

Senate Committee Action April 5, 2017

Local Government

Elected County Board Chairman (SB 669):

Mandates a referendum question on ballot in the 2018 election to the voters of Lake County to determine whether the Chairman of the Lake County board shall be elected by the voters. If the question is approved by county voters, then the Chairman of the Lake County Board shall be elected by the voters of the county starting with the 2020 election.

Sheriff Merit Board (SB 695): Keeps the underlying intent to abolish and re-create the Cook County Sheriff's Merit Board. Extends the minimum time period of discipline against an officer from 30 to 90 days where a settlement is to take place. Also, provides that a settlement is subject to collective bargaining, and the members of the Cook County sheriff Merit Board are to be part time and to receive compensation and a stipend.

Territory Expansion (SB 864): Requires a public library district to hold a referendum when ordinance is passed to annex territory.

Lake County Township Assessor (SB 909):

Creates a process for Lake County to dissolve the office of township assessor by backdoor referendum.

Fire Chief Training (SB 1304): Adds to the underlying bill so that the added fire chief appointment requirements will only apply to fire departments where firefighters hired under statute (NOT fire departments that consist only of volunteer firefighters).

Stormwater Commissions (SB 1337): Amends the Counties code to allow all IL counties to set up stormwater commissions that can adopt plans and ordinances.

Construction/Demolition debris (SB 1807): No

municipality with a population under 1 million may enter into a contract or franchise with a private entity that includes general construction or demolition debris. Also, this does not apply to a municipality that is a party to a contract relating to the collecting and final disposition of general construction/demolition debris after the effective date of this act and exempts the city of Chicago.

Public Health Jurisdiction (SB 2057): Provides that a county or municipality-county health department does not jurisdiction over private residential leaseholds unless it regulates private single-family residential households in a similar manner. Applies to all counties, including Cook County.

Medicaid Managed Care

Mandatory Dental Coverage for All Medicaid

Recipients (SB 622): Requires preventative dental coverage to be provided to all adults eligible for Medicaid and requires HFS to reimburse the adult preventative services at the same rate as children. Also, dental services must include diagnostic, preventative, corrective, periodontal disease treatment and carries disease treatment.

Licensed Activities and Pensions

Pharmacist injections - Prenatal Care (SB 317):

Adds certain forms of prenatal care and birth control related injections to the list of those a pharmacist may administer with a valid prescription from a physician.

Firefighter Pensions (SB 419): Allows a firefighter hired in 2008 by a municipality that did not create a firefighter pension fund until 2015, to purchase credit from the newly created pension fund for the years preceding the fund's creation.

Clinical Social Work Practice Act Sunset

Extension (SB 768): Extends the regulatory sunset date for the Clinical Social Work Practice Act to January 1, 2028. Provides for language updates to

match current practice and creates conformity with other practice Acts that the Department administers.

Prescription Monitoring (SB 1607): Provides that before issuing a prescription for a Schedule II, III, IV, or V controlled substance, a prescriber or his or her designee shall access the prescription monitoring program to determine compliance. As well as, requires the prescription monitoring program to issue reports to the prescribing authority of potential "doctor shopping." Also, requires all electronic medical data available to interface with the prescription monitoring program by January 1, 2021.

Non-medical Licensee Restrictions (SB 1688): Eases restrictions on non-medical licensees or applicants after felony convictions. Also, deletes Section 13 of the Criminal Identification Act, reworked tracking requirements to exclude renewal licensing data and restore the disciplinary record expungement application fee but reduced it from \$200 to \$175.

Prescription Refills without Doctor Approval (SB 1790): Allows a pharmacist to refill a patient's prescription without prescriber authorization if the pharmacist is unable to contact the prescriber. Does not authorize dispensing controlled substances without prescribing authority. As well as, makes language changes to ensure that these refills are for emergency purposes only, and that the patient will need to renew their prescription with their prescriber.

Executive

Illinois Trust Act (SB 31): Creates the Illinois Trust Act and prohibits law enforcement compliance with federal immigration detainers. In addition to, prohibits law enforcement, government agencies, and schools from cooperating with federal

immigration authorities; victim certification requirements for non-citizens by law enforcement, prosecutors, and other agencies; creates an Illinois Trust Act Compliance board and allows law enforcement or other governmental entities to be sued for non-compliance.

Alcohol At Special Events (SB 941): Amends the Liquor Control Act and updates definition of "special event retailer" to include the sale or offering of spirits.

Small Donor Contributions (SB 1424): Creates special state funds for the small donor matching program, a member of a campaign finance board cannot request an advisory opinion from the board.

Automatic Voter Registration (SB 1933): Creates two systems for Automatic Voter Registration, one for the Secretary of State, and one for other state agencies.

Government Reform

Local Government Inspector General Act (SB 85): The Act creates Local Government Ethics Commission and the Local Government Inspector General. The commission will consists of 9 commissioners appointed by the Governor, with the advice and consent of the Senate that will meet at least monthly.

Labor

Living Wage Act (SB 1347): Requires state contractors and subcontractors to pay their workers at least \$16.36 per hour beginning January 1, 2018, and every year thereafter the wage would be tied to CPI-U.

Wrongful Discharge (SB 1760): Provides that a discharge from employment is wrongful if it:

1. was a constructive discharge

2. was in retaliation for the employee's refusal to violate public policy or for reporting a violation of public policy
3. was not for good cause and the employee had completed the employer's probationary period for employment, or
4. the employer violated the express provisions of its written personnel policy.

Prevailing Wage-Website Post (SB 1856):

Provides that if the Department of Labor ascertains the prevailing rate of wages for a public body, the public body may satisfy the Act's notice by newspaper publication and mail requirements, by posting on the public body's website a hyperlink to the prevailing wage schedule that is published on the official website of the Department of Labor.

Collective Bargaining Freedom (SB 1905):

Creates the Collective Bargaining Freedom Act and prohibits units of local governments from enacting "right to work" zones. Establishes the State of Illinois as the exclusive authority for enacting any law affecting union security agreements.

Home Care Protection Act (SB 1978): Creates the Home Care Consumer and Worker Protection Act. Cracks down on employee misclassification as it relates to private care providers licensed by IDPH by mandating the use of the "ABC" test to prove independent contractor status. This will ensure the care providers are deemed "employees" to the private care agencies, and not independent contractors.

Human Services

Domestic Violence Program for Abuse and Neglect (SB 646): Authorizes the Department of Children and Family Services (DCFS) to

implement a five-year domestic violence co-location pilot program in which certified domestic violence advocates who are trained in domestic violence services, and employed through a certified domestic violence provider are assigned to work in a DCFS field office with child welfare investigators of domestic violence.

Safety-Net Hospital Service (SB 1691): Requires HFS to establish the Safety-Net Hospital Service Loan Forgiveness Program to make loan repayment disbursements to physicians and medical residents who agree to practice in a Safety-Net Hospital. Also, provides eligibility for the program to critical access hospitals.

Higher Education

Career and Workforce Transition Act (SB 1663): Changes the Career and Workforce Transition Act to allow public community college districts to accept 30 credit hours transferred from institutions approved by the Illinois Community College Board.

Crime-Related Violence on Public Health

Research (SB1675): Creates the Impact of Crime-related Violence on Public Health Research Act to provide scientific evidence on which successful crime-related violence prevention policies and programs can be based. Also, creates the Impact of Crime-related Violence on Public Health Research Center Fund as special fund in the State treasury which will be used to support the research and activities of the Center.

Judiciary

Title Insurance Bifurcation (SB 65): Requires that in a transaction or sale of residential real property the title insurance company issuing that owner's policy shall issue the lender's title policy for that transaction unless: the buyer and seller agree otherwise or the buyer or seller is offered a discounted premium or other economic benefit.

Possession of Companion Animals in Divorce (SB 1261): In cases of divorce; provides the court shall allocate the sole or joint ownership or responsibility for a companion animal of the parties. In making this custody determination the court shall take into consideration the well-being of the companion animal.

Consumer Protection (SB 1502): Adds that nothing in the Act would prevent a person from seeking a right of action for a violation of the Biometric Information Privacy Act or under the Code of Civil Procedure. Adds the Act doesn't apply to any State agency, federal agency, unit of local government or any contractor working with those government agency, or 501(c)(3) and 501(c)(4).

Removal of Verified Responses in Department of Human Rights Investigations (SB 1516): This legislation will eliminate the requirement of a Verified Response, which currently is required by statute to be filed by a respondent.

Non-Resident Active Duty Military Member Concealed Carry (SB 1524): The bill allows for a non-resident conceal carry license application by those employed by the United States Military permanently assigned in Illinois, and who are not a resident of Illinois but maintain an address in Illinois. Also, requires ISP be notified within 30 days of moving to an address outside of this State, a Permanent Change of Station or Permanent Change of Assignment to a duty station outside this State, or a separation or retirement from the United States Military.

Farm Nuisance Suits and Horses (SB 1529): Adds the action of "keeping" livestock to the definition of the term "farm" in the Farm Nuisance Suit Act. Adds "horse keeping" and "horse breeding" to the activities included under the definition of the term "farm" in the nuisance suits brought by new neighbors to the farm.

Civil Asset Forfeiture Act Overhaul (SB 1578): Requires a criminal conviction before a person's property can be forfeited and places the burden of proof in forfeiture cases upon the government. As well as, raises standard of proof for the government from probable cause to clear and convincing and requires forfeiture proceedings to be instituted against the owner, not the property itself. Also, eliminates some of the direct financial incentives for law enforcement to seize property and restricts forfeiture for drug offenses to dealing offenses.

Single Risk Limit for Title Insurance Policies (SB 1667): Provides that a title insurance company shall provide a summary describing its professional reinsurance placed outside of the title insurance industry and must be determined to be necessary and appropriate by the department.

Closing Protection Letters (SB 1996): Provides that a closing protection letter shall not be issued by any person or entity other than a title insurance company. Specifically, prohibits an independent escrowed from issuing a closing a protection letter.

Revenue

Sunsetts the Hospital Tax Credit (SB 1702): Provides a sunset date for the hospital tax credit.

Extends the River Edge Historic Structure Tax Credit (SB 1783): Extends the tax credit awarded for the restoration and preservation of historic structures in a River Edge Redevelopment Zone through January 1, 2022. The credits' sunset date is currently January 1, 2018.

Rolling Stock Sales Tax Exemption (SB 1871): Changes the various Use and Excise Tax Acts to make changes to the rolling stock exemption beginning July 1, 2017.

No Reapplication for Senior Citizens Homestead Exemption (SB 1979): Provides that in all counties the county board may pass a resolution stating a

person who has been granted a senior citizens homestead exemption does not need to reapply annually. Also, makes changes to the process for a transfer of property receiving the exemption in Cook County.

Valuation Changes for Non-General Assessment Years (SB 2022): Makes clarifications regarding changes in valuations in non-general assessment years.

Insurance

Captive Insurance Company Requirements (SB 1286): This legislation liberalizes capital and surplus requirements to \$250,000 for a pure captive, \$500,000 for an industrial insured and \$750,000 for an association. Filing fees for certification have also been reduced from \$7000 to \$2000.

Stolen Rental Car and Failing to Return Keys (SB 1730): Provides a rental company may void the damage waiver if the vehicle is stolen and the renter fails to do all of the following:

1. Fails to return the vehicle's ignition key and key tag identifying the rental vehicle
2. Fails to file a police report within 24 hours of discovery of the theft; and
3. Fails to fully cooperate with the rental company, law enforcement agency, or any other authority in all matters connected to the investigation of the stolen vehicle.