

Senate Floor Action for April 26, 2017

Drones Over Airports (SB 421): Adds the regulation of drones on the surface and in the air above an Airport Authorities territory. Also allows an Airport Authority to access fines between \$100 and \$1,000 for violations concerning the movement of drones.

State Board of Education Appointments (SB 863): Provides that for State Board of Education appointments made after the effective date of this bill, three of the nine members must be from the educator community. With respect to these appointments, no more than one member may be employed as a district superintendent, principal, school business official, or teacher and no more than one may be employed by the same school district or school. Removes provisions in current law prohibiting appointees from being gainfully employed or administratively connected with any school system or have any interest in the State Board of Education. Also removes a provision in current law prohibiting appointees from being members of a school board.

School Report Card and Pension Costs (SB 865): Requires the school report card to include the total and per student normal cost amount the State contributed to the Teachers' Retirement System in the prior fiscal year for the district's employees.

Returning Veterans' Benefits Offerings (SB 866): Provides that the IDVA shall give informational resources and education regarding service animals to veterans returning from deployment.

Organ Donor Registry Age (SB 868): Lowers the minimum age of consent to be an organ donor from 18 to 16. Proponents believe lowering the age of an individual having the opportunity to

be put on the Organ and Tissue Donor registry will help increase the numbers in the First Person Consent organ and tissue donor registry database.

Prorated Disabled Veterans Exemption (SB 872): Changes the Property Tax Code to provide a prorated exemption for veterans who qualify for the disabled veteran's exemption when he or she moves into a new home after Jan. 1 of the taxable year.

Condominium Voting Requirements (SB 882): Amends the Common Interest Community Association Act AND the Condominium Property Act to establish the association shall have one class of *voting* membership instead of just one class of membership. Establishes a fourth tier of voting requirements to permit a sale of the condominium property to an outside investor. This new tier includes properties with seven units or more and requires a vote of 85 percent of the unit owners.

Probate Act-Children Born With Gametes as Heirs (SB 883): States that an inheritance of a child born by use of gametes is limited to children who fulfill the following requirements: the dead parent's gametes exist even if not an embryo at death; the child is born within 36 months of the parent's death; the parent gives written consent; the dead parent has provided written consent for a child born with gametes; the administrator of the estate receives a written notice within six months of the parent's death that state that the gametes exist, the person has intent to use the gametes, and the person has the intent to raise the child as their own.

Unclaimed Property Act (SB 886): Authorizes data sharing between the State Treasurer's

Office and the Illinois Department of Revenue for the purpose of facilitating the return of unclaimed property to Illinois taxpayers, including the automatic payment of claims of \$2,000 or less in certain circumstances

Student-level Data Request Fee (SB 887):

Creates a student-level data request fee which the Board of Higher Education (BHE) and the Illinois Community College Board (ICCB) would collect and deposit respectively into the BHE Data and Research Cost Recovery Fund and the ICCB Research and Technology Fund.

Prescription Monitoring Program Database (SB 892):

Authorizes certain DCFS employees to have access to the Prescription Monitoring Program database to assist in the investigations of child abuse and neglect.

Pension Forfeit (SB 896): Forfeits benefits for any person who otherwise would receive a survivor benefit and is convicted of any felony in connection with the service of the member from whom the benefit results. Affects all new hires.

Acupuncture Practice Act (SB 898): Extends the repeal date of the Acupuncture Practice Act to Jan. 1, 2028, and makes language updates.

CPA Restrictions (SB 899): Eases restrictions on CPA firms that practice within Illinois but whose principal is not located within Illinois.

Multi-State Online Registry (SB 901): Allows collection agencies to renew and apply for a license electronically through the Nationwide Multistate Licensing System & Registry (NMLS).

Incarcerated Credit (SB 903): Increases the credit for incarceration on a bailable offense from \$5 per day to \$30 per day. So a person incarcerated on a bailable offense who is not able to post bail and who receives a fine is allowed a credit of \$30 for every day spent in jail.

Establishes Educational Advisory Council to Department of Insurance (SB 904):

Establishes a five-member Educational Advisory Council to the Department of Insurance. This council will review and make recommendations to the Department regarding continuing education courses, course materials and credentials of instructors. All members will be selected by the Director of Insurance.

EIU Tuition Program (SB 930): Extends the repeal of the tuition affordability discount program at Eastern Illinois University, from July 1, 2022, to July 1, 2026.

Child Placement (SB 931): Clarifies that a shelter placement is meant to be an emergency temporary placement for a minor. Requires the public agency that is the guardian of the child to file a written report to the court when: a shelter placement lasts beyond 30 days; a psychiatric hospital admission lasts beyond medical necessity; or a child remains in a detention center because placement cannot be found.

Payroll Certification (SB 932): Amends the Personnel Code so that payroll certifications must be made by individual agencies instead of the Director of Central Management Services.

Condo Budgets, Meetings (SB 948): States that each member of a Common Interest Community Association, and each unit owner subject to authority of condo board, shall receive a copy of the proposed budget at least 25 days (currently, 30 days) but not more than 60 days prior to adoption by the board. States that the issues discussed during a closed meeting of the condo board include: pending, probable or imminent litigation; hiring and firing of employees, contractors or providers; interview of a potential employee, contractor or provider; violations of association rules and regulations; a unit owner's unpaid share of common expenses; consultation with the association's legal counsel.

Condo Act and CICA Amendments to Governing Documents (SB 949): With regard to community or condominium associations, provides that approval or consent can be implied if the mortgagee or lienholder received notice of the proposed amendment and fails to respond after 60 days.

Youth Care Reports (SB 973): Requires DCFS to submit annual reports to the General Assembly regarding youth in care waiting for placement. Beginning in 2018, on every Dec. 31 through 2023, reports are to provide specific details regarding the youth waiting for care during the previous year.

Veteran Court Treatment (SB 1238): Provides that at the discretion of the Chief Judge, the Veterans and Service members Court program may be operation in one or more counties in the Circuit, and allow veterans and service member defendants from all counties within the Circuit to participate.

Decrease Failure to Pay Penalty (SB 1249): Reduces the failure to pay a penalty from 20 percent to 15 percent. The penalty will also be abated if prior to the audit the taxpayer paid at least 95 percent of the total tax liability for the filing period, which includes additional liability resulting from the audit or investigation. This will not affect determinations of the amount of penalty before the effective date.

Savings Bank Fees (SB 1254): Creates an identical regulatory fee structure for both commercial banks and savings banks using the commercial fee schedule. These are based on total assets. Removes the requirement for banks to pay \$520 to open a branch. Updates notice on when fees need to be paid.

Fox Waterway Agency (SB 1258): Authorizes IDNR to transfer certain land to Fox Waterway Agency for \$1. Within one year of the conveyance the Fox Waterway Agency shall: Sell the property for no less than fair market value,

use any sale proceeds to purchase an alternative dredge material disposal site(s) for no more than fair market value, transfer any remaining proceeds to IDNR for deposit into the GRF. If Fox Waterway Agency fails to comply with the conditions set above; the property conveyed shall revert back to the IDNR, or if the applicable the proceeds from the sale of the conveyed property shall be immediately transferred to IDNR for deposit in the GRF.

Companion Animals and Divorce (SB 1261): States that in cases of divorce, 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. Establishes other guidelines with regard to consideration of pets in divorce proceedings.

Procurement Code Changes (SB 1274): Changes the Procurement Code with respect to the contract preference for sheltered workshops. CMS states that the changes will have a positive impact on DHS, as the State Use Committee will establish clear criteria for not-for-profit agencies to qualify as State Use Vendors, and guidelines for reviewing pricing proposed agreements. This provided clarity will make it easier for DHS to enter into fair agreements with qualified vendors.

ROT Certificate of Registration Renewal (SB 1281): Provides that certificates of registration be required for renewal on an annual basis as opposed to every five years.

Federal Home Loan Banks (SB 1297): Allows federal home loan banks to be in line as secured creditors.

Red Lights on Tollway Emergency Vehicles (SB 1298): Adds to the authorized emergency vehicles list and vehicles that are permitted to use red or white oscillating, rotating, or flashing lights to include Illinois State Toll Highway Authority vehicles with a gross weight rating of

9,000 pounds or more. Currently, only vehicles identified as Highway Emergency Lane Patrol qualify.

School Business Official (SB 1299): Amends the School Code in the section pertaining to receiving a “Chief School Business Official” endorsement on an Educators License with Stipulations. Adds the Master’s Degree in Public Administration as another partial qualifier.

Lottery Transfers (SB 1311): Requires the Department of the Lottery, on or before the last day of each fiscal year, to deposit any estimated remaining proceeds (rather than any remaining proceeds), after certain payments and transfers are made, into the Capital Projects Fund.

Hunting License (SB 1325): Adds new definition of “hunting license”, meaning an electronic or physical license authorizing a person to take a certain type of animal during a specified period of time.

Repeal Committee (SB 1326): Repeals the statute that created the Agricultural Export Advisory Committee, and makes conforming changes in other parts of law. Although the Agricultural Export Advisory Committee exists in statute it has not met for a number of years.

Drug Offense Assessment (SB 1328): Provides that the \$25 assessment for drug related offenses appropriated to and administered by the Illinois Criminal Justice Information Authority shall be distributed to fund Department of State Police drug task forces and Metropolitan Enforcement Groups by dividing the funds equally by the total number of Department of State Police drug task forces and Illinois Metropolitan Enforcement Groups.

ATM & Checking Regulations (SB 1329): Requires that a person who establishes or owns specified cash-dispensing terminals (ATMs) must post a telephone number on the terminal for consumers to call to report problems. Also, along with the telephone number of the

Department of Financial and Professional Regulation (rather than file notices of establishment or ownership with the Secretary of Financial and Professional Regulation).

Traveling Elephant Show Ban (SB 1342): Puts language in Criminal Code making participation in traveling elephant shows a Class A misdemeanor. Specifies that violations are subject to a civil penalty of no less than \$500 and not more than \$10,000 for each violation. The legislation does not apply to non-mobile exhibits including zoos.

Probation Officer Training (SB 1343): Provides that the Division of Probation Services shall establish training standards for continuing education of probation officers and supervisors and broaden access to available training programs.

Chicago Firefighter Pension (SB 1345): Amends the Chicago Firefighter Article of the Illinois Pension Code. Specifies that certain excess municipal contributions may be used only for reducing the amount that the city would otherwise be required to contribute for duty disability, occupational disease, or the administrative costs of the fund.

Medical Practice Act (SB 1348): Extends the repeal date of the Medical Practice Act for 10 years, to Dec. 31, 2027.

Meat/Poultry Inspection (SB 1364): States that beginning July 1, 2018, licenses issued to Type I and Type II establishments (meat/poultry processing and slaughtering) will not expire if the licensee remains in compliance.

Weights and Measures (SB 1366): Changes penalty payments made to the Department of Agriculture. Provides individuals 60 days after the issuance of notice from the Department of Agriculture to pay fees before the Department may prohibit that person from using commercial weighing and measuring devices. Penalties of \$2,500 or greater not paid within

120 days will be submitted to the Department of Revenue for collection.

Insect/Plant Inspection (SB 1368): States that upon receipt of an inspection request from any municipality, park board, or other board or person in control of public grounds, the Department of Agriculture will review the application and may comply with it as deemed appropriate.

Park board (SB 1370): Ensures a process is in place in the event that a park board size is reduced. Provides that if a proposition to reduce a park district board from seven to five members is approved by referendum, the number of board members elected at the next election that is to be held at least 60 days after the date of approval is reduced by two. The bill provides detailed schedules to be followed for staggering of terms.

Mercury Switch Removal Act (SB 1372): Changes the repeal date to Jan. 1, 2022 (was 2027) to address concerns that the 2027 date was too far in the future for the repeal of the Act. Estimates reveal that approximately 94 percent of mercury switches will be off the road by that time and most vehicles containing these will be more than 25-years-old and may be more of a collector's items than every day drivers. Mercury switches have not been installed in cars since 2002.

Property Tax Abatement on Remodeled Units (SB 1385): Provide a property tax abatement for newly remodeled units in decaying areas.

Juvenile Electronic Monitoring (SB 1399): Provides that the drug court treatment program may also, subject to the approval of the Chief Judge of the Circuit, establish a program for electronic monitoring of juveniles with regard to drug-related and alcohol-related offenses.

Criminal Asset Freeze (SB 1402): Allows the State's Attorney in a criminal case to bring an action seeking a court order to freeze the assets

of a person charged with or convicted of a criminal offense, if there are grounds to believe the defendant may dissipate the assets to avoid paying any fine, restitution, assessment, or costs that may or has been imposed as the result of a conviction.

Birth Record Fee (SB 1413): Waives the search fee for a birth record search or an additional fee for a certified copy of the record for people released on parole, mandatory supervised release, final discharge, or pardon.

Dead Animal Disposal (SB 1420): States that a nonprofit organization or government entity that hosts a collection center to collect cooking grease or cooking oil from the public shall be exempt from licensure, fees, or reporting under this act.

Burden of Proof (SB 1422): Provides that the prosecution will not be required to prove at trial facts which extend the general limitations or establish periods excluded from the general limitations, when the facts supporting extension of or the exclusion from the period of general limitations are properly pled in the charging document.

Small Entity Compliance (SB 1433): Provides that a small entity that voluntarily self-discloses non-compliance to the IEPA, of which the IEPA is unaware, is entitled to a 100 percent reduction in the portion of the penalty that is not based on the economic benefit of non-compliance.

Repeals Reapplication for Disabled Veterans Exemption (SB 1437): Repeals a provision requiring taxpayers who have been granted a disabled veterans homestead exemption to annually reapply for the exemption.

Consecutive Sentencing (SB 1441): States that mandatory consecutive sentencing does not apply to a violation of a condition of electronic home monitoring under the Electronic Monitoring and Home Detention Law.

Illinois Treasurer Investing (SB 1446):

Authorizes the State Treasurer to purchase bonds issued by counties or municipalities without limitations on price.

Roadway Acquisition (SB 1449): Provides a process for private roadway acquisition. Any owner of real property may transfer the title to the roadway and any necessary easements to the township if the property meets two conditions: 1.) is located within the unincorporated boundaries of a township road district, and 2.) has a residential roadway considered to be a private roadway. Provides for a required vote of the township trustees among other requirements and processes for the acquisition to take place. Applies to Cook, DuPage, Lake, Will and Kane Counties.

West Chicago Facility (SB 1456): Amends the Environmental Protection Act, and states the term “pollution control facility” does not include the portion of a site containing landscape waste for which a permit modification has been submitted to IEPA to allow the commingling of landscape waste and food scraps. As well as, adds specific parameters to cover the Village of West Chicago which is where a proposed new facility would be located.

Entrepreneur Learner’s Permit (SB 1462):

Establishes an “Entrepreneur Learner’s Permit Pilot Program,” which will allow DCEO to establish a program that will reimburse first time business owners in the information services, biotechnology, and green technology industry for their State filing, permitting, or licensing fees with the State.

Illinois Fire Fighters’ Memorial Fund (SB 1465):

States that money deposited in the Illinois Fire Fighters’ Memorial Fund will be used to provide scholarships for any post-secondary education approved by the Illinois Firefighter Memorial Foundation to children and spouses of fire fighters killed in the line of duty.

Crossbow Hunting Coyotes (SB 1466): Allows a crossbow to be used to take coyote during any coyote season.

Wildlife Trapping (SB 1468): Requires valid hunting or trapping license for possession of green hides.

Food Safety at Farmers’ Markets (SB 1469):

Requires farmers’ market vendors to provide effective means to maintain potentially hazardous food at 41 degrees Fahrenheit or below. Declares that hand washing stations may be shared by farmers’ market vendors. Adds to the list of non-potentially hazardous foods that are allowed under cottage food regulation provisions.

IEMA Conference Fees (SB 1489):

Allows the Illinois Emergency Management Agency to assess and collect reasonable fees for attendance at Agency-sponsored conferences and trainings.

Registration for Vehicles (SB 1505):

Requires Secretary of State to offer each owner of first and second division vehicles under 8,000 pounds the option to register their vehicle for one, two, three, four, or five years. The vehicle owner would pay a one-time fee with the price based on how many years they choose.

Removal of Verified Response in Department of Human Rights investigations (SB 1516):

Eliminates the Verified Response form which is currently is required by statute to be filed by a respondent in discrimination cases. According to the IDHR the form has become outdated and often impedes investigations from being conducted in a timely matter.

Juvenile Justice Training (SB 1519):

Removes specialized degree and experience requirements for Department of Juvenile Justice personnel who participate or assist in the rehabilitative and vocational training of delinquent youths.

Long Term Care Claims (SB 1544):

Requires HFS to maintain a list of the status of applications,

denials, appeals, and redeterminations, including the number of pending applications and redeterminations denied for failure to submit the required documentation.

Secretary of State Omnibus (SB 1556): Deletes the security interest section of omnibus language. Updates statutes in following areas: junk vehicle, remittance agent, certificate of title, out of state title, security interest, reclassification, bond, failure to obtain dealer's license, renting motor vehicle. Lengthens the required number of months a new or used auto dealer must be in compliance with the bond or certificate of deposit requirement from 36 to 60 months before they can become exempt from the requirement.

Abandoned Housing- Rehabilitation Plan (SB 1562): Amends the Abandoned Housing Rehabilitation Act by changing the definitions of "parties of interest" and "rehabilitation." "Parties of interest" now include the applicable unit of local government where the property is located (currently, only owners of record, judgment creditor, tax purchaser, or those with title). "Rehabilitation" now includes ensuring the proposed improvements conform to a local government's comprehensive plan or other planning policies and applicable units of local government's licensing, and zoning code (currently only fire, housing, and building code).

Edge Tax Credit Reports (SB 1567): Adds a reporting requirement to EDGE tax credit recipients. Every April 15, the tax credit recipient must send a report to DCEO detailing supplier diversity goals for female-owned, minority-owned, veteran-owned, and small business enterprises.