

## Senate Floor Action for May 30, 2017

### **Illinois Trust Act - Agency Certification (SB 32):**

Creates the Illinois Trust Act, and mandates victim certification requirements for non-citizens by law enforcement, prosecutors, and other agencies upon a receipt of a request from a victim of qualifying criminal activity or the victim's representative. Furthermore, these requests for expedited completion of a certification form must be raised by the victim or representative of the victim in writing and must establish that the victim is eligible for expedited review. Unlike previous legislation, this proposal does not contain prohibitions on state and local law enforcement from cooperating with federal immigration officers.

**Property Tax Freeze (SB 482):** Creates a two-year property tax freeze for all taxing districts, including home rule units, except for the City of Chicago and school districts. Extensions for pensions and debt service are not subject to the freeze.

**Property Tax Freeze – School Districts (SB 484):** Creates a two-year property tax freeze for all school districts in Illinois, except CPS and “qualified school districts.” Extensions for debt service and pension payments are not subject to the freeze. Provides a financial hardship exemption from the freeze for certain school districts.

### **House Bills passed by the Senate**

**Applications for Judgment (HB 155):** Extends the application for judgment and order of sale deadline in Cook County.

**Unclaimed Life Insurance Benefits (HB 302):** Requires insurers to evaluate policies in lapsed or terminated status since 1996 to determine if the policy holder has died and, if so, whether

death benefits have been paid. Also, requires insurers to evaluate all policies including those in lapsed or terminated status that have been in force and effect At any time since 2012 (non-searchable files) or 2000 (electronic searchable files) to determine if the policy holder has died and, if so, whether death benefits have been paid.

**Loan Forgiveness for Illinois International Port District (HB 1797):** Provides that, for certain contracts entered into between the Capital Development Board and a regional port district concerning an appropriation for cargo handling facilities, if, for a period of 25 years, the regional port district has not been required to remit any amount of the appropriation to the State because the regional port district has failed to achieve the required level of profit, then the regional port district shall not be required to remit any amount of the appropriation under the contract.

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

**Emergency Medical Services (HB 1952):** Gives authority to EMS Medical Directors to allow fire trucks, with the proper equipment, and trained firefighters to provide advanced life support services when needed.

**DNR Dealer License Expiration (HB 2028):** States that non-resident and resident aquatic life dealer licenses, wholesale aquatic life dealer licenses, mussel dealer permits, minnow dealer licenses, taxidermist licenses, aquaculture permits, commercial roe dealer permits, and

daily fee fishing area licenses shall all expire on March 31 of each year.

**Noise Monitoring System (HB 2361):** Allows the City of Chicago to enact an ordinance providing for a noise monitoring system upon any portion of Lake Shore Drive. Provides that 12 months after the installation of a noise monitoring system, and any time after the first report as the City deems necessary, the City of Chicago must prepare a noise monitoring report with the data collected from the system and, upon request, make the report available to the public.

**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.

**Partial Exemption (HB 2377):** Extends the sunset date to allow the direct hire policy to continue at the Illinois School for the Deaf (ISD) and the Illinois School for the Visually Impaired (IVSI) for teaching positions to Aug. 30, 2019, (2.5 additional years). Also allows Rehabilitation/Mobility Instructor and Trainee positions at the Illinois School for the Visually Impaired (IVSI) to be directly hired (as opposed to going through the CMS grading process) until Aug. 30, 2019.

**Dry Hydrant (HB 2382):** Defines “dry hydrant” as a fire hydrant that is installed to provide access to water from a lake, pond, or other body of water rather than water from a public or private water supply system.

**Hate Crimes (HB 2390):** Removes cap on restitution for a 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.

**Credit For Prior Learning (HB 2404):** Requires each public university and community college shall submit its policies and procedures for students to earn credit for prior learning to the Board of Higher Education for review and approval.

**Civil Administrative Code (HB 2408):** Makes various technical changes aimed at aligning the Civil Administrative Code with various other Acts regarding IDFPR’s e-license initiative as well as standardizing technology.

**Energy Efficient Building Act Amendment (HB 2439):** Prohibits members of the Energy Code Advisory Council from receiving grants for continuing education concerning any recommendation or rule proposed by the Council.

**Illinois Service Member Relief Act (HB 2449):** States that any person or service member who enters military service may, at any time after receiving military orders to relocate for a period of service of at least 90 days, terminate or suspend certain specified contracts for service.

**Downstate Public Transportation Fund Transfers (HB 2453):** Changes how revenues from sales and use taxes are deposited into the Downstate Public Transportation Fund. Currently, revenue received from the sales and use taxes are deposited into the General Revenue Fund (GRF), and then a portion (by formula) is deposited into the Downstate Public Transportation Fund on a monthly basis. HB 2453 would bypass GRF and have revenue directly deposited into the Downstate Transportation Fund.

**Gifted Education School Report Cards (HB 2461):** Changes the data that must be added to school report cards to include the most current

data being collected and maintained, so they can include it without having to wait until the data is possessed. Requires the addition of information about gifted education and advanced programs, as well as information on the number of teachers who hold a gifted educator endorsement.

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

**Mental Health Rehabilitation (HB 2465):** Adds provisions concerning the training of existing staff of a mental health recovery and rehabilitation support center and other levels of care licensed under the Act. Provides that upon application by a mental health recovery and rehabilitation support facility, the Director of Human Services may grant or renew the waiver of the facility's compliance with a rule or standard for a period not to exceed the duration of the current license or, in the case of an application for license renewal, the duration of the renewal period.

**Fire Truck Exemption (HB 2492):** Provides the Chapter governing size, weight, and load of vehicles does not apply to fire apparatus, and authorized emergency vehicles owned and operated by governmental bodies or non-for-profit fire protection service organization or agency. It also removes a provision providing that an emergency vehicle may not exceed 86,000 pounds gross weight or other listed weights. Provides that this bill does not apply to Class I highways.

**Food Allergen Awareness Training (HB 2510):** Provides all certified food service managers employed by a restaurant must receive allergen awareness training. Sets forth training program requirements, including accreditation and topics covered. Includes exemptions for multi-

state businesses and franchisees, and certain facilities (convenience stores, grocery stores, etc.) with a medium or low relative risk of causing food-borne illness.

**Synthetic Drugs (HB 2534):** Adds synthetic drugs and cannabinoids to the list of Schedule I controlled substances. Adds other substances to the Schedule II list of controlled substances and lists all hydrocodone derivatives as Schedule II controlled substances.

**Automobile Dealers' License Task Force (HB 2567):** Creates the Automobile Dealers' License Task Force to study the licensing and oversight of the nontraditional dealers, such as online auto dealers doing business in the State. The Task Force shall report the findings of the study to the General Assembly on or before Dec. 31, 2018, at which time the Task Force shall be dissolved. The task force is repealed Jan. 1, 2019.

**State Wildflower (HB 2568):** Designates milkweed as the official state wildflower of the State of Illinois.

**Marriage and Family Therapy Licensing Act Changes (HB 2577):** Extends the sunset of the Marriage and Family Therapy Licensing Act to Jan. 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.

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

**School District Boundary Changes (HB 2612):** Rewrites Article 7 (Detachment and Annexation) of the School Code. Makes several language clean-up changes and replaces outdated language to streamline the school district detachment, dissolution, and annexation process. The intent of the bill is not to make fundamental changes to the process, but rather to improve and clarify certain aspects of the process.

**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.

**Certification of Completion of Work (HB 2664):** Requires contractors to pay each subcontractor whenever the contractor receives a payment. Provides if a contractor is assessed liquidated damages by the State, the contractor is still responsible to each subcontractor under the subcontracts. For contracts with the Department of Transportation, provides that if a contractor is assessed a liquidated damages penalty equal to or exceeding the total amount of the contract and the contractor is unable to pay its subcontractors, the DoT shall verify completion of the work performed by the subcontractor and, upon successful verification, pay the subcontractor the amount owed on the subcontract with the contractor.

**Consent To Medical Care (HB 2700):** Clarifies chiropractic physician's and licensed optometrist's rights and responsibilities and that the consent protections currently provided to minors under the Consent by Minors to Medical Procedures Act apply to the performance of health care services by chiropractic physicians and licensed optometrists.

**Hospital "Do-Not-Admit" Lists (HB 2762):** Prohibits hospitals from maintaining a list of individuals that may not be admitted for treatment at the hospital. The prohibition does not prevent a hospital's medical staff from recommending an alternate provider, coordinating an appropriate transfer, or arranging access to care services that best meets the needs of an individual patient.

**Paid Sick Leave (HB 2771):** Creates the Healthy Workplace Act. Mandates most employers to offer one hour of paid sick time off for every 40 hours worked, and would accrue within a 12-month cycle. Paid sick days will carry over year

to year, but caps out at five days unless an employer agrees to a higher limit.

**Fire Protection Districts (HB 2778):** Provides that a fire protection district may annex any property into its jurisdiction for which it is providing coverage under the Emergency Telephone System Act.

**HIV Testing During Pregnancy (HB 2800):** Requires HIV testing in the first and third trimester of a woman's pregnancy. Allows the woman to opt-out if she is already documented to be HIV Positive or HIV Negative. The cost to Department of Public Health would be zero-to-negligible. HIV blood tests are covered by private insurance, and public/subsidized payer sources, including Medicaid.

**Definition of "Wooded Acreage" (HB 2813):** Makes changes to the definition of "wooded acreage."

**Long-Term Care Reports (HB 2814):** Changes the reporting requirements on the length of pending long-term care redeterminations, applications and appeals reported by DHS and HFS.

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

**Pollution Control Facilities Siting (HB 2842):** Provides that applicants for local siting approval must submit evidence to demonstrate compliance. Provides that applicants must present testimony subject to cross-examination at specified public hearings.

**Asphalt Roofing Materials Disposal (HB 2876):** 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.

**School Code Cursive Writing (HB 2977):** Mandates that cursive writing be added to elementary school curriculum and that each student receives the instruction by grade 5.

**Official State Exercise (HB 2895):** Designates cycling as the official State exercise of Illinois.

**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.

**Principal Endorsement Professional Educator Licensure (HB 2898):** Removes the June 30, 2021, sunset date for the principal endorsement on Professional Educator License.

**Tele-Health Services (HB 2907):** Eliminates Medicaid requirement that a third party (healthcare provider) be present in the room with patient while receiving Tele-Health Services.

**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.

**Borrowing Authority (HB 3004):** Provides that the RTA may issue, sell, and deliver additional

Working Cash Notes before July 1, 2020, (now 2018) that are over and above and in addition to the \$100 million authorization. The RTA Act gives the RTA the ability to borrow up to \$400 million. Also includes language that in the case of a default Interim Financing Note issued by the Chicago Transit Authority with which State money in the Treasury was invested, authorizes the State Treasurer to certify, after notice, to the Comptroller the amounts of the defaulted Interim Financing Note and for the Comptroller to deduct and remit to the Treasury the certified amounts or a portion of those amounts in specified proportions in the three years following default.

**DNR Consulting Fees (HB 3033):** Provides that the DNR may assess specified consultation fees up to \$100 (rather than assess a \$500 fee), and deletes language stating that the DNR cannot assess fee's for consultations requested by a State agency or federal agency.

**Fee Schedule for Category Docs (HB 3036):** Establishes a predictable fee schedule county clerks or county recorders charge for standard category documents. Eliminates fees based upon page number or other surcharges. Establishes a minimum level of \$21 that accounts for state and local mandates.

**Prevailing Wage Schedule (HB 3044):** States that the Department of Labor will publish on its official website a prevailing wage schedule for each county in the State by Aug. 15 every year. The wages will be set by the wages ascertained by the Department during the month of June.

**Sale of Vehicle Protection Product Exemption (HB 3072):** Amends the definition of "vehicle protection product" to include protective chemicals and substances and exclude fuel additives, oil additives, or other chemical products applied to the engine, transmission, or fuel system of a motor vehicle. Provides that no vehicle protection products sold or offered for sale in the State shall be subject to the provisions of the Code or the Service Contract

Act unless offered as a service contract under the terms of the Service Contract 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.

**Program Participant Demographics (HB 3131):** Requires DHS to collect and publically report statistical data on the racial and ethnic demographics of program participants for each program administered by the Department.

**Early Childhood Study (HB 3167):** Requires DHS to conduct a study on the Early Childhood Workforce.

**Child Care Assistance (HB 3213):** Restores access to the Child Care Assistance Program (CCAP) for families enrolled full time in non-TANF education and training programs by adding them to the program's priority population.

**Budget Classroom Teaching (HB 3298):** Allows for a refund of the application fee and the renewal fee for a substitute teaching license under certain conditions. This is an initiative to help deal with the substitute teacher shortage. The fee is \$50 for both application and renewal.

**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).

**Private Employment (HB 3785):** Provides for a technical rewrite of the Private Employment Agency Act, which as currently written is old and somewhat outdated.

**Participation in Gang Activity (HB 3803):**

Changes the offense of unlawful contact with street gang members to unlawful participation in street gang related activity. Requires that a parolee be engaged in a crime or other street gang related activity before they can be arrested and prosecuted for unlawful contact with street gang members.

**Amusement Ride and Attraction Safety Act (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 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.