

Senate Floor Action for May 26, 2017

State Officials and Employees Ethics (SB 643):

Amends the State Officials and Employees Ethics Act adding head of a State agency affected by or involved in the investigation to the list of individuals that may receive confidential investigatory files and reports: A law enforcement agency, the ultimate jurisdictional authority, the Executive Ethics Commission, another Inspector General appointed by the Act, and an Inspector General appointed or employed by a Regional Transit Board. All changes affect the Executive Branch only.

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.

Codification of DoIT (SB 1606): Creates the Department of Innovation Technology Act. Updates statute to reflect the newly created Department of Innovation and Technology (DoIT) as a standalone State agency, separate from Central Management Services. All powers, duties, rights, and responsibilities of IT functions within State agencies are transferred to DoIT. DoIT shall promote best-in-class innovation and technology to client agencies to foster collaboration amongst agencies, empower to provide better service to residents of Illinois, and maximize the value of taxpayer resources.

Medical Cannabis Pilot Program (SB 1707): Requires anyone providing medical cannabis related services for a cultivation center to hold certification as a Certified Medical Cannabis Cultivation Center Agent. Also, requires anyone providing medical cannabis related services for a dispensing organization to hold certification

as a Certified Medical Cannabis Dispensing Organization Agent or Dispensing Organization Agent.

House Bills passed by the Senate

Medicaid Payment Delays (HB 173): States that payments of assessments must be automatically delayed for any month for which payment for all Medicaid bed days have not been received by a facility from the Department of Healthcare and Family Services, a Medicaid managed care organization, or any entity authorized by the Department to make payments on its behalf until at least 30 days have elapsed since the receipt of payment.

State Universities Pensions (HB 299): Amends an article of the State Universities Article of the Illinois Pension Code concerning return to work by an affected annuitant. Provides that a person who becomes or remains an affected annuitant, except for any period on or after the effective date of the act except for any period on or after the effective date of the amendatory Act during which an annuitant received an annualized retirement annuity that is less than \$10,000. Provides for current administrative practices to be codified in law and allows for the fund to issue subpoenas to assist in collecting debts owed to the fund.

Police Applicant Requirement (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. As well as, restores the word "honorable" that was removed by the underlying bill. This refers to the requirement of an "honorable discharge" as a requirement for police applicants.

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.

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.

Child Abuse Hotline (HB 370): States that DCFS may, in cooperation with school officials, distribute appropriate materials in school buildings listing the child abuse hotline number to be displayed in a clearly visible location in each school building. This applies to regular public schools and all public charter schools.

IDNR Land Transfer (HB 534): Exchanges two parcels of land to Lake County for flood control improvements in exchange for one parcel of land from Lake County to IDNR.

Labor Relations-Stay on Appeal (HB 622): Establishes that the filing of an appeal in the Appellate Court to obtain judicial review of an order of the Illinois Labor Relations Board will not automatically stop the enforcement of the Board's order. Rather, the aggrieved party may apply for a stay after providing notice to the Board and the prevailing parties, and the Appellate Court may grant a stay after the aggrieved party makes a showing of good cause.

East Prairie Bonding (HB 760): 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 Jan. 1, 2018. Allows East Prairie School District 73 (Skokie) issue bonds, with stipulations, in the amount of \$47,353,147.00, effective immediately. Inserts provisions for Brookfield LaGrange Park School District 95 to issue bonds up to the amount of \$20,000,000 as long as conditions are met.

Health Facilities and Planning Act (HB 763): Prohibits the construction, modification or establishment of a health care facility or acquisition of major medical equipment without first obtaining a permit or exemption from the Health Facilities and Services Review Board. Allows an additional four children to be served at Maryville Academy (Des Plaines). Maryville states that they have plenty of room to accommodate four additional children who are currently in need of care. Maryville has stated that by increasing their capacity, it will not take away from the home-like setting.

Firefighter Vehicle Tires (HB 771): Allows a volunteer firefighter to purchase four new vehicle tires every three years through his/her fire department's or municipality's contract. Requires written approval of the fire chief. The firefighter shall pay for any tires and any related taxes associated with such a purchase.

Prohibits Ban on Autonomous Vehicles (HB 791): States that local governments, including

home rule units are prohibited from enacting ordinances that prohibit the use of Automated Driving System equipped vehicles on roadways.

Local Government Hyperlink to IDOT (HB 799): Requires that IDOT and a local governmental agency must post notice of highway detour locations on their respective websites no later than 10 days before a detour becomes active. Provides that the posting requirement shall not apply to an unanticipated emergency as determined by IDOT, a local governmental agency that does not have a website maintained by a full-time staff, or a municipality with 1,000,000 or more inhabitants. As well as, adds that a hyperlink on a local government agency's website to posted notices on IDOT's website shall satisfy the notification requirements.

Oil or Gas Royalties (HB 1542): Provides royalties, lease bonuses, or other interests received from the sale of oil or gas from non-coal formations are deemed income. Applies only to non-trust estates.

Vehicle Warranty Changes (HB 1560): Reorganizes the exception list and includes new exceptions and to the rule that states any sale of a used motor vehicle between a dealer and consumer is applicable to the Act. Particularly this exempts: heavy duty trucks (vehicles of 8,000 pounds or more from the statute's requirement regarding power train warranty), vehicles with an odometer certification that states "not the actual mileage" or "mileage is in excess of its mechanical limits," sales of any vehicle for which the dealer offers an express warranty that provides coverage that is substantially equal to or greater than the limited implied warranty required under this statute. Specifically, the express warranty exception to the rule will prevail if the express warranty provides coverage equal to or greater than what the statute provides. Removes the proposed exception regarding vehicles with odometer failure.

Township Funds (HB 1896): Provides that township funds shall not exceed an amount equal to or greater than 2.5 times the annual average expenditure of the previous three fiscal years. This limitation excludes the township's capital fund.

Notice of Insurance Policy Cancellation (HB 1954): Removes the requirement that the notice of cancellation be mailed by the company to the mortgage or lien holder at the last mailing address known by the company. Provides that notification of the cancellation (rather than a copy of all such notices) shall also be sent to the mortgagee or lien holder listed on the policy. Mortgagee or lien holder, insured's broker, or the agent of record may opt to accept notification electronically. Further provides that a notification of the intention not to renew (rather than an exact and unaltered copy of such notice) shall be sent to any mortgagee or lien holder listed on the policy. Mortgagee or lien holder, insured's broker, or the agent of record may opt to accept notification electronically. Also mentions market conduct examinations as requested by the Department of Insurance.

Long-Range Highway Transportation Plan (HB 2363): Amends the Highway Code, and provides that in order to properly plan for the utilization of motor fuel tax funds, each municipality with a population of over 5,000 will be required to develop and update a long-range highway transportation plan for a period not to exceed 20 years (rather than a 20 year long-range highway transportation plan). Also, provides that a copy of the plan shall be made publicly available on an annual basis and additionally, removes provisions in current law providing that a copy of the plan must be filed with the County Superintendent of Highways in the county or counties in which the municipality is located and with the Secretary of Transportation and exempts the city of Chicago.

Workers' Compensation – Insurance Carrier Rate (HB 2525): Requires DOI preauthorization

of insurance rates, codifies new process for which DOI will approve or disapprove an insurance carrier's rate. Contains self-insurance oversight that's not exempt from public disclosure under FOIA. Establishes a rate and premium review task force to explore insurance company profits and understand deviations from NCCI recommended rates. Small changes to workers' compensation, however includes new employer penalties.

Suicide Training for School Personnel (HB 2545): Mandates that at least once every two years school districts must provide training to identify the warning signs of mental illness and suicidal behavior to school personnel who work with pupils in grades kindergarten through 12.

Firefighters Memorial Fund Scholarship (HB 2550): States that 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.

Real Estate Property Transfer (HB 2572): Authorizes the Department of Military Affairs to convey described real estate in Tazewell County. The armory in Delavan 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. Provides the property in question may be conveyed to the city of Delavan OR the Delavan Township Park District.

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.

Workers' Compensation – Mutual Insurance Company (HB 2622): Creates the Illinois Employers Mutual Insurance Company.

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.

Independent Escrowee (HB 2702): Incorporates independent escrowee into the definition of closing protection letter and insured closed letter. This amendment establishes equal capital/surplus/bonding/reserve requirements for any CPL issuing entity whether title company or independent escrowee.

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.

Child Support Location (HB 2812): Requires cellular companies to provide location information upon request to the Child Support Unit for purposes of child support obligations and paternity testing.

Farmers' Market/Cottage Food (HB 2820): Requires farmers' market vendors to provide effective means to maintain potentially hazardous food at 41 degrees Fahrenheit or below. Allows hand-washing stations to be shared by farmers' market vendors and it adds

to the list of non-potentially hazardous foods that are allowed under the food regulations that govern farmers' markets. Exempts home rule units from the provisions of the underlying bill. Adds a member, appointed by the Mayor of Chicago, to the Farmers' Market Task Force.

Liquor Control Violation Procedures (HB 2878):

Provides that 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. Also states that 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.

Preexisting Condition Coverage Mandate (HB 2959):

Provides that no policy of individual or group accident and health insurance issued, amended, delivered, or renewed on or after the effective date of this amendatory Act may impose any preexisting condition exclusion with respect to that plan or coverage.

Expansion of E-Pay Capabilities (HB 3005):

Clarifies and update language regarding revenue received by the state in the form of coins, cash, checks, drafts, electronic checks, credit and debit card payments and provides that the processing of such forms of payments shall be authorized for acceptance and collection by the State Treasurer.

MRF 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.

College Savings Pool (HB 3179): Adds a section to the "qualified expenses" College Savings Pool

for: expenses for special needs services, in the case of a special needs beneficiary, that are acquired because of enrollment or attendance; certain expenses for the purchase of computer or peripheral equipment, computer software, or internet access and related services.

O'Hare Noise Monitoring (HB 3240): Sets a June 30, 2018, deadline for implementation of the O'Hare noise monitoring upgrade already approved and mandated by the Illinois General Assembly in SB 636/P.A. 99-202.

Premium Finance – Electronic Notice (HB 3244):

Provides that notice to a party, and any other document that is required under applicable law in a premium finance agreement or that serves as evidence of a premium finance agreement, may be stored, presented, and delivered by electronic means. Delivery of a notice or document by electronic means shall be considered equivalent to any delivery method required under applicable law, including delivery by first class mail; first class mail, postage prepaid; certified mail; or registered mail. Establishes requirements to allow premium finance companies to deliver documents by electronic means. The producer of record shall not be subject to civil liability for any harm or injury that occurs as a result of a party's election to receive any notices or document by electronic means or by a premium finance company's failure to deliver a notice or document by electronic means. A producer of record may be subject to civil liability for any harm or injury that occurs as a result of a party's election to receive certain documents by electronic means or by a premium finance company's failure to deliver certain documents by electronic means if the harm or injury is caused by the willful and wanton misconduct of the producer of record.

Disposition of Remains (HB 3488): Provides that if private funds are not available for funeral or burial of a decedent, then State or local officials shall refer a family member to the option of donating the remains to an institution

of medical, mortuary, or other sciences registered with the Department of Public Health. Unclaimed cadavers held by any State facility, hospital, institution, or morgue may be turned over to an institution on the registry. Includes provisions regarding verification and contacting family, the registry of institutions and cadavers, and responsibility for expenses.

Provides a qualified medical science institution receiving a cadaver is responsible for all costs related to the contribution, including transportation of the remains. Provides if at any time a family member makes a written request concerning return of the remains, the qualified medical science institution shall, at its own expense, return the remains within a reasonable time. Grants the Department of Public Health rulemaking authority. Repeals the act on Dec. 31, 2022. Clarifies that when a medical science institution receives a donated cadaver under this Act, they may not transfer the decedent's remains not authorized by this bill.

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.

Flue Gas Desulfurization (FGD) Task Force (HB 3656): Creates the FGD Task Force to study the cost benefits of and make recommendations for the construction of new stacks at coal-fired power plants with flue gas desulfurization scrubber technology and the conversion of existing stacks at coal-fired power plants to flue gas desulfurization scrubber technology for the purpose of safely burning more Illinois-mined coal.

Mental Health Project (HB 3703): Creates a two-year mental health pilot program beginning

Jan. 1, 2018, for which a mental health facility located in Rock Island County, Illinois, may accept the admission of an Iowa resident from the Eastern Iowa Mental Health Region. The pilot program must also provide that a resident of Rock Island County, Illinois, who is a person subject to involuntary admission may receive inpatient treatment in an Iowa mental health facility.

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. Increases the number of sessions a provider who is counseling a minor, between the ages of 12 and 17, may provide without parental consent to eight 90-minute sessions (rather than five 45-minute sessions).

Hate Crimes (HB 3711): Adds cyberstalking, transmission of obscene messages and certain acts of intimidation to the list of crimes that can be prosecuted as hate crimes to address the increasing use of technology to attack victims.

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.

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.

Community Programs (HB 3745): Requires a school board to allow community groups to advertise events and after-school programs

pertinent to students' interests or involvement in a designated area of each school campus that is accessible and commonly used.

Battery-operated smoke detectors (HB 3773):

Requires landlords to install smoke detectors with long-term batteries (10-year life span). These would be double the cost of the smoke detectors currently required by state law.

Crowdfunding SEC Cleanup (HB 3791):

Matches Illinois statutes to a new rule the Securities and Exchange Commission (SEC) has created to accommodate adopted state intrastate crowd funding provisions. The rule offers businesses access to crowd funding from out-of-state residents and companies.

Educator Licensure (HB 3820):

Makes the following changes to Article 21B of the School Code dealing with educator licensure: 1.) Changes the minimum age to 19 (currently 20) for a person to be eligible to receive an educator license. 2.) Provides that an individual who holds a career and technical educator (CTE) endorsement on an Educator License with Stipulations but does not hold a bachelor's degree may substitute teach in career and technical education classrooms. Also provides the same allowance for individuals who hold a provisional or part-time provisional CTE endorsement. 3.) Removes the requirement that holder of a provisional CTE endorsement on an Educator License with Stipulations must complete a minimum of 20 semester hours from a regionally accredited institution. 4.) Adds an endorsement as a Director of Special Education to the list of current special education endorsement areas already allowed to be affixed to a Professional Educator License for any individual that meets State Board of Education requirements (established in rules). This provides statutory authority for the existing Director of Special Education endorsement. 5.) Changes requirements for out-of-state and out-of-country applicants regarding the types of degrees/coursework that can qualify for licensure. 6.) Provides that any licensee with an

administrative endorsement who is not working in a position requiring such endorsement is not required to complete Illinois Administrator Academy courses. 7.) Provides that the State Board must audit a subset of approved professional development providers. 8.) Provides that school psychologists may renew their professional educator license by providing proof of a valid national license.

LRB Revisory Bill (HB 3855):

Contains combining revisories and technical revisories that the Legislative Research Bureau (LRB) prepares for the General Assembly.

Vehicle Insurance Requirement (HB 3874):

Reinforces that no person shall operate, register, or maintain registration of a motor vehicle in this State unless the motor vehicle is covered by a liability insurance policy.

Vendor Qualifications (HB 3899):

Provides a not-for-profit agency for persons with significant disabilities shall be a qualified agency if it is accredited by a nationally-recognized accrediting organization or certified as a developmental training provider by DHS. Provides subcontracts shall be permitted for agreements authorized for not-for-profit agencies for persons with significant disabilities. Provides the State Use Committee shall develop a strategic plan for increasing the number of services purchased from qualifying not-for-profit agencies.

School Booking Stations (HB 3903):

Restricts student booking station from school grounds.

Appointment of Chief Administrator (HB 3904):

Provides that the Department of Corrections shall create a permanent Women's Division under the direct supervision of the Director. The Women's Division shall have statewide authority and operational oversight for all of the Department's women's correctional centers and women's adult transition centers. The Director shall appoint a Chief Administrator with the advice and consent of the Senate.

IEMA Grants (HB 4011): Removes line that requires IEMA to provide assistance to not-for-profits on an emergency basis. Authorizes the Agency to use funds appropriated for the grant program described in this subsection to administer the program.