Areas Stewardship Act (SB 1029): SFA 1 creates the Illinois Natural Areas Stewardship Act; creates program allowing for nonprofit land conservation organizations to apply for grants for land stewardship. Grant program draws out of the Natural Areas Acquisition Fund and can only be used for eligible lands. As Introduced it was a Shell Bill that amends the Voluntary Payroll Deductions Act of 1983.

Pollution Control Facilities (SB 1561): SFA 1 replaces everything after the enacting clause; Same as underlying bill, but clarifies that the counties subject to this legislation can still carry out their duties provided in the Solid Waste Planning and Recycling Act and the Environmental Protection Act. As Introduced it amends the Solid Waste Planning and Recycling Act; Provides that nothing in this act shall be construed to permit a county with a population under 2 million the power to regulate the operations of pollution control facilities or recycling centers. Effective Upon Becoming Law.

Greenhouse Gas Emissions Task Force (SB 1775): SFA 3 requires one of the four members appointed by DCEO to represent municipalities to be from a municipality with a population of 1,000,000 or more. SFA 2 adds 2 new members to task force: one person appointed by IEPA to represent a national waste and recycling association, and one person appointed by IEPA to represent a statewide manufacturing association. As amended the bill creates the Municipal Task Force on Recycling Strategies to Reduce Greenhouse Gas Emissions to review the status of municipal policies and programs that reduce greenhouse gas emissions. Task Force shall submit report to GA. Provisions of this bill are repealed 2 years after the effective date.

Higher Education

SIU Dental School Faculty Plan (SB 448): The Southern Illinois University Board of Trustees will administer a plan established by the clinical faculty of the School of Dental Medicine for the billing,

collection, and disbursement of charges for services performed in the course of the faculty's academic responsibilities.

Credit for Prior Learning (SB 1865): All public universities and community colleges will be required to submit their policies on credit for prior learning for review and approval. The Illinois Board of Higher Education and the Illinois Community College Board will be required to adopt rules to permit public institutions of higher education to award credit for prior learning.

Human Services

Child Death Review Team (SB 320): Removes references to the CDRT pilot programs. Includes a representative from the Illinois Department of Public Health to the CDRT.

Mental Health Licenses (SB 1322): Declares that every entity with a pending application for licensure under the Specialized Mental Health Rehabilitation Act of 2013 be granted provisional licenses on the effective date of this Act. Also, requires provisional licensure to be issued to all Specialized Mental Health Rehabilitation applications within 60 days if licensure standards are met.

IDPH Clean-Up Bill (SB 1400): Streamlines the statutory requirements for the establishment of the Health Care Worker Registry by placing all the language in the HCWBC Act to eliminate redundancy in Illinois law. Removes definitions for "abuse", "misappropriation of property", and "neglect" from the Health Care Worker Background Check Act. Makes changes to the list of specified offenses in a provision of the Act that prohibits health care employers and long-term care facilities from hiring a person who has been convicted of certain offenses. Removes language prohibiting a health care employer from hiring, employing, or retaining specified individuals with certain applicable findings by the Department of Public Health as set forth by rule. Adds language to provisions of the Act concerning the hiring of people with criminal records by health care employers and long-term care facilities providing that a health care employer shall not hire, employ, or retain, whether paid or on a volunteer basis, any

individual in a position with duties involving direct care of clients, patients, or residents, who has a finding by the Department of Human Services of physical or sexual abuse, financial exploitation, or egregious neglect of an individual denoted on the Health Care Worker Registry. In provisions concerning notice and hearing requirements prior to designation on the Registry, removes language requiring the Department of Public Health to notify an employee or former employee if the Department makes certain applicable findings as set forth by rule. In provision concerning designation on the Registry for an offense, removes language concerning a specified finding and certain information that may be denoted on the Registry.

Judiciary

Illinois Administrative Procedure Act- Correction of Misnomers (SB 584): Amends the Illinois Administrative Procedure Act that Circuit Courts will be given power to correct misnomers (misnamed parties) including any incorrect identification of the agency in good faith. Dismissing of an administrative case will not be allowed: For the misnaming of an agency, board, commission, or party who is properly served summons and was give that summons in the allowed time frame; During a timely filed administrative review with an incorrect name that was made with a good faith effort to properly name the administrative agency; And the amendments to the Act will only apply to actions filed after the effective date of the changes to the Act.

Quick Take: Macon County (SB 567): The bill authorizes Macon County and the City of Decatur to use quick-take procedures, for a period not to exceed one year after the effective date, to acquire property for construction on Brush College Road.

Revised Installment Sales Contract Act (SB 885): Establishes the Installment Sale Contract Act. Requires a written contract that must allocate the amount of monthly payment to be used for rent, principal, interest, taxes, insurance and other costs. Requires buyer be provided with amortization schedule prior to closing and every year. Requires the contract or memo be recorded. Establishes a structure for defining which party is responsible for repairs, real estate taxes and insurance. **Expands foreclosure protections to contracts when more than 10% of**

principal has been paid—bolded amendment is being debated.

CICAA Notification of Common Expenses (SB 928): Amends the Common Interest Community Association Act. Adds "any adopted common expense collection policies" to the information that must be made available by the board upon demand of any prospective purchaser. Provides that, upon demand of any prospective purchaser, the board must make available 1) a statement setting forth the current assessment obligations, including any special assessments or other common expenses. 2) a statement setting forth the current late fees or interest that may be charged on an unpaid balance, if any.

Condo Act Forced Sale Relocation Expenses (SB 1020): Provides that an owner who properly objects to a forced sale of the condominium association property is entitled to relocation costs. The objecting owner is already entitled to the value of their interest as determined by fair appraisal. Relocation costs will be determined as in eminent domain actions.

Video Conferencing for Adult Guardianship Proceedings (SB 1319): Adds a section for video conferencing for adult guardianship proceedings. Includes in the notice of rights to patients (Section 11a-10) that the court will hold the hearing at a convenient place that they will direct. If a person is unable to attend in person, the Judge can decide to hold the hearing at a place that is convenient. The Judge can also follow the Illinois Supreme Court rule, or the local rules, and decide if a video conference is appropriate.

Notarization Task Force (SB 1459): The State will develop a task force to determine the best practices to implement an electronic notarization and will review security and fraud concerns. The goal of the task force is to investigate and provide recommendations to implement electronic notarization that will increase the availability for notary publics, protect customers, and maintain the integrity of the notarization seal and signature. The Task Force will have 17 members and will report their findings to the General Assembly.

Judicial Officer Definition (SB 1647): Amends the Judicial Privacy Act. Provides that "judicial officer"

includes former or deceased justices and judges.

Gun Dealer Licensing Act (1657): The bill prohibits anyone engaging in the business of selling, leasing, or otherwise transferring firearms without a license issued by the Department of Financial and Professional Regulation. Provides an exemption for big box stores, manufacturers, and auctioneers.