

Senate Committee Action May 2, 2017

Criminal Law

Immediate Sealing of Records (HB 514): Records of charges that result in an acquittal or dismissal with prejudice, except for minor traffic offenses, may be immediately sealed after the final disposition of the case. Upon entry of judgment, the defendant shall be informed of this right and the proper procedures to follow to have records that are eligible be immediately sealed.

Sexual Assault Kit Tracking System (HB 528): The Department of State Police shall create and operate a statewide sexual assault evidence kit tracking system.

Disabilities in the Criminal Justice System Task Force (HB 2641): Creates the Protection of Individuals with Disabilities in the Criminal Justice System Task Force consisting of up to 25 members appointed by the Attorney General. The Task Force shall make recommendations to the Governor and to the General Assembly regarding policies, procedures, legislation, and other actions that can be taken to protect the public safety and the well-being and rights of individuals with disabilities in the criminal justice system.

Criminal Protective Orders (HB 3718): Revises and consolidates provisions regarding obtaining and issuing orders of protection, protective orders, and no contact orders. Creates a criminal offense for violation of a civil no contact order and for violation of a stalking no contact order. Makes a first violation a Class A misdemeanor and a second or subsequent a Class 4 felony.

Sexual Orientation-Panic Defense (SB 1761): Prohibits the use of a panic defense in murder cases where a defendant is accused of a violent crime against another party but is justified on the grounds that the victim's sexual orientation or gender identity is to blame for the defendant's reaction.

Special Prosecutor (SB 1843): Requires that a court presume a conflict of interest on behalf of a State's Attorney when considering a petition to appoint a special prosecutor in cases in which the defendant

or defendants are members of any law enforcement agency.

Bail Petition (SB 1980): Allows the sheriff to be added to the list of those who can petition the court to reconsider the bail on an individual case by case basis. Currently only the State, the defendant, or the court on its own motion can do this.

Conor's Law (SB 2185): Conor's Law: creates a police "protective custody" for under 21 drunk drivers. Whenever a person under 21 is arrested for DUI and still appears intoxicated at the police station, the police officer must make a reasonable attempt to contact a responsible adult who is willing to take custody of the intoxicated individual. If a responsible adult is not available or is unwilling to take custody of the individual, the individual shall be offered the opportunity to take a breathalyzer or chemical test to prove that he or she is sober before being released.

Education

School Business Official (HB 106): Amends the School Code in the section pertaining to receiving a "Chief School Business Official" endorsement on: An Educators License with Stipulations. Professional Educators License Adds the Master's Degree in Public Administration as another partial qualifier.

School Choice Act (HB 213): Provides that Lottery money for education must be supplemental to, and not in lieu of, any other money for education.

Child Abuse Hotline (HB 370): Requires public schools (including charters and CPS) to post, in English and in Spanish: The toll-free number of the DCFS child abuse hotline; Instructions to call 9-1-1 for emergencies; and, Directions for accessing the DCFS website for more information on reporting abuse, neglect and exploitation. In a format and language that is clear, simple and understandable to students, and posted at each school campus in at least one high-traffic, highly and clearly visible public area that is readily accessible to and widely used by students.

School Code Regional Superintendents (HB 425):

Makes changes to ensure that the salaries of the executive directors (and assistant executive directors) of the three Cook County Intermediate Service Centers (ISCs) are in line with those of regional superintendents and assistant regional superintendents.

Renew Educator License (HB 655): Provides that if a holder of a Professional Educator License has an available email address, renewal notices may be sent electronically. Notification is to be sent no more than 6 months prior to lapsing.

East Prairie Bonding (HB 760): Creates a new section for transparency of school districts issuing new bonds in regards to hearings and disclosure, effective after January 1, 2018. States that no school district may issue bonds as an exemption to the debt limit unless it complies with the new section in Bond Issuance Notification Act and the bonds have been approved by referendum, effective after January 1, 2018. Allows East Prairie School District 73 (Skokie) issue bonds, with stipulations, in the amount of **\$47,353,147.00**, effective immediately.

Student Booking Stations (SB 1122): Prohibits student booking stations on school grounds. Defines student booking station. Effective immediately.

Athlete Concussions (SB 1692): Maintains original intent of the bill but adds "working under the supervision of a physician" language in the definition portion of Athletic Trainer to clean up language throughout the bill. Provides that schools may appoint a physician assistant, or an athletic trainer to serve on the concussion oversight team. Details what a concussion oversight team can consist of and the training required.

Preschool Grants (HB 2426): Does three things in regard to the Early Childhood Block Grant: Requires that at least 25% of any new Early Childhood block grant funding must be used to fund birth-to-three programs; Requires that any new Early Childhood block grant funds must be used to supplement, and not supplant, other funds already being used for early childhood programs, and Updates outdated terminology.

College Entrance Exam (HB 2442): Requires that the college entrance exam be given during the school day.

Technical Educator Test (HB 2470): Makes minor changes to current requirements for a career and technical educator endorsement and for a provisional career and technical educator endorsement on an Educator License with Stipulations

School Special Education-Mediation Option (HB 2618): Clarifies that parents have a full 10 days to file a request for a due process hearing after mediation fails or after a school district declines mediation, in order to continue to invoke the stay-put provision. Also requires ISBE to revise the uniform notices required to be given to parents of special education students to reflect current law and procedures once every two years.

Early Childhood Program-Expel (HB 2663): Prohibits daycare providers who receive state money or who are state-licensed from expelling children. Provides steps for planned transitions for children who exhibit persistent and serious challenging behavior. Provides that planned transitions are not considered expulsions.

Fund Transfers (HB 3012): Allows Waukegan CUSD 60 to make a one-time transfer of \$3.9 million in funds, remaining from excess bond funds accumulated prior to July 1, 2000, into the district's Operations and Maintenance Fund. Under current law, the district is unable to make this transfer. Waukegan CUSD 60 plans to use the funds to provide air conditioning in their schools.

Higher Education

Firefighters Memorial Fund Scholarship (HB 2550): Money deposited in the Illinois Firefighters' Memorial Fund shall be used to provide scholarships for any post-secondary education approved by the Illinois Firefighter Memorial Foundation to children and spouses of firefighters killed in the line of duty.

Higher Education Supplier Diversity Report (HB 2976): Requires every private institution of higher education approved by the Illinois Student Assistance Commission for the purposes of the Monetary Award Program to submit a two-page report on its voluntary supplier diversity program to CMS. The report will

include information on the funds spent by the institutions as it relates to the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

Vacancy Procedures for Community College Boards (HB 3091): Clarifies that in the event of a vacancy on a community college board of trustees, the successor will be elected to serve out the remaining time of the term of the board member he was elected to replace. Also clarifies that the vice-chairman assumes the duties of an absent chairman regardless of the reason for the absence.

Educational Credit for Military Act (HB 3701): Creates the Educational Credit for Military Experience Act which requires public universities and community colleges to establish a policy to award academic credits for corresponding military training.

Human Services

CILA Licenses (HB 739): Prohibits any entity that has had its Community Integrated Living Arrangements (CILA) license revoked from reapplying for a license or under a different name.

Placement Plans for Minors (HB 1791): Authorizes courts to enter orders for DCFS to expedite the implementation of placement plans for minors.

Direct care staff training (HB 2383): Provides for a training program for direct care staff of residential facilities and day programs to administer medications under supervision of a registered nurse.

CILA Inspection (HB 2452): Requires Community Integrated Living Arrangements (CILAs) to be inspected once every two years.

Eyeglasses Following Surgery (HB 2909): Exempts Medicaid recipients who need different eyeglasses following a surgical procedure, such as cataract surgery, from the one-pair-per-two-years limitation.

Out-of-state Residential Treatment (HB 2910): Allows the court to approve the placement of a minor in an out-of-state residential treatment center upon application by DCFS when the court

determines that the placement is in the best interest and is the least restrictive, most family-like setting for the minor.

Contract Notification (HB 3110): Requires greater notification if state agencies do not have funds, or plan to reduce, terminate or suspend contracts with service providers.

Youth In Care (HB 3169): Changes references of children “wards of the state” to “youth in care” throughout various statutes.

SNAP Benefits (HB 3211): Requires the Illinois Student Assistance Commission to identify SNAP-eligible colleges. Expands eligibility to low-income adults pursuing career and technical education certificate or degree programs at community colleges.

Foster Children’s Rights (HB 3542): Adds to a list of rights provided to every child in foster care that children shall have the right to be placed in the least restrictive and most family-like setting available and in close proximity to his or her parent’s home, consistent with his or her health, safety, best interests, and special needs.

Vendor Qualifications (HB 3899): Requires the State Use Committee to establish clear criteria for not-for-profit agencies to qualify as State Use Vendors.

Elder Abuse Awareness Day (SR 284): Designates June 15, 2017, as Illinois Elder Abuse Awareness Day.

Judiciary

Lake County Forest Preserve- IDNR Land Exchange (HB 534): Authorizes the Director of Natural Resources to exchange two parcels of land to Lake County for flood control improvements in exchange for one parcel of land from Lake County to IDNR.

Adult Dependent Child Awards (HB 2516): Amends the Spouse and Child Awards Article of the Probate Act to provide a separate award for an adult dependent child for at least \$5,000. Provides that if an adult child of the decedent was financially dependent upon the decedent and resided with the decedent and is likely to become a “public charge,” the court will award at least \$5,000 from the estate for the dependent adult child. The court may provide

financial support from the estate for nine months or otherwise consistent with the support received prior to the decedent's death.

Makes Marshalls of the Supreme Court Peace Officers (HB 3106): Provides that marshals of the Supreme Court are peace officers and have all the powers possessed by police officers in cities and by sheriffs. Provides that marshals may exercise these powers throughout the State. Provides that no marshal has peace officer status or may exercise police powers unless: he or she successfully completes the basic police training course mandated and approved by the Illinois Law Enforcement Training Standards Board; or the Illinois Law Enforcement Training Standards Board waives the training requirement by reason of the marshal's prior law enforcement experience or training or both.

Youth Transitional Housing (HB 3212): Amends the emancipation process allowing a youth to be placed in youth transitional housing without a court order. Removes language pertaining to homeless minors from provisions governing: purpose and policy; jurisdiction; rights and responsibilities of an emancipated minor; petitions; and hearings. Repeals the definition of "homeless minor" and "youth transitional housing program."

Eviction Terminology Update (HB 3359): Amends the Forcible Entry and Detainer Article of the Code of Civil Procedure. Changes references to forcible entry and detainer actions and actions for possession to references to eviction actions. Changes references to orders of possession and judgment of possession to references to eviction orders. Establishes that the Illinois Supreme Court shall provide a standardized residential eviction order form to be used statewide.

Consumer Protection on Data Collection (SB 1502): Creates consumer protection for data collection by forcing companies to 1) list terms of service on what data will be collected, 2) provide a toll-free number or email for customers to collect data, and 3) create a consumer contact to provide what data the company collects and who they are sharing it with. Definition of Operator amended to now include that operator does not include businesses having 10 or fewer employees or any

third party that operates, hosts, or manages, but does not own, a website or online service on the owner's behalf or by processing information on behalf of the owner. Includes that an owner may place information in another conspicuous location on its website or online service platform where similar notices are customarily posted. Includes that the Office of the Attorney General of the State's Attorney's Office will have sole enforcement authority of the Act. Removes the Federal Communications Act of 1934 from lists of conflict of law. Adds that nothing in the Act will be construed to apply to a public utility, an alternative retail electric supplier, or an alternative gas supplier.

Public Health

Meningococcal Disease informational brochure (HB 679): Requires the Department of Public Health to develop an informational brochure relating to meningococcal disease. Requires the Department to notify specific entities of the existence of this brochure.

Disposal of Unused Medications at Scene of Death (HB 706): Codifies the authority of a nurse to dispose of any unused medications at the scene of a death. Nurses or physicians are only authorized to do so if a police officer, State police officer, coroner, or medical examiner is not present at the scene and only after consulting with any investigating law enforcement agency to ensure that the unused medications will not be needed as evidence in an investigation. Defines a "nurse." Includes a provision safeguarding individuals that are authorized to dispose of unused medications from any liability.

Public Health Requirements for Prescription Drugs (HB 2531): The legislation removes an outdated requirement for manufactures to provide drug formulary (list of drug equivalents) information to IDPH that the Department no longer collects or maintains. The Illinois Formulary has not been maintained or updated on IDPH's website since 2004; when the Department's pharmacist position was vacated.

Infectious Disease Testing (HB 3002): Provides an individual shall be required to submit, and informed consent shall not be required, to test and detect an infectious disease – upon the request of a health care provider, first responder, or law enforcement officer

who accidentally comes into contact with the blood or bodily fluid of an individual who may transmit an infectious disease.

PANS and PANDA Awareness Day (SR 454): This is not what you might expect: Regulations governing Panda bears in the kitchen. PANS syndrome is Pediatric Acute-onset Neuropsychiatric Syndrome and PANDAS syndrome is Pediatric Autoimmune Neuropsychiatric Disorder, which create the sudden onset of obsessive-compulsive disorder in children. This causes previously healthy and emotionally adjusted children to experience severe anxiety and emotional disturbances. The Resolution would designate October 9, 2017 and 2018 as PANS and PANDA Awareness Day in Illinois.

Transportation

Passing a Bicycle (HB 1784): States that a driver of a motor vehicle may overtake and pass to the left of a bicycle proceeding in the same direction on a portion of a highway designated as a no-passing zone when: (1) the bicycle is traveling at a speed of less than half of the posted speed limit of the highway; (2) the driver is able to overtake and pass the bicycle without exceeding the posted speed limit of the highway; and (3) there is sufficient distance to the left of the centerline of the highway for the motor vehicle to meet the overtaking and passing requirements in the Code. Also allows any person operating a bicycle or motorized pedal cycle shall be allowed to use the shoulder of a roadway. Allows that the rear of a bicycle may be equipped with a lamp emitting a steady or flashing red light (rather than only a red light) visible from a distance of 500 feet in addition to or instead of a red reflector (rather than in addition to a red reflector).

Special Issue License Plate Decals (HB 2437): Allows for the issuance volunteerism special license plate decals by the Illinois Department of Human Services (IDHS). Provides for the original fee, renewal fees, and fee distribution for the volunteerism decals issued by the Illinois Department of Human Services.

Prostate Cancer Decal (HB 2485): Creates the Prostate Cancer Awareness Fund as a special fund

in the State treasury. Amends the Illinois Vehicle Code to allow for the issuance of decals by the Prostate Cancer Foundation of Chicago. Provides for the original issuance fee will be \$25; with \$10 going to Prostate Cancer Awareness Fund and \$15 to the Secretary of State. The renewal fee will be \$25; with \$23 going to Prostate Cancer Awareness Fund and \$2 to the Secretary of State.

Interstate Carrier without Authority Number (HB 2543): Allows an interstate carrier operating intrastate may operate a motor vehicle upon the public roads of this State without the intrastate authority number painted or affixed on the cab or power unit. Provides that the added provision does not apply to household goods carrier.

U.S. Coast Guard License Plates (HB 2595): Allows for the issuance of U.S. Coast Guard license plate. The original issuance fee will be \$26 with \$11 to the Illinois Veterans' Homes Fund and \$15 to the secretary of State Special Plate Fund. The renewal fee will be \$26 with \$24 to the Illinois Veterans' Home Fund and \$2 to the Secretary of State Special Plate Fund.

Snowmobile/Boating DUI reporting (HB 2611): Requires public officials to report to the Secretary of State when an individual has committed a violation of the Snowmobile Registration and Safety Act or the Boat Registration and Safety Act relating to operating a snowmobile or a watercraft while under the influence of alcohol, drugs, intoxicating compounds, or combination thereof.

Persons with Disabilities Walking, Running, and Bike Paths (HB 2643): Adds to the definition of "pedestrian with a disability" a person who may require the use of a mobility device, service animal, or white cane to travel on the walking, running, or bicycle paths of this State. Provides that if the Governor takes public notice of Pedestrians with Disabilities Safety Day (October 15) and issues a proclamation, he may discuss the history of laws protecting pedestrians with disabilities and may emphasize the need of all citizens to keep safe and functional for persons with disabilities the walking, running, or bicycle paths of this State.

Recreational Trails Programs Funds (HB 2725): Provides that money received from the federal government under the Recreational Trails Program for grants or contracts obligated on or after October 1,

2017 shall not be considered for use as aid in construction of highways, and shall be placed in the "Park and Conservation Fund". Provides that the Department of Natural Resources may enter into agreements as necessary with the Federal Highway Administration, or any successor agency, for the purpose of authorizing projects under the federal Recreational Trails Program; provided that, IDOT enter into an inter-agency agreement to closely coordinate the obligation of projects authorized by the Illinois Division Office of the Federal Highway Administration to maximize federal funding opportunities.

Removing Illinois State Police Vehicle Inspection and Certified Mail for Department of Juvenile Justice (SB 1008): Removes the Illinois State Police from a diesel powered vehicle emission inspection report requirement. Changes certified mail to regular mail for the Department of Juvenile Justice to inform parents/guardians of any changes.

Veterans Affairs

Military License Plate Reclassification (HB 374): Provides that any individual who has a military special license plate may re-class their plate upon acquiring a new registration without a replacement fee of registration cost. Available beginning in the 2019 registration year.

Killed in Action State Flag (HB 2570): Family of a fallen member of the Illinois National Guard, while serving in duty or training, to be presented with IL State Flag.

Veterans' Suicide Taskforce (HB 2647): Suicide Prevention Task Force Recommendations for Veterans.

Inmate Training Dogs for PTSD Veterans (HB 2897): Amends to Code of Corrections to allow the Helping Paws Service Dog Program to train dogs for veterans with PTSD and depressions. A non-profit service dog training program is to train committed persons at IDOC to train service dogs for the purpose of helping veterans with PTSD and depression.

Illinois Discharges Veterans' Service Task Force Repeal (HB 2973): Transfers duties, information,

and report responsibilities from the Illinois Discharged Service-members Task Force to the Illinois Veterans' Advisory Council. Dissolves the Task Force as of July 1, 2018.