

Senate Committee Action May 11, 2017

Commerce & Economic Development

Used Auto Sales Transactions (HB 1560): Amends the Consumer Fraud and Deceptive Practices Act regarding the section on used motor vehicles and modification or disclaimer of implied warranty.

Small Business Development Grants (HB 2698): Creates the State Small Business Credit Initiative (SSBCI) Fund allow DCEO to finance intermediary agreements, loans, grants, or investments in Illinois. Also, increases loan caps under the program.

Military Economic Development Committee (HB 3032): Creates the Military Economic Development Committee out of the former Interagency Military Base Support and Economic Development Committee. As well as, gives the committee specific parameters and makes various program improvements to ensure the committee actually meets and is effective.

Trade Policy Task Force (HJR 3): Creates the Trade Policy Task Force within the Illinois Department of Commerce and Economic Opportunity - Office of Trade and Investment to (1) analyze important issues relative to the growth of international trade from and to Illinois; (2) make recommendations to Congress, the United States Trade Representative, and the White House National Trade Council regarding trade policies that best serve Illinois; and (3) promote the exportation of goods and services from Illinois and the importation of goods and services into Illinois.

Energy

Municipal Electric Power Act (HB 3396): Provides that "eligible utilities" under the act includes an electric cooperative which is an independent system operator within the electrical power system. Also, a regional transmission organization within the electrical power system, or an entity that participates as a buyer or seller in an organized independent system operator market or regional transmission organization market.

Environmental Justice Agenda (SR 353): Urges the creation of an environmental justice agenda.

Environment & Conservation

Wastewater Line Construction (HB 1914): Amends the Public Water District Act; allows water districts and every non-profit private waster company to construct, maintain, alter, and extend their wastewater lines under streets.

Pollution Control Facilities Siting (HB 2842): Amends the Environmental Protection Act; Provides that applicants for local siting approval shall submit evidence to demonstrate compliance. Provides that applicants shall present testimony subject to cross-examination at specified public hearings.

Roofing Materials Disposal (HB 2880): Provides that no sanitary landfills within a 25-mile radius of an eligible shingle recycling facility shall accept for disposal loads of whole or processed asphalt shingles. Makes conforming changes and deletes language that sunset that section of the law.

Greenhouse Gas Task Force (HB 3922): Amends the Illinois Municipal Code, and creates the Municipal Task Force on Recycling Strategies to Reduce Greenhouse Gas Emissions to review the status of municipal policies. Also, programs that reduce greenhouse gas emissions, and task force shall submit report to the General Assembly.

Electronics Recycling Act (SB 1417): Creates the Consumer Electronic Recycling Act. This will be Illinois' new electronic waste recycling program, allowing residents to access drop-off sites to responsibly dispose of their old/unused electronic devices.

Carry Out Bag Tax (SB 1597): Prevents counties and municipalities from imposing bans or fines on packaging of items from stores, except that counties and municipalities may charge a \$0.05 tax on carryout bags provided at the point of check out. Also, preempts a home rule.

Agriculture

Corn as State Grain (HB 470): Names corn as official the State grain of Illinois.

Repeal Agricultural Export Advisory Committee (HB 2995): Repeals the Agricultural Export Advisory Committee and makes conforming changes in other parts of law.

Specialty Farm Product Buyers Act Repeal (HB 3189): Repeals the Specialty Farm Product Buyers Act.

Commercial Fishing Device Restrictions (HB 3272): Amends the Fish and Aquatic Life Code, copying a section stating lake trout, salmon, and Lake Whitefish may not be taken using commercial fishing devices like gill or pound nets.

Commercial Fishing Licenses (HB 3273): Cleans up language in the Fish and Aquatic Life Code regarding commercial fishing licenses. Five licenses will still be available, but the DNR shall now advertise a public drawing for qualified applicants which will determine ranking for waiting list for unfilled licenses.

Illinois Brand Act Documentation (HB 3090): Provides that the Illinois Department of

Agriculture shall make available, in electronic format, all recorded brands.

Catfish on the Menu (SB 312): Requires that if a menu lists "catfish" as an item it must belong to a specific family of fish native to North America, and introduces fines for non-compliance.

State Government

Multistate Registration and Filing Portal (HB 140): Allows the Attorney General to become a member of the "Multistate Registration and Filing Portal, Inc." which is an independent tax-exempt nonprofit corporation. This is a multistate registration and filing portal for nonprofit organizations and their professional fundraisers.

Notification of Job Opportunities to Youth (HB 2987): Creates the State Agency Student Worker Opportunity Act, and requires a state agency has a job opening for an intern or student worker. Also, the state agency shall notify the Department of Human Services, the Department of Juvenile Justice, and the Department of Children and Family Services.

Electronic Filings with SOS (HB 3514): Declares that electric filings from LLCs and Corporations made with the Secretary of State shall not be deemed expedited services subject to certain fees solely because the filings are made electronically. As well as, provides continuity of funding within the Business Services Special Operations Fund while increasing electronic filings that are not expedited services.

Liabilities Report to the State Comptroller (HB 3649): Requires every state agency to submit a monthly report to the State Comptroller listing all current liabilities and interest penalties accrued under the State Prompt Payment Act. Also, allows the State Comptroller to waive the reporting requirement if a state agency does not have state liabilities.

LRB Revisory Bill (HB 3855): Contains combining revisories and technical revisories that the Legislative Research Bureau (LRB) prepares for the

general assembly.

Licensed Activities and Pensions

Nurse Practice Act Changes (HB 313): Extends the repeal of the Act to 2028, changes all references of "advanced practice nurse" and "APN" to "advanced practice registered nurse" and "APRN" to align with national standards. Also, grants full delegation authority for registered nurses (RNs) and APRNs to determine what and to whom to delegate, including medication, tasks, or activities. As well as, changes RN's and licensed practice nurses (LPN) education requirements, licensure, and scope of practice, and requires the DPH to prepare a report regarding the moneys appropriated from the Nursing Dedicated and Professional Fund for nursing scholarships.

Downstate Police Pensions (HB 418): Prohibits a police chief from electing to participate in the Illinois Municipal Retirement Fund (IMRF) instead of a downstate police pension fund, unless that police chief began participating in IMRF before January 1, 2019. Also, requires each municipality to establish a defined contribution plan for certain police officers and provides that if a police officer is receiving pension payments and returns to active service with any municipality, he or she shall continue to receive those pension payments, but must participate only in the municipality's defined contribution plan. Additionally provides that if a police officer who has more than 10 years of creditable service in a fund enters active service with a different municipality, he or she may elect to participate in the defined contribution plan in lieu of participating in the defined benefit plan. Also authorizes a police officer to rescind his or her election to participate in the defined contribution plan and revert back to defined benefit participation so long as he/she is not receiving an annuity.

Special Trust Funds (HB 656): Provides that, beginning July 1, 2017, employer contributions from special trust and federal funds the rate, expressed as a percentage of salary, shall be equal

to the total employer's normal cost, expressed as a percentage of payroll.

Marriage and Family Therapy Licensing Act Changes (HB 2577): Extends the sunset of the Marriage and Family Therapy Licensing Act to January 1, 2027. Also, makes the following changes:

1. Changes references of "associate marriage and family therapist" to "associate licensed marriage and family therapist" throughout the Act and other Acts.
2. Allows an individual to take the licensure examination immediately after graduation, by permitting a person granted licensure as an associate licensed marriage and family therapist. After the associate licensee completes the required clinical experience under supervision, they shall be granted full licensure.
3. Adds definition of "email address of record" and allows IDFPR to send licensure information through email or traditional mail. Allows applicants to apply for licensure electronically; currently only in writing.
4. Clarifies language on the findings and recommendations by the Secretary of IDFPR after a hearing on the disciplining of a licensee. Makes other changes regarding disciplinary actions by IDFPR.
5. Adds new provisions regarding IDFPR's role in certifying records in court and the confidentiality of applicant information.
6. Clarifies language on the findings and recommendations by the Secretary of IDFPR after a hearing on the disciplining of a licensee. Makes other changes regarding disciplinary actions by IDFPR.
7. Makes no changes to a licensed marriage and family therapist's overall scope.

Pharmacy Practice Act Changes (HB 3462): Extends the sunset of the Pharmacy Practice Act to January 1, 2019. Provides for the licensure, rather than registration, of registered pharmacy technicians, registered certified pharmacy technicians, and pharmacists, and makes conforming changes. Creates the Collaborative Pharmaceutical Task Force to

discuss several pieces of legislation related to pharmacists and pharmacies in Illinois.

Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act Changes (HB 3464): Amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 to include the Department of Corrections to the list of approved employers in which an applicant may gain the required experience for licensure.

Real estate License Act Changes (HB 3528): Consolidates the Real Estate Education Advisory Council with the Real Estate Administration and Disciplinary Board and transfers its functions to the Board. As well as, merges all pre-license schools and continuing education license schools into one “education provider” license in their place. Also, provides that aspiring leasing agents who receive a 120-day permit to practice without a license to enroll in the required educational program within 60 days of obtaining the 120-day permit, and removes language that stated no individual shall be allowed to work as a leasing agent more than a single time in that individual’s lifetime. Additionally, reinstates language that would allow IDFPR to establish continuing educational requirements for licensed leasing agents with advice and recommendations from the Real Estate Administration and Disciplinary Board as well as stating that of the 15 member board, 12 are required to have been actively engaged as managing brokers or brokers or both for at least the 10 years prior to the appointment.

Amusement Ride and Attraction Safety Act Changes (HB 3897): Provides that, under the Amusement Ride and Attraction Safety Act, “amusement ride” includes any trampoline court. Which is defined as a commercial facility with a defined area composed of one or more trampolines, a series of trampolines, a trampoline court foam pit, or a series of trampoline foam pits, but does not include a gymnastic training facility.

Nurse Practice Scope Expansion (SB 642): Makes changes to the Nurse Practice Act concerning expanding the scope of practice, including

prescriptive authority without physician oversight, for nurses.

Executive

Primary Election Judge Reduction (HB 539): Provides that county boards may reduce the number of judges of election from five to three for primary elections.

Prohibits Ban on Autonomous Vehicles (HB 791): Amends the Vehicle Code. Local governments, including home rule units are prohibited from enacting ordinances that prohibit the use of Automated Driving System equipped vehicles on roadways.

Liquor Control Violation Procedures (HB 2878): Amends the Liquor Control Act of 1934 in regards to violations. Provides for the following:

- 1) Any notice issued by the Illinois Liquor Control Commission (ILCC) to a licensee for a violation of the Act or any notice with respect to a settlement or “offer in compromise” must include the field report, photographs, and any other supporting documentation necessary to reasonably inform the licensee of the nature and extent of the violation or the conduct alleged to have occurred.
- 2) Any action taken by the ILCC for a violation of the Liquor Control Act of 1934 must be completed within two years after the date of the violation.

Chicago Liquor Exemptions (HB 3164): Allows the City of Chicago to be able to issue a liquor license to the following establishments which are located within 100 feet of a church or school, if certain requirements are met:

- Revel Motor Row
- Pizano's Pizza
- Murphy's Lounge and Medici Restaurant

The bill also includes a correction to the existing exemption for Nando's Peri-Peri Restaurant, to specify that the business is less than 3,000 square feet (instead of 4,350 square feet).

Digital Signatures Clean-Up (HB 3519):

Amends the Election Code to provide that a signature may be signed in ink or signed in digitized form (rather than a name signed in ink or in digitized form).

Census Outreach Commission (SB 100):

Creates the Illinois Complete Count Commission to develop, recommend, and assist in the administration of a census outreach strategy that encourages full participation in the 2020 federal census.

Allows Liquor Sale Near Church (SB 322): Provides sale of alcoholic liquor at a premises located within a municipality with population in excess of 1,000,000 inhabitants can be within 100 feet of a church if the building is between 3,600 to 4,000 sq. ft. and the original building was built before 1922.

Changes School Board Election Date (SB 441):

Moves the election of school board members from the consolidated election in April of odd-numbered years to the partisan general election (same as President, Governor, members of the General Assembly, etc.) in November of even-numbered years.

State Employee Identity Protection (SB 643):

Allows the Executive Inspector General issues a summary report of an investigation, the jurisdictional authority or agency head may (if necessary) disclose the summary report and any other supporting documents received from the EIG to agency staff that are responsible for determining and imposing discipline. An employee accused of wrongdoing may receive a copy of the summary report for imposing discipline.

Campaign Financing Changes (SB 1424):

Provides the General Assembly may appropriate funds for small donor matching

system, and 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. Also, candidates cannot accept contributions over \$500 from a single donor, and creates the "Small Donor Matching Fund" as a special fund in the State Treasury. Additionally, establishes requirements for accessing the small donor matching system and imposes limits, and establishes provisions for the funding of the matching fund.

Human Services

DCFS Database (HB 2388): Requires DCFS to establish and maintain a searchable database, freely accessible to the public, that provides information on whether, within the past five years, a day care home, group day care home, or day care center has had its license revoked or has surrendered its license during a child abuse investigation, or whether an application for renewal of a license was denied by the Department.

DHS Trust Fund (HB 2474): Prohibits certain transfers from the DHS Recoveries Trust Fund that were required to be made prior to June 19, 2013.

DCFS Aftercare Hearings (HB 2589): Requires DCFS to assign a caseworker to attend any hearing involving youth in the care and custody of DCFS placed on aftercare release, including hearings involving sanctions for violation of aftercare release conditions and aftercare release revocation hearings.

Child Classification Reports (HB 3168): Amends the Abused and Neglected Child Reporting Act. Provides that prior to classifying a report in the central register, the person making the classification shall determine whether a child is

the subject of a juvenile delinquency action with an open placement or intact family services case with DCFS, or the subject of an abuse, neglect, or dependent minor action.

Mental Health Council (HB 3502): Establishes an Advisory Council on Early Identification and Treatment of Mental Health Conditions to report on evidence-based best practices, identify barriers to statewide implementation of early identification and treatment, and reduce the stigma of mental health conditions.

Counseling Minors (HB 3709): Authorizes providers who are counseling minors without parental consent to use their judgment and experience to continue or discontinue counseling the minor without parental consent.

Judiciary

Personal Jurisdiction Contest (HB 188): Amends the Code of Civil Procedure to clarify objections to personal jurisdiction before any other pleading or motion, and any motion objecting to the court's jurisdiction must be filed within 60 days. However, if a party files a Section 2-1301, Section 2-1401, or Section 2-1041.1 motion, the objection to the court's personal jurisdiction is not waived.

Pawn Brokers and Stolen Property (HB 1273): Provides that if, when a piece of property subject to a hold order is relinquished by a pawnbroker to a law enforcement officer upon written notice from a law enforcement officer that the property is needed for the purpose of furthering a criminal investigation. Also, it is discovered that if the property was stolen and the owner is identified, then the property shall be returned to the owner thereof without the payment of the money advanced by the pawnbroker thereon or any costs or charges of any kind that the pawnbroker may have placed upon the same.

Dept of Military Affairs Land Transfer (HB 2572): Authorizes the Department of Military Affairs to convey described real estate in Tazewell County. The armory in Delevan is no longer necessary as the federal unit was moved out in August. The legislation would allow the Department to transfer the property if the city wishes to take it. The City of Delevan shall pay all costs associated with the transfer.

Parental Rights for the Blind Act (HB 2626): Creates the Parental Rights for the Blind Act. A person's blindness shall not be the basis of:

- A denial or restriction of parenting time or responsibilities;
- Denial of participation in adoption;
- Denial of foster care or guardianship.
- DCFS will develop and implement procedures that ensure and provide equal access to child welfare services and programs. The protections may extend to proceedings under the Juvenile Court Act.

Independent Escrowees and Closing Protection Letters (HB 2702): Amends the Title Insurance Act to provide additions to the definition of "insured closing letter." Provides for a new section of prohibitions involving independent escrowees and further indemnification language for closing protection letters. Furthermore, establishes that any independent escrowee that issues a closing protection letter must file proof of a fidelity bond in the minimum amount of \$2,000,000.

Toll Highway Disclosures (HB 2937): An initiative of the Toll Highway Authority that changes the land disclosure requirements currently included in the Toll Highway Act. Instead of requiring 100% disclosure, the proposed change will require only the disclosure of material real estate ownership interests.

Criminal Law

Sealing of Records (HB 2373): Expands the type

of felony convictions that are eligible for sealing as well as provides for the sealing of misdemeanor Public Indecency. Excludes sex offenses, domestic battery, violations of orders of protection, animal crimes, and DUIs/reckless driving. Allows the offenses to be sealed three years from the completion of their last sentence.

Hate Crimes (HB 2390): Removes cap on restitution for hate crime committed in or causing damage to a place of worship. Requires offenders to perform at least 200 hours of public or community service plus enroll in an educational program discouraging hate crimes as a condition of probation or conditional discharge for a hate crime.

Name Change Petition (HB 2559): If the Court grants a name change to person arrested, adjudicated, or convicted of an offense, a copy of the order, including each applicable access and review response, shall be forwarded to the Illinois State Police, which shall update any criminal history transcript or offender registration, as well as the former name.

Electronic Cyberstalking (HB 3251): Expands the cyberstalking statute by prohibiting the electronic harassment of a person using spyware or electronic tracking software to transmit a threat of immediate or future bodily harm, sexual assault, confinement, or restraint towards that person or a family member of that person.

DOC Tablet Visitations (HB 3712): Amends the Unified Code of Corrections (DOC) to add to the list of powers of Department of Corrections with the ability to provide educational and visitation opportunities to committed persons through temporary access to content-controlled tablets.