

## Senate Committee Action May 10, 2017

### Gaming

**Video Gaming Truck Stops (SB 620):** Increases the number of video gaming terminals that a qualifying truck stop may operate to 10 (currently 5). Also, decreases the threshold of gallons of diesel sold per month to 25,000 (currently 50,000).

### Local Government

**County Board Posts (HB 169):** Clarifies that county board members are not prohibited from being a public administrator or public guardian.

**Police Applicant Requirements (HB 305):** States that the requirement that a police applicant possess an associate's degree may be waived if the applicant has at least 60 credit hours toward a bachelor's degree from an accredited college/university.

**Public Contract Approval (HB 547):** Increases the base amount from \$20,000 to \$25,000 for public improvement or maintenance of public property at which a municipality must enter into a contract by public bid or four-fifths council approval

**FOIA Exemptions (HB 619):** Amends the Freedom of Information Act to add the following exemptions from disclosure: records requested by persons committed to a county jail or a Department of Corrections facility, as a means to prevent FOIA from being used as a harassment tool.

**Volunteer Firefighters (HB 771):** Allows volunteer firefighters to purchase four new vehicle tires every three years through their fire departments' or municipalities' contracts. Requires written approval of the fire chiefs. Firefighters are to pay for any tires and any related taxes associated with such purchases.

### **Interpreter for Deaf Licensure (HB 1811):**

Extends the repeal date of the Interpreter for the Deaf Licensure Act of 2007 to January 1, 2028. In addition to, carves out the Rosemont Emergency Telephone System Board from the forced consolidation that was legislated through the initial 9-1-1 Rewrite (P.A. 99-0006).

**Police Training (HB 1895):** Adds to the police training curriculum requirements training in effective recognition and responses to stress, trauma, and post-traumatic stress experienced by police officers.

**Qualifying Territory for Annexation (HB 2407):** Provides an exception to the requirement that annexed territory be contiguous to the municipality if the territory is separated only by a lake, river, or other waterway.

**Water Reclamation District (HB 3010):** Amends the North Shore Water Reclamation District act to make several changes: clarifies that a trustee vacancy must be filled with an individual of the same political party, adds barium, cadmium, mercury, selenium, and silver to the list of substances noted as toxic to the wastewater treatment processes, states that it is unlawful to discharge effluent, gaseous wastes, sewage, industrial wastes, or other wastes into the sewage system, authorizes disconnection for violations of district final orders; and allows owners of non-contiguous territory to enter into annexation agreements.

**Public Water District (HB 3325):** Provides that a general manager of a public water district may be discharged at a meeting of the board of trustees upon a majority vote of the members present. Current law requires a unanimous vote.

**Campaign Contributions (SB 1415):** Creates a small-donor campaign contribution matching system for candidates for the following offices: Governor, Attorney General, State Comptroller, State Treasurer, Secretary of State, State Senator

and State Representative. Contributions from \$25 to \$150 from local donors will be matched 6:1 by public funds. As well as, ensures that a member of the Campaign Finance Board cannot request and advisory opinion from the Campaign Finance Board.

## Medicaid Oversight

**HFS Performance Audit (SB 321):** By June 30, requires the AG to initiate a performance audit of HFS to determine its compliance with the care coordination requirements of the act.

Requires the determinations to include at least the following:

- Whether HFS has developed and applied standardized quality performance measures to Medicaid Managed Care entities;
- Whether it has developed and implemented algorithms for automatic assignment of Medicaid enrollees into managed care entities;
- Whether the standardized quality performance measures and algorithms developed by HFS use measurable quality metrics, are developed and applied according to statutory criteria, and are adequately documented.

## Government Reform

**Broadcasting of CMAP meetings (HB 2538):** Amends the Regional Planning Act to require open meetings of the Board of the Chicago Metropolitan Agency for Planning (CMAP) to be broadcast and maintained on the Board's website.

## Financial Institutions

**Reviews of Community Reinvestment Act (HB 823):** Provides that the IDFPR shall review the federal Community Reinvestment Act performance evaluations of State chartered banks to ensure they are making efforts to meet the credit needs of the communities in

which they serve, including low-income and moderate-income neighborhoods.

**ATM Postings (HB 1783):** Amends the Electronic Fund Transfer Act by requiring a person who owns an ATM to post a phone number for consumers to call to report problems and the IDFPR phone number.

**Credit Union League Cleanup (HB 1792):** The various changes are to enable Illinois credit unions to operate most efficiently and match federal credit unions regulations.

Provides for the following changes:

- Reduces the par value of the membership share of the credit union from at least \$5.00 to at least \$1.00.
- Changes the required meetings of the Board of Credit Union Advisors to once each calendar year.
- Authorizes member electronic voting on questions and in elections if approved by the board of directors of the credit union.
- Authorizes credit union management to appoint a compliance review committee.
- Provides that a credit union may adopt a policy setting forth loan limits, provided that no loan shall be made to any member in an aggregate amount in excess of 10% of the credit union's unimpaired capital and subject to rules promulgated by the Secretary. Loans to credit unions section is amended to provide that a credit union board may establish a policy to set applicable limits for loans to other credit unions.
- Provides that a credit union may create and use descriptive and brand references to promote and market its identity, services and products to its members.
- Authorizes a credit union to invest in:
  1. Investment grade corporate bonds, provided that the credit union has established a written policy addressing procedures and risk management, that a

credit analysis of the investment was done prior to purchase, and that the analysis is updated at least annually for as long as it holds the investment.

2. A pool of loans from other depository institutions and financial type institutions including mortgage banks, finance companies, insurance companies, and other loan sellers that are the subject to IDFPR rules or guidance from time to time.
- Makes technical amendments to the existing provision authorizing network credit unions to clarify that those credit unions may use descriptive and brand references to promote the identity, services and products to its members; also provides for the option to select advisory boards and appoint network chief management officials.

**Fiduciary Act Cleanup (HB 1809):** Removes the requirement for banks, savings and loan associations, or savings bank to give notice of its intent to establish a branch office. Also, replaces “Commissioner” with “Secretary” to reflect who leads the IDFPR and removes requirement for banks to give notice to open a branch.

**Federal Home Loan Banks (HB 2514):** Permits the Federal Home loan Bank to have access to the same credit information for Illinois state chartered banks and credit unions as it does for federally chartered members. This is a joint initiative between the Community Bankers Association of Illinois and the Illinois Credit Union League and makes Illinois law consistent with Federal law.

**Residential Mortgage Act (HB 2965):** States that when a mortgage is in arrears for more than one month, a mortgagee can't refuse whole month payments by the mortgagor. These payments will be applied to the unpaid balance. This doesn't prevent the mortgagee from exercising its rights under the mortgage

or to change the obligations of the mortgagor.

**Data Processing Ownership (HB 3282):** Provides that if a financial institution transfers any data from its records to an independent data processing servicer, then such data will always remain the property of the financial institution. The independent data processor only has temporary control of the data for the purpose of performing contracted services with the financial institution.

**Crowdfunding SEC Cleanup (HB 3791):** The Securities and Exchange Commission Rule (SEC) has created a new Rule 147A to accommodate adopted state intrastate crowd funding provisions. The rule offers businesses access to crowd funding from out-of-state residents and companies.

## Labor

**Wage History (HB 2462):** Prohibits employers from requiring information about a job applicant's previous salary history. Also, substantially increases penalties, including an up to \$10,000 civil fine, injunctive relief, and attorney's fees as determined by the Court.

**Unemployment Disclosure of Information (HB 2699):** Amends provisions of the Unemployment Insurance Act prohibiting the disclosure of information obtained from an individual or employing unit during the administration of the Act. The prohibition does not apply to communication with an individual or entity through unencrypted e-mail or unencrypted electronic means as long as the communication does not contain the individual's or entity's name in combination with specified numbers or codes, deletes "account number" from the numbers and codes.

## Insurance

**Insurers Description of Services in a Network Plan (HB 311):** Provides that insurers, prior to

going to market, must file with the Department of Insurance for review and approval a description of the services to be offered through a network plan, with certain criteria included in the description. Also, includes requirements on written policies and procedures for adding providers, making referrals, and accessing available providers in the network, and insurers must file with the Director of DOI for review and approval a description of the services to be offered through a network plan. As well as, provides that the network plan shall demonstrate sufficient inpatient services, and Section 10(f) removes the hospital based specialist language that various members of the insurance industry have indicated was the last remaining issue, and Section 30 deals with nonparticipating provider transparency at participating facilities.

**Electronic Verification of Car Insurance (HB 2610):** Provides SOS the ability to create an electronic verification program for mandatory liability insurance for motor vehicles. Amends the Illinois Motor Vehicle Theft Prevention Act to provide up to 75% of every dollar collected for the first year and then up to 50% of every dollar afterwards goes to the Secretary of State to create, implement, and maintain an electronic verification program of mandatory liability insurance. No new fee is created. The Secretary shall verify insurance coverage at least twice per calendar year and, if unable to verify coverage, the Secretary must provide the vehicle owner written notice allowing the owner 30 calendar days to provide proof of insurance.

**PANDAS Mandate (HB 2721):** Mandates that a group or individual policy of accident and health insurance or managed care shall provide coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS) and pediatric acute-onset neuropsychiatric syndrome (PANS), including,

but not limited to, the use of intravenous immunoglobulin therapy.

**State Vendor Payment Program Dentists (SB 634):** Provides that CMS may establish a vendor payment program for dentists providing services to State of Illinois employees. Under this plan, qualified purchasers may purchase certain qualified accounts receivable owed by the State to participating vendors. The program shall be subject to any State offset of the purchase price for which any qualified account receivable purchased under the program equals 100% of the base invoice amount associated with such account receivable, as determined by the Comptroller. The purchase price for a qualified account receivable shall be determined by CMS. In consideration of the payment of the purchase price, a participating dentist shall assign to the qualified purchaser all of its rights to payment of the account receivable.

## State Government

**Crisis Intervention Team (CIT) Training (HB 375):** Requires the Law Enforcement Training and Standards Board to create an introductory course to provide all police with an awareness of mental illness issues. This would include history of mental health systems; types of the illness including systems; medications; and the potential interactions law enforcement officers may have with sufferers and their families. Adds mental health awareness and response to minimum in-service training requirements.

**Task Force on Opportunities for At-Risk Women (HB 457):** Adds that appointments to the Task Force on Opportunities for At-Risk Women must be made within 60 days. Requires Task Force to meet no less than four times per year. Adds date for when the report is due to on or before January 1, 2018, and January 1 of each year thereafter.

**Prisoner Entrepreneur Education Program Act (HB 698):** Creates the Prisoner Entrepreneur

Education Program Act. In addition to, the Prisoner Entrepreneur Education Program shall be established as a 5-year pilot project to be instituted within the Department of Corrections.

**Sharing Information between IDOR and Treasurer- Unclaimed Property (HB 1808):**

Provides that the Department of Revenue may share information with the State Treasurer for the purpose of administering the Uniform Disposition of Unclaimed Property Act.

**ISP Rank Removal (HB 1849):** Removes ranks that no longer exist. Ranks include: Special Agent Sergeant, Special Agent Master Sergeant, Special Agent Lieutenant, Special Agent Captain, and Special Agent Major.

**Illinois Workforce Investment Board Act (HB 2482):** Changes the name of the Illinois Workforce Investment Board Act to the Illinois Workforce Innovation Board Act.

**Universally Accessible Parks (HB 2828):** The Department of Natural Resources is required to prioritize projects under the Parks and Recreational Facility Construction Act that create parks universally designed to meet everyone's needs, ages, and mobility and where all equipment, and the park itself, is handicap-accessible over projects that would create parks where only some equipment, or only the park itself, is handicap-accessible.

**Restorative Justice Training for DJJ Personnel (HB 3165):** Amends the Unified Code of Corrections to require "restorative justice" training of Department of Juvenile Justice personnel.

**Reporting to Property Control Division (HB 3658):** Changes the reporting requirement imposed on agencies to the Property Control Division at CMS. Increases the property value that triggers the reporting requirement from \$500 (currently located in Administrative Rule) to \$1,000. Allows the administrator to set a

higher limit by rule. Also, nothing relieves the responsible officers of the duty to reasonably ensure that State property is not subject to theft, and physical inventory checks should only be made for more than a nominal value (\$1,000 or less). As well as, requires the value of the item to reflect its depreciated value, as determined by the administrator.

**Code of Corrections- Women's Division (HB 3904):**

Create a Women's Correctional Division at the Department of Corrections, and provides that DOC will create a permanent Women's Division under direct supervision of the Director. Also, provides for an appointment of a Chief Administrator, who has training in gender responsive and trauma-informed practices.

**Octave Chanute Aerospace Heritage Fund**

**(SB 267):** Requires funds in the Octave Chanute Aerospace Heritage Fund to be paid as grants to the Rantoul Historical Society and Museum or any other charitable foundation responsible for the former exhibits and collections of the Chanute Air Museum.

**Licensed Activities and Pensions**

**Felony Forfeiture (HB 350):** Amends the Illinois Pension Code to affect all covered employers for new hires. Also, provides for the forfeiture of benefits for any person who otherwise would receive a survivor benefit who is convicted of any felony relating to or arising out of or in connection with the service of the member from whom the benefit results. In addition to, clarifies that this provision applies to those who enter the system on or after this language becomes law.

**IMRF Codify Current Practice (HB 3070):** Codifies the current IMRF practice of allowing members to take one payment for service credit purchases after termination, so long as a valid application is received while the member is still active.

**Part Time Government Officials (HB 3122):**

Provides that a person who holds part-time elected or appointed office as a member of a governing body is not a participating employee in the Illinois Municipal Retirement Fund unless they were elected to office before the effective date of the act and chosen to become a contributor. Also, provides that an office as a member of a governing body shall be deemed to be part-time if the performance of their duty takes less than 1000 hours per year.

**DFPR Criminal History (HB 3342):**

Requires the Department of Financial and Professional Regulation to consider certain mitigating factors and evidence of rehabilitation for certain applicants of licenses, certificates, and registrations. As well as, requires the Department, upon denial of a license, certificate, or registration, to provide the applicant certain information concerning the denial. Provides that no application for licensure or registration shall be denied by reason of a finding of lack of good moral character when the finding is based solely upon the fact that the applicant has one or more previous convictions.

**Closed Captioned Televisions (SB 309):** Requires facilities operating under certain hospital acts to provide closed captioned televisions for the developmentally disabled in public waiting rooms and areas used for treatment.

**State Comptroller Act (SB 1094):** Amends the State Comptroller Act.

**Regulatory Rollback Legislation (SB 1821):**

This legislative proposal will repeal the Athlete Agents Act, thus removing regulation that does little to protect the public and establishes a barrier to job creation. Also, deletes the section that repeals the Geologist Licensing act.