



# Will County Governmental League

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## LEGISLATIVE UPDATE

Weekly Update 5 - 26 - 2015

### Weekly Wrap-Up / Outlook

#### **Race to the finish or overtime session?**

The 2015 Spring Legislative session is scheduled to adjourn on May 31st. However, as of this writing there does not appear to be any progress made on a compromise between the legislature which is controlled by a super-majority of Democrats in both chambers and the Republican Governor.

Governor Bruce Rauner has publicly stated that in order for him to agree to revenue enhancements aimed at filling the loss of income taxes caused by the reduction in rates on January 1 he would need significant reforms. These reforms, which he refers to as his "Turnaround Agenda" are designed to make the Illinois economic picture more attractive to business growth. These reforms include measures designed to weaken collective bargaining rights, protect businesses from frivolous lawsuits, freeze property taxes and provide government accountability through reform measures such as term limits.

Democrats balk at many of these measures as creating a "race to the bottom" in wages and benefits that will do little but increase profits of the already very rich and lower quality of life for working families. In response, the Illinois House of Representatives have spent the last several weeks conducting Committees of the Whole on many of the issues presented in the Turnaround Agenda. The House has actually taken votes on several of the measures all which have failed with some not receiving a single "Yes" vote.

The Governor has indicated that he is willing to "back-off" some of his agenda items. On Friday, he filed, through the Republican Leaders in the House and the Senate the following pared down series of bills:

#### **Tort Reform Package - HB 4222 (Durkin)/SB 884, Senate amendment #1 (Radogno)**

seeks to eliminate venue shopping by removing a provision in current law that allows an action to commence in any county if all defendants are not residents of the state. Requires a court to exercise due diligence to inquire if the business maintains an office in the state and if so then that county must act as the venue. Removes a provision that allows a defendant to take action in the county in which they reside when suing an insurance company. Allows for a motion to dismiss for inconvenient venue. Under current law joint and several liability attaches when a defendant is found to be 25% at fault – this increases to 50% at fault. Limits the amount one can recover for medical care, treatment or service to the amount actually paid.

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# LEGISLATIVE UPDATE

**Workers' Compensation Package – HB 4223 (Durkin)/SB 994, Senate amendment #1 (Radogno)** requires by a preponderance of the evidence that the injury the worker sustained in the course of employment is the major contributing cause before compensation is awarded. Removes both hazards and risks to which the general public is also exposed and a medical condition or disability resulting from a personal or neutral risk from injuries “arising out of the course of employment”. Provides that for an injury to be a “major contributing cause” it must contribute more than 50% of all combined causes of the medical condition or injury and applies that standard to repetitive injuries. Reduces employer liabilities for injuries occurring while traveling. Provide a reduction awards by an amount equal towards received for prior injuries that resulted in a permanency award. Reduces fees paid to medical providers to 49% of the scheduled amount beginning January 1, 2016.

**Local Government and Schools Package – HB 4224 (Durkin)/SB 1046, Senate amendment #1 (Radogno)** would allow a local government or school district to prohibit by ordinance the following items from collective bargaining:

Salary

Health benefits

Certain union activities

Staffing levels

Processes for evaluation, using seniority for positions, promotions and layoffs

Allows for the voters of a local government or school district to prohibit these activities by referendum. The bill would extend tax caps (PTELL) to all units of government and set the extension growth at 0% which would require any increase in the extension to be done by referendum. Finally, the bill removes the Prevailing Wage for all public works projects constructed by a local government or school district.

The Governor has indicated that he is willing to discuss this pared down version but if the session extends into June he will again demand his entire agenda.

Please note that several bills passed out of both Chambers in the last week.

As always if you have any questions or concerns about the issues in this update or any other WCGI project or program please let me know.

~Hugh

## **Bills of Interest which have Passed their Original Chamber**

**HB 113 (Rep. DeLuca D, Chicago Heights/Sen. Connelly R, Wheaton) Grant Blackout** - as amended by House Amendment #1, provides that during a period beginning September 1 of the year of a general election and ending the day after the general election, the proper name or image of any officer or member shall not be included in a public announcement on behalf of an officer, member, or State agency related to any contract or grant awarded by a State agency. Allows a State agency to issue notification of the award or grant of a contract, provided the notification does not include the proper name or image of any officer or member. Provides that an officer or member may attend a public or private event associated with the award or grant of contract and may be included on a list of attendees disseminated to the public. **Assigned to Senate Executive Committee and placed into subcommittee. Monitor**

**HB 132 (Rep. Tryon R, Crystal Lake/Sen. Althoff R, McHenry) Regulation of Farmers Markets** - amends the Food Handling Regulation Enforcement Act and provides that the provisions and rules set forth in a section concerning farmers' markets only apply to that section instead of the entire Act. **Passed both Chambers.**

**HB 173 (Rep. McSweeney R, Cary/Sen. Duffy R, Barrington) Limited repeal of red light cameras** - as amended by House amendment #1, provides that after January 1, 2017 no non-home rule unit within the counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will may enact or continue to enforce an ordinance for an automated traffic law enforcement system to enforce violations of intersection traffic control signals. Provides that an automated traffic law enforcement system is a system, in a municipality or county, not including a non-home rule unit within the designated counties on or after January 1, 2017, operated by a governmental agency, that produces a recorded image of a motor vehicle's violation of a provision of the Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. **This bill passed the House but remains in the Senate Committee on Assignments. Oppose**

**HB 175 (Rep. McSweeney R, Cary/Sen. Duffy R, Barrington) Establishes timeframes for Open Meetings Act** - amends the Open Meetings Act to provide that a request for review may be filed not later than 60 days after the discovery of an alleged violation of the Act if facts concerning the violation are not discovered within 60 days after the alleged violation but are discovered at a later date by a person utilizing reasonable diligence. **This bill has been assigned to a Senate sub-committee. Oppose**

**HB 178 (Rep. McSweeney R, Cary/Sen. T. Cullerton D, Villa Park) Freezes certain township property taxes** - creates a Township Property Tax Extension Freeze for the 2015 levy year for townships with a population of 100,000 or less that are located within a county that is subject to the Property Tax Extension Limitation Law. **This bill has passed House but remains in the Senate Committee on Assignments. Monitor**

**HB 228 (Rep. Franks D, Woodstock/Sen. Connelly R, Wheaton) Moratorium on new local governments** – provides that the General Assembly shall not enact any law creating any new unit of local government, including, but not limited to, the division of existing units, but the amendatory Act does not apply to the creation of a new unit of local government from the consolidation of 2 or more pre-existing units. **This bill passed both Chambers.**

**HB 245 (Rep. Zalewski D, Riverside/Sen. McGuire D, Joliet), Increases limit for no bid contracts - as amended by House Amendment #1**, increases the base amount from \$20,000 to \$30,000 for public improvement or maintenance of public property at which a municipality must enter into a contract by public bid or four-fifths council approval. If the contract is approved by council, it increases the base amount of expenses that must be taken by public bid from \$20,000 to \$30,000. **This bill is on 2nd Reading. Support**

**HB 248 (Rep. Kay R, Edwardsville/Sen. McCarter R, Vandalia), Violations in an Open Meeting – as amended by House Amendment #1**, provides that the court may declare null and void a final action taken at an open meeting in violation of the Act, but only if a civil action alleging the violation is commenced within 60 days of that meeting and the alleged violation is directly and substantially related to that final action (currently, only actions taken at closed meetings may be declared null and void by the court). **This bill is assigned to a sub-committee. Oppose**

**HB 303 (Rep. McDermed R, Frankfort/Sen. Althoff R, McHenry), Disclosure of Severance Agreements - as amended by House Amendments #1 and 2**, provides that all severance agreements entered into, by or on behalf of a public body are public records subject to inspection and copying by the public, subject to redaction as allowed by the Act. **This bill is assigned to Senate Executive committee but placed into a sub-committee. Oppose**

**HB 437 (Rep. B. Wheeler R, Crystal Lake/Sen. Althoff R, McHenry), Composting - as amended by House Amendment #1**, provides that municipalities and counties may approve one-day compostable waste collection events and permanent compostable waste collection points. Establishes requirements for those programs. House amendment #2 provides that a specified permit is not required for the operation of a one-day compostable

waste collection event if the compostable waste collection event is operated in accordance with this a specified provision and the approval issued for the compostable waste collection event (previously was "point"), including all conditions contained in the approval. **This bill has passed both Chambers. Monitor**

**HB 735 (Rep. DeLuca D, Chicago Heights), Restrictions on advertisement – as amended by House amendment #1**, provides that no advertisement may be purchased using municipal funds that would include the name of any person holding an elected office. Defines "advertisement". Provides that a violation of the amendatory Act will require the violator to repay the amount of municipal funds used for the advertisement. Provides that a third violation will result in the violator's removal from municipal office. **This bill is on 2nd Reading. Monitor**

**HB 1320 (Rep. Wehrli R, Naperville/Sen. Munoz D, Chicago), Downstate Police Pensions - as amended by House amendment #1**, provides that if a person who is receiving a police pension becomes employed as a chief of police, they must notify the pension fund, and the pension shall be suspended until the employment as chief terminates; if the person elects to participate in IMRF, they must also notify IMRF of those police pension funds. The bill also provides that if a person who is receiving a police pension enters service as a police officer with a different municipality, the person must so notify the pension fund paying the pension, and the pension shall be suspended until the service terminates. House amendment #1, provides that notwithstanding the other amendatory provisions, if a person is receiving pension payments under the Article and enters active service as a police officer under the Article with a different municipality, he or she is not subject to the added notification requirements and is not subject to suspension of pension payments while in that active service, if that different municipality had a population of less than 6,000 at the time of the return to active service, as determined from the best available census data. **This bill has passed the House and is currently assigned to the Senate Licensed Activities and Pensions Committee and has been assigned to a sub-committee. Monitor**

**HB 1455 (Rep. McAsey D, Lockport/Sen. Althoff R, McHenry) Electronic Products Recycling and Reuse - Amendment 2**, Replaces everything after the enacting clause. Reinserts the language of the introduced bill with the following changes: removes drop-off locations from a provision concerning charging fees to individual consumers or units of local governments acting as collectors and provides that nothing in the Act prohibits any waste hauler from entering into a contractual agreement with a unit of local government to establish a collection program for the recycling or reuse of CEDs or EEDs, including services such as curbside collection, home pick-up, drop-off locations, or similar methods of collection; makes changes to provisions concerning the collection of cathode ray tubes;

establishes new annual recycling goals for all manufacturers for program years 2015, 2016, and 2017; provides that for program years 2015, 2016, and 2017, the Environmental Protection Agency is not required to submit a report on the previous program year's performance, but is required to make certain information available on its website; provides that no person may act as a recycler or a refurbisher of CEDs for a manufacturer obligated to meet goals under this Act unless the recycler or refurbisher is registered with the Agency and has paid the registration fee; provides that, beginning in program year 2016, all recycling or refurbishing facilities used by collectors of CEDs and EEDs shall be accredited by the Responsible Recycling (R2) Practices or e-Stewards certification programs or any other equivalent certification programs recognized by the United States Environmental Protection Agency; provides that manufacturers of CEDs and EEDs shall ensure that recycling or refurbishing facilities used as part of their recovery programs meet this requirement; provides that in program years 2015 and 2016, to encourage manufacturers to recycle or reuse more CEDs or EEDs than their target weight, a manufacturer shall earn recycling credits equal to 25% of weight the manufacturer collects over its recycling target for the year and manufacturers may use credits to help meet their recycling target in the following program year, or may sell credits to another manufacturer for use in the next program year; makes changes to the penalties under the Act. Effective immediately. **This Bill has passed both Chambers. Support**

**HB 2717 (Rep. Ives R, Wheaton), Information on websites - as amended by House amendment #1**, requires a unit of local government or school district with an annual budget of \$1 million or more to maintain an Internet website and post to that website, for the current calendar or fiscal year, as the case may be, the following information: (1) contact information for elected and appointed officials; (2) notice of and materials prepared for regular and emergency meetings; (3) procedures for requesting information from the unit of local government or school district; (4) annual budget; (5) ordinances under which the unit of local government or school district operates; (6) procedures to apply for building permits and zoning variances; (7) financial reports and audits; (8) information concerning employee compensation; (9) contracts with lobbying firms; (10) taxes and fees imposed by the unit of local government or school district; (11) rules governing the award of contracts; (12) bids and contracts worth \$25,000 or more; (13) campaign contributions made by a vendor; (14) a debt disclosure report; and (15) public notices. Provides that any citizen who is a resident of the unit of local government or school district may bring a mandamus or injunction action to compel the unit of local government or school district to comply with the Internet posting requirements immediately. House amendment #1 would allow posting information on the Illinois Transparency and Accountability Portal to meet the requirements of this bill. **This bill has passed the House and is assigned to the Senate Executive Committee. Oppose**



**HB 2744 (Rep. Andersson R, Geneva/Sen. McConnaughay R, West Dundee) Municipalities ceding property** - provides that it shall not be considered a "conflict" when a municipality that is a party to a jurisdictional boundary line agreement cedes property within its own jurisdiction to another municipality not a party to the same jurisdictional boundary line agreement. **This bill has passed both Chambers.**

**HB 2745 (Rep. Andersson R, Geneva/Sen. McConnaughay R, West Dundee) Alternative Procedure to Code Violations** - sets forth an alternative proceeding to take place after the expiration of the period in which judicial review may be sought for a final determination of a code violation. Provides that if a defendant has failed to comply with a judgment to correct a code violation or pay a fine, any expenses incurred by a municipality to enforce the judgment shall be a debt due and owing the municipality by the defendant. Sets forth notice and hearing requirements to determine whether the defendant has failed to comply with the judgment. Authorizes the municipality to impose a lien on the real estate or personal estate of the defendant in the amount of any debt due to the municipality. Permits a hearing officer to set aside any judgment entered by default and set a new hearing date if the hearing officer determines that the petitioner's failure to appear was for good cause or because the municipality did not provide proper service of process. **This bill has passed both Chambers.**

**HB 2916 (Rep. Martwick D, Chicago/Sen. Radogno R, Lemont) IMRF changes** - provides that the IMRF may begin enforcement action against employers who have failed to remit contributions to the Fund when the contributions are 60 (rather than 90) days overdue. House amendment #1 changes from every two years to every three years the reporting that employers must provide to COGFA and the report that COGFA must provide to the General Assembly and Governor. House amendment #2 will begin the reporting on 2016. **This bill has passed both Chambers. Monitor**

**HB 3121 (Rep. Demmer R, Rochelle), Sharing of DOR information - as amended by House amendment #2**, in provisions concerning the furnishing of financial information by the Department of Revenue to municipalities or counties, provides that: (1) the Department may disclose the standard classification number assigned to a business; (2) only the chief executive officer or chairman of the municipality or county may enter into an information-sharing agreement with the Department; (3) the chief executive officer or chairman shall provide the Department with a list of municipal or county employees who may request return information, view return information, or receive related information; (4) provides that the list may include only employees who are directly involved in the financial operations of the municipality or county; (5) the written agreement may be canceled by either the Department or the chief executive officer or chairman of the municipality or county at any time and shall be canceled in the event of any unauthorized use or disclosure of State tax

return information obtained pursuant to the written agreement or failure to abide by the procedures set forth in the agreement by the Department for safeguarding the confidentiality of tax return information. **This bill is in the Senate Revenue Committee. Oppose**

**HB 3203 (Rep. Moffitt R, Galesburg/Sen. D. Sullivan D, Quincy) Changes Firefighter Age Requirement for Veterans** - provides that an individual who turned 35 while serving as a member of the active or reserve components of any of the branches of the Armed Forces of the United States or the National Guard of any state, whose service was characterized as honorable or under honorable, and is currently under the age of 40 is eligible to take an examination for a position as a firefighter. **This bill is on 3rd reading in the Senate. Monitor**

**HB 3323 (Rep. Acevedo D, Chicago/Sen. Holmes D, Aurora) Corrosion prevention** -, requires the Environmental Protection Agency to promulgate rules governing corrosion prevention projects affecting a community water supply. Requires the Department of Transportation to promulgate rules governing corrosion prevention projects affecting eligible bridges. Provides that the rules shall include standards, rather than processes, to ensure that community water supplies carry out corrosion mitigation according to standards adopted by the Agency. Requires the Environmental Protection Agency to adopt rules governing corrosion prevention projects affecting a public water supply and provides for the application of those rules. Provides that the Department of Transportation may adopt rules governing all corrosion prevention projects carried out on eligible bridges. Provides that rules may include a process for ensuring that corrosion prevention and mitigation methods are carried out according to corrosion prevention industry standards adopted by the Department for eligible bridges. Defines "corrosion", "corrosion prevention and mitigation methods", "corrosion prevention project", and "eligible bridge". **This bill is currently in the House on Order of Concurrence. Oppose**

**HB 3389 (Rep. Batinick R, Plainfield/Sen. Manar D, Bunker Hill) Timeline for Document Submission to Comptroller** - provides that documents that are submitted to the Comptroller must be filed within 180 days after the close of a fiscal year instead of as soon thereafter as various audits become available. Further changes audit due dates from 6 months to 180 days. **This bill has passed both Chambers. Monitor**

**HB 3444 (Rep. DeLuca D, Chicago Heights), Loss of seat if official owes municipality - as amended by House amendment #1** provides that in municipalities with a population under 500,000, a vacancy in a municipal office occurs when an official fails to pay a debt



owing to the municipality in which he or she is elected after being provided notice. **This bill is on 3rd Reading in the Senate. Monitor**

**HB 3445 (Rep. DeLuca D, Chicago Heights/Sen. Hastings D, Matteson) Publications in Newspapers -**, as amended by House amendment #1, amends the Notice By Publication Act and the Newspaper Legal Notice Act. Provides that, if notice is required to be published in a newspaper that is published in a particular unit of local government or school district, and if there is no newspaper published in that unit of local government or school district, then the notice may be published in a secular newspaper having general circulation within the unit of local government or school district (currently, those Acts require the newspaper to be published in the county in which the unit of local government or school district is located or in an adjoining county). **This bill is on 3rd Reading. Monitor**

**HB 3484 (Rep. Nekritz D, Buffalo Grove) Several pension changes - as amended by House amendment #2, makes changes to IMRF.** Replaces the State Treasurer as treasurer of the Fund with one or more custodians appointed by the Board of the Fund. Deletes the security bond requirement. Replaces references to payments made by voucher and warrant with payments made by check or draft. Specifies the manner of complying with certain provisions of the Illinois Pension Code authorizing deductions from State funds payable to an employer. House amendment #1 and #2 amends the Cook County, Cook County Forest Preserve, Chicago Park District, and Metropolitan Water Reclamation District, Downstate Police and Fire, Chicago Police and Fire, Chicago Labor and Municipal Articles and in provisions relating to certain transit authorities, provides that if the employer fails to transmit required contributions to the pension fund by December 31, the fund may certify to the State Comptroller the amount due, and the Comptroller must deduct and deposit into the fund the certified amounts from all state payments of State funds to the employer. **This bill is on 3rd Reading. Oppose**

**HB 3556 (Rep. Moeller D, Elgin/Sen. McConnaughey R, West Dundee) Movement of Business District Revenues -** provides that a municipality may utilize revenues received under this Law from one business district for eligible costs in another business district that is: (A) contiguous to the business district from which the revenues are received; (B) separated only by a public right of way from the business district from which the revenues are received; or (C) separated only by forest preserve property from the business district from which the revenues are received if the closest boundaries of the business districts that are separated by the forest preserve property are less than one mile apart. **This bill is in the House on Order of Concurrence.**

**HB 3592 (Rep. Morrison R, Palatine) IMRF contribution rate for ERI -** amends the IMRF Article of the Illinois Pension Code. In a provision concerning payment for purchasing

service credit under an early retirement incentive program, changes the required contribution rate from a specified percentage to the total employee contribution rate in effect for the applicable plan at the time the member purchases the service. **This bill is on 3rd Reading. Monitor**

**HB 3757 (Rep. Andrade D, Chicago/Sen. Althoff R, McHenry) Penalty for not reporting IMRF annuitant returning to work** - amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. Provides that if an employer fails to notify the Board to suspend the annuity of an annuitant who returns to service as a participating employee, the employer may be required to reimburse the Fund for an amount up to the total of any annuity payments made to the annuitant after the date the annuity should have been suspended, as determined by the Board, less any amount actually repaid by the annuitant. **This bill passed both Chambers.**

**HB 3983 (Rep. McDermed R, Frankfort) Adult entertainment facilities** - would limit the ability of certain municipalities from siting adult entertainment facilities by providing set backs from their borders. **This bill is currently on the Order of Concurrence in the House.**

**SB 26 (Sen. Morrison D, Deerfield/Rep. Sente D, Lincolnshire) Notices on websites** - amends the Local Records Act by requiring all units of local government and school boards that maintain a website to additionally publish notices, agendas, records, or other information or material that is required to be published in a newspaper by law or court order to their website. **This bill is assigned to the House Rules committee. Oppose**

**SB 116 (Sen. Biss D, Skokie/Rep. Lang D, Skokie), Green Special Service Areas - as amended by Senate amendment #3**, provides that the corporate authorities of a county or a municipality may establish a green special service area, and that those green special service areas shall include only property for which each owner of record has executed a contract or agreement consenting to the inclusion of the property within the green special service area. Provides that counties and municipalities may levy property taxes in connection with green special service areas, and that counties and municipalities may issue bonds in connection with green special service areas and may sell, assign, or pledge those bonds to the Illinois Finance Authority. This bill also provides that the Illinois Finance Authority has the power to purchase special service area bonds and to accept assignments or pledges, or both, of special service area bonds or agreements relating to green special service area projects. The bill defines “energy efficiency improvement” to include only installations, modifications, and replacements in multi-family residential buildings. **This bill has been assigned to the House Rules Committee. Monitor**

**SB 508 (Sen. Kotowski D, Park Ridge/Rep. Crespo D, Streamwood), The use of Tourism funds for convention incentives - as amended by Senate amendment #1,** provides that the Department of Commerce and Economic Opportunity shall make grants from the Tourism Promotion Fund to a municipality in which a municipal convention center is located, or to a convention center authority, for the purpose of reimbursing the municipality or convention center authority for qualified incentives provided by a municipal convention center or convention center authority. **This bill has passed the Senate but is still in House Rules Committee. Monitor**

**SB 663 (Sen. Koehler D, Peoria/Rep. Bennett R, Watseka) Closed Meetings -** provides that public bodies may hold closed meetings to consider building safety and security. **This bill passed the Senate but is still in House Business and Occupational Licenses Committee. Support**

**SB 728 (Sen. Stadelman D, Rockford/Rep. Wallace D, Rockford), Disposition of dangerous property - as amended by House amendment #2 and 3,** provides that a municipality with a population under 1,000,000 may dispose of property where dangerous or unsafe buildings were demolished without additional notice if the board determines that the fair market value of the real estate is less than \$5,000, that an adjoining landowner is willing to purchase the real estate, and that the adjoining landowner has not been the subject of building or public health violations in the preceding 12 months. **This bill has passed the Senate but is still in House Rules Committee. Monitor**

**SB 740 (Sen. Holmes D, Aurora/Rep. Pritchard R, Sycamore), Fire hydrant compliance - as amended by Senate amendment #1,** provides that whoever fails to comply with any of the provisions of the Act, after receiving written notice of noncompliance or violation from a fire protection district or municipality in whose jurisdiction a fire hydrant is located, shall be responsible for all reasonable costs that incur to correct the noncompliance, including attorney's fees and legal expenses incurred in recovering the costs from the responsible party. Defines "fire hydrant"; includes township fire departments in the language of the bill; provides that persons not in compliance with the Act have 30 days after written notice of noncompliance or violation should reasonably have been received before the fire protection district, township fire department, or municipality shall take action to correct the noncompliance. **This bill is passed both Chambers.**

**SB 763 (Sen. Sandoval D, Cicero) Amends IMRF -** provides that certain firefighters who participate in IMRF may be granted Sheriff's Law Enforcement Employee (SLEP) status with the approval of the employing municipality. The approval resolution may specify that SLEP

status shall be applied retroactively to employment occurring on or after January 1, 2011. **This bill is on 2nd Reading. Monitor**

**SB 792 (Sen. Bush D, Grayslake/Rep. Zalewski D, Riverside ), Publishing the Truth in Taxation Notice - as amended by Senate amendment #1**, provides that if a taxing district maintains a website, the truth in taxation notice shall be published on the website in additions to a newspaper for general circulation. Provides that the taxing district must post the truth in taxation notice on its website only if the website is maintained by the full-time staff of the taxing district. Provides that the failure of a taxing district to post the notice on its website shall not invalidate the notice or any action taken on the tax levy. **This bill passed both Chambers. Monitor**

**SB 903 (Sen. McConnaughey R, West Dundee/Rep. Sandack R, Downers Grove), Local governments and the Comptroller's "Warehouse" - as amended by Senate amendment #1**, requires the Comptroller to establish and maintain an online repository designated as "The Warehouse" that makes available to the public any and all reports required by law to be filed with the Office of the Comptroller by local governmental units. Provides that a local governmental unit that is required by law to submit reports to the Comptroller shall include on its official website, if it maintains a website, a link or other electronic means of directly accessing the online repository. Requires the Comptroller to establish and maintain an online repository that makes available to the public the State's financial transactions designated as the "Online Ledger", and any rules and regulations established thereto. **This bill is in the Senate on Order of Concurrence. Monitor**

**SB 914 (Sen. Connelly R, Wheaton/Rep. Sandack R, Downers Grove), Prohibition on the sending of promotional material - as amended by Senate amendment #1**, prohibits all units of local government, local officials, school districts, and public institutions of higher education, which includes community colleges, including all employees and persons or contractors working on behalf of such entities, from sending promotional materials to residents during certain periods leading up to consolidated elections and general elections. Exempts promotional materials directly related to course offerings, programs of study, or certificate or degree programs, including information regarding tuition and expenses from the restrictions imposed by the amendatory Act. Provides that the restrictions do not apply to bills, schedules of events, or course-related materials, including financial aid. **This bill has passed the Senate but is still in House Rules Committee. Oppose**

**SB 1246 (Sen. Mulroe D, Chicago/Rep. Mayfield D, Waukegan) Arbitrator Analysis on PA 98-1151** - provides that the analysis applied by arbitrators when ruling on proposals to add, modify, or remove firefighter manning language in a bargaining agreement shall not be changed in any way as a result of the changes made by the passage of Public Act 98-1151,

which include manning as a mandated subject of collective bargaining. **This bill has passed the Senate but is still in House Labor and Commerce Committee. Monitor**

**SB 1262 (Sen. Link D, Gurnee/Rep. Currie D, Chicago), County Taxing Authority in Unincorporated Areas - as amended by Senate amendment #1**, provides that a county board of any non-home rule county may tax and regulate places for eating, amusement, theatricals, and other exhibitions, shows, and amusements in unincorporated areas of the county developed pursuant to a special use and subject to the local land resource management plan. A county board of any non-home rule county may enter into intergovernmental agreements with any one or more adjoining municipality for the purpose of implementing these taxes and regulations. Senate amendment #1 provided that this shall not apply to any paid television programming. **This bill is currently assigned to the House Executive committee. Monitor**

**SB 1339 (Sen. Bennett D, Champaign/Rep. Zalewski D, Riverside), Video of Meetings - as amended by Senate amendments #1, 2, and 3**, requires each public body to post video of its meetings on the public body's official website within 2 business days after the scheduled beginning of the meeting. Provides that the posting requirements do not apply to portions of a meeting that are closed under the Act. Requires each public body to retain the video of each meeting on its official website for a period of 2 years after the meeting date or until the meeting has been reduced to minutes or transcripts, whichever is later. Requires each public body must post its meeting agenda on its official website at least 72 hours prior to the meeting, except in the case of an emergency meetings as soon as practicable but prior to the meeting. Provides that the failure of a public body to provide video or to post meeting agendas due to technical difficulties shall not invalidate any meeting or any actions taken at the meeting. Allows an individual who believes these provisions were violated to request a review from the Public Access Counselor. **This bill has passed the Senate but is still in House Rules Committee. Oppose**

**SB 1408 (Sen. Koehler D, Peoria/Rep. Hoffman D, Belleville) Prohibition on certain municipal recycling fees -**, as amended by Senate amendment #5, provides that, except in counties with a population in excess of 1,500,000 residents, specified facilities shall not be subject to annual fees assessed by a unit of local government and that are directly related to the facility's recycling activities in excess of \$2,000. Provides that, except in counties with a population in excess of 1,500,000 residents, specified facilities that have received a beneficial use determination from the Environmental Protection Agency shall not be subject to annual fees assessed by a unit of local government and that are directly related to the facility's recycling activities in excess of \$1,500. **This bill is in the Senate on the Order of Concurrence. Oppose**

**SB 1421 (Sen. Koehler D, Peoria/Rep. Gordon-Booth D, Peoria) Public water and wastewater rates** - provides that a public utility that provides both water and wastewater service may request in a general rate proceeding that the Commission allocate a portion of the public utility's water service revenue requirement for recovery through wastewater base rates or allocate a portion of the public utility's wastewater revenue requirement for recovery through water base rates, and, if requested, the Commission may approve the allocation if it can be shown to be in the public interest. **This bill is on 3rd Reading. Monitor**

**SB 1470 (Sen. Syverson R, Rockford) Amends the Illinois Municipal Code** - provides that a budget officer of a municipality of less than 10,000 may hold another municipal office, either elected or appointed, including, but not limited to, the office of the mayor or president may not receive compensation for both offices. **This bill is in House Cities and Villages. Oppose**

**SB 1547 (Sen. Hutchinson D, Chicago Heights /Rep. DeLuca D, Chicago Heights), Protecting tenants who call police** - as amended by Senate amendments 2 and 3, prohibits a municipality from enacting or enforcing an ordinance or regulation that penalizes tenants or landlords based on: (A) contact made to police or other emergency services, if (i) the contact was made with the intent to prevent or respond to domestic violence, sexual violence, or any non-criminal emergency situation; (ii) the intervention or emergency assistance was needed to respond to or prevent domestic violence, sexual violence, or a non-criminal emergency situation; or (iii) the contact was made by, on behalf of, or otherwise concerns an individual with a disability and the purpose of the contact was related to that individual's disability; (B) an incident or incidents of actual or threatened domestic violence or sexual violence against a tenant, household member, or guest occurring in the dwelling unit or on the premises; or (C) criminal activity or a local ordinance violation occurring in the dwelling unit or on the premises that is directly relating to domestic violence or sexual violence, engaged in by a tenant, member of a tenant's household, guest, or other party, and against a tenant, household member, guest, or other party. Prohibits counties, townships, or municipalities from enacting or enforcing ordinances to penalize landlords or tenants on the basis of the underlying criminal activity or a local ordinance violation not covered by the provisions of this Section or limit or prohibit the eviction of or imposition of penalties against the perpetrator of the domestic violence, sexual violence, or other criminal activity. Removes a provision requiring repeal or modification of prohibited ordinances. Makes similar changes to the Counties Code and the Township Code. Effective 90 days after becoming law. **This bill is in the Senate on Order of Concurrence. Monitor**

**SB 1629 (Sen. LaHood R, Peoria) Intergovernmental agreement for providing garbage invoice** - provides that a municipality with a population of more than 100,000 but less than



1,000,000 may enter into an intergovernmental agreement with the county in which the municipality is situated to provide that the county collector shall include with the property tax bill for each parcel of property within the municipality an invoice for municipal service charges for the disposal of garbage, refuse, or ashes. The municipality shall furnish the invoices to the county collector not less than 15 days before the tax bill is mailed to the property owner and may reimburse the county collector for any necessary expenses associated with mailing the invoices as provided in the agreement. **This bill has passed the Senate but is still in House Rules Committee. Monitor**

**SB 1630 (Sen. LaHood R, Peoria), Defining “abandoned” property - as amended by Senate amendment #2**, allows counties and municipalities to petition the circuit court to have property declared abandoned if the petition contains that the property is not being maintained as shown by the county or municipality having to abate a violation more than 3 times within a 12 month period. **This bill has passed the Senate but is still in House Rules Committee. Monitor**

**SB 1941 (Sen. Hastings D, Matteson/Rep. Currie D, Chicago) Self-inflicted Kill in the Line of Duty** - provides that, in the case of a law enforcement officer, fireman, volunteer fireman, or paramedic, "killed in the line of duty" includes a self-inflicted injury when a mental health professional establishes that the injury was a result of the active duty service of the law enforcement officer, fireman, volunteer fireman, or paramedic. **This bill has passed the Senate but is still in House Rules Committee. Monitor**

### **Bills of Interest – Which are Still Active**

#### **Economic Development**

**SB 1206 (Sen. T. Cullerton D, Villa Park), House amendment #1, amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code.** Provides that where a school district includes all or part of one or more municipalities, a municipality so situated may not implement a redevelopment plan or redevelopment project unless each municipality which shares a school district with the municipality implementing the redevelopment plan or redevelopment project has approved that plan or project by a majority vote of its corporate authority. **This bill is currently on 3rd Reading in the Senate. Oppose**

**SB 1343 (Sen. Connelly R, Wheaton) Property Tax Code** - provides that any county, municipality, village, or township may abate all or a portion of the taxes levied on the property of a qualified tool and manufacturing business located within their jurisdiction. The abatement must be done by passing an ordinance or resolution. Any taxing district located in whole or in part within that county, municipality, village or township may also abate all or a portion of the taxes levied by the taxing district on that property. **This bill is currently assigned to a sub-committee. Monitor**

### **Labor and Pension Issues**

**HB 1380 (Rep. Phelps D, Harrisburg) Prevailing Party Attorney Fees** - Amends the Illinois Public Labor Relations Act. Provides that, unless mutually agreed otherwise, any party to a collective bargaining agreement who fails to timely comply with an arbitration award or who, after timely demand, fails to submit a grievance dispute concerning the administration or interpretation of an agreement to arbitration shall pay to the prevailing party all reasonable costs of the proceeding in the trial and reviewing courts, including reasonable attorneys' fees. Provides that a charging party or person who, pursuant to an application for judicial review of an order of the Board issued in relation to an unfair labor practice proceeding, obtains a stay of the Board's order pending judicial review shall pay all reasonable costs of the proceedings in the reviewing courts, including reasonable attorneys' fees, as determined by the court, in the event the final unappealable decision of the reviewing courts is adverse to the party obtaining the stay. Makes other changes. Effective immediately. **Referred back to House Rules. Oppose**

### **Miscellaneous**

**HB 3293 (Rep. Walsh D, Joliet) Low Carbon Energy Portfolio** - Amends the Illinois Power Agency Act. Requires the Planning and Procurement Bureau to include in procurement plans and competitive procurement processes the procurement of low carbon energy credits (LCE credits) for all of the utilities' retail customers. Sets forth a low carbon portfolio standard. Provides that the procurement plans shall include cost-effective low carbon energy credits from low carbon energy resources in an amount equal to 70% of each electric utility's annual retail sales of electricity to retail customers in the State during the planning year immediately prior to the development of the procurement plan. Specifies that a renewable energy credit, carbon emission credit, or LCE credit can only be used once to comply with a single portfolio standard and cannot be used to satisfy the requirements of more than one portfolio standard. Amends the Public Utilities Act. Allows the electric utility to recover through tariffed charges all of the costs associated with the purchase of low carbon energy credits from low carbon energy resources. Requires electric utilities to

procure low carbon energy credits from low carbon energy resources for all retail customers in its service area in accordance with provisions concerning the low carbon energy portfolio. Requires electric utilities and alternative retail electric suppliers to provide to its customers on a quarterly basis a pie-chart that graphically depicts the quantity of low carbon energy credits from low carbon energy resources procured as a percentage of the actual load of retail customers within its service area. Effective immediately. **This bill remains in House Rules. Monitor**

**SB 1358 (Sen. Silverstein D, Chicago) Amends the Illinois Municipal Code** - provides that an attorney or a corporation counsel appointed under this Section who is retained pursuant to an engagement letter or contract, is not exclusively employed by a single municipality, is not subject to a fixed term of office, and whose compensation is not required to be fixed shall not be deemed a municipal or public officer for purposes of the Illinois Municipal Code, the Public Officers Prohibited Activities Act, or the State Officials and Employees Ethics Act. **This bill is currently assigned to committee. Monitor**

**SB 1380 (Sen. Koehler D-Peoria) Amends the Illinois Municipal Code** - provides that liens obtained for the removal of neglected weeds, grass, trees, and bushes; pest extermination; removal of infected trees; removal of garbage, debris, and graffiti; the costs of removal, securing, and enclosing on abandoned residential property; and the cost of the demolition, repair, enclosure, or removal of dangerous and unsafe buildings or uncompleted and abandoned buildings shall also affix to all real property of the property owner or owners. Further provides that the notice requirements apply to liens against all real property of the property owner. **This bill passed the Senate. Monitor**

**SB 1500 (Sen. Manar D, Bunker Hill) Amends the Illinois Municipal Code** - provides that various documents that are submitted to the Comptroller must be filed within 180 days after the close of a fiscal instead of as soon thereafter as various audits become available. Further changes audit due dates from 6 months to 180 days. **This bill is currently reassigned to Senate Assignments committee. Monitor**

## **Municipal Revenue**

**HB 365 (Rep. DeLuca D, Chicago Heights) Amends the Illinois Income Tax Act** - in annual increments, increases from the amount transferred from the General Revenue Fund to the Local Government Distributive Fund (LGDF) so that on January 31, 2019, 10% of the revenue generated from the personal and corporate income taxes shall be transferred into the fund. Currently, the amount transferred into the LGDF is equal to 10% of the amount

generated by these taxes prior to their increase on January 1, 2011. **Reassigned to the House Revenue Committee. Support**

**SB 2 (Sen. Kotowski D, Park Ridge) Amends the State Finance Act** - provides that no transfers may be made from the General Revenue Fund to certain special funds without additional express authority granted on or after the effective date of this amendatory Act. It provides that the purpose of this Act is to evaluate spending from the General Revenue Fund for Fiscal Year 2016, in order to determine the impact that transfers to certain Funds supported by set statutory formulas, including the Local Government Distributive Fund, have on the cash flow of the State throughout the course of the State's fiscal year. It also provides that beginning on July 1, 2019, all outstanding liabilities, not payable during the 4-month lapse period are limited to only those claims that have been incurred but for which a proper bill or invoice as defined by the State Prompt Payment Act has been received by September 30th following the end of the fiscal year in which the service was rendered. **This bill is currently assigned to committee. Oppose**

**SB 277 (Sen. Steans D, Chicago), Amends the State Business Contracts Act - Senate amendment #1**, creates a Section in the Tax Increment Allocation Redevelopment Act concerning redevelopment projects within a transit facility improvement area. Provides that an ordinance approving a transit facility improvement area redevelopment project expires the 50th calendar year after the date approving the ordinance was adopted. Sets forth percentages of taxes to be allocated toward transit facility improvement area redevelopment projects. **Deadline Extended to May 15. Monitor**

**SB 602 (Sen. Hutchinson D, Chicago Heights), Amends the Economic Opportunity Act Senate amendment #1 (pending)**, provides that the amount to be paid to each county and municipality from the taxes collected by the Department of Revenue pursuant to the Act shall be equal to the taxes and penalties collected during the second preceding calendar month, not including credit memoranda, refunds, and offsets for erroneous payments. Provides that 2% of the balance shall be transferred to the Tax Compliance and Administration Fund (currently, those amounts are deposited into the General Revenue Fund and used to cover the costs incurred by the Department in collecting taxes and penalties under the Act). Provides that, if an ordinance or resolution imposing or discontinuing a tax collected by the Department under the Act is adopted and filed on or before the first day of April, then the Department shall proceed to administer and as of the first day of July next following the adoption and filing of the ordinance. Provides that, if an ordinance or resolution imposing or discontinuing a tax collected by the Department under the Act is adopted and filed on or before the first day of October, then the Department shall proceed to administer and enforce as of the first day of January next following the adoption and filing of the ordinance. Amends the Retailers' Occupation Tax Act. Provides that the

Department of Revenue may furnish certain financial information to a municipality or another home rule unit (instead of municipalities only). **This bill is currently on 3rd Reading in the Senate and the amendment is assigned to the Senate Revenue Committee. Monitor**

**SB 918 (Sen. Brady R, Bloomington), Amends Municipal Budget Law - Senate amendment #1 (pending)**, provides that units of local government where the Federal Emergency Management Agency has denied a request for financial assistance may apply to the Illinois Emergency Management Agency to receive distributions directly from the Local Government Distributive Fund and the Income Tax Surcharge Local Government Distributive Fund for the purpose of reimbursing the unit of local government for eligible costs incurred as a result of a disaster. Provides that, if an application is approved, distributions to other municipalities and counties from the Local Government Distributive Fund and the Income Tax Surcharge Local Government Distributive Fund shall be reduced accordingly. **Oppose**

**SB 1801 (Sen. Kotowski D, Park Ridge) Amends the Hotel Operators' Occupation Tax -** provides that proceeds from the Hotel Operators' Occupational Tax shall be deposited into the Tourism Promotion Fund. Provides that those moneys shall be used by the municipality in which a local convention center is located to reimburse the local convention center for the amount of qualified incentives provided by the convention center. **This bill is currently assigned to committee. Monitor**

**SB 1815 (Sen. McCarter R, Vandalia) Amends the Township Code -** makes various changes to provisions authorizing a municipality to establish the monthly rate charged for the use of a waterworks system or sewerage system or a combined waterworks and sewerage system. Authorizes a municipality to impose, upon a user who is outside of the municipality's geographical boundaries or the municipality's facility planning area, a 25% surcharge above the monthly user rates charged to users who are within the municipality. Authorizes a municipal board to impose fees for connection to a sewerage system in amounts based on the size of the water meter to be installed. This bill will significantly restrict what a municipality can charge for connecting to sewer and water systems. The bill also limits what a municipality may charge outside of their jurisdiction. **The sponsor has a pending amendment to remove municipalities from the bill. Oppose**

## **Police and Fire Issues**

**SB 65 (Sen. Silverstein D, Chicago) creates the Reasonable Use of Force Act -** by providing that peace officers shall use an amount of force reasonably necessary based on the totality of the circumstances to perform a lawful task, effect an arrest, overcome

resistance, control a subject, or protect themselves or others from injury. The bill prohibits reducing a person's ability to breathe due to chest compression, positing a person in any manner that restricts free breathing, or placing a person on his or her stomach unless necessary to overcome resistance and obtain control of a person or to protect themselves or others from injury. This bill also prohibits the use of chokeholds by peace officers and private security contractors unless deadly force is justified and provides that peace officers shall monitor an arrestee and seek medical attention for an arrestee after they have obtained control of a person and the person has been arrested. **This bill is currently assigned to a sub-committee. Monitor**

**SB 71 (Sen. Collins D, Chicago) Creates the Law Enforcement Officer-Involved Death Review Act** - provides that each law enforcement agency shall adopt a policy regarding the investigation of law enforcement officer-involved deaths, and provides policy requirements, investigators qualifications, and compensation. The bill provides for the publication of reports of investigations when the law enforcement officer involved in the death that was investigated is not indicted for or charged with a criminal offense. **This bill is currently assigned to a sub-committee. Monitor**

**SB 80 (Sen. Manar D, Bunker Hill) Amends the Counties Code** - provides that the State's Attorney shall request the appointment of a special prosecutor for officer-involved deaths, and provides that the Illinois Supreme Court may make such rules as they deem necessary and expedient to guide or limit courts in appointing special prosecutors for officer-involved deaths. **This bill is currently assigned to a sub-committee. Monitor**

**SB 710 (Sen. Bivins R, Dixon) Amends the Law Enforcement Camera Grant Act** - allows grants to be used to purchase and support use of video cameras for law enforcement and for training officers. **This bill currently assigned to committee. Monitor**

**SB 817 (Sen. T. Cullerton D, Villa Park) Amends the Downstate Firefighter Article of the Illinois Pension Code** - provides that a firefighter shall be considered "on duty" and engaged in an "act of duty" while on any assignment approved by the chief of the fire department, including participation in training activities designed to enhance the skills and abilities of the firefighter, whether within or away from the municipality he or she serve, if the assignment is related to the fire protection service of the municipality. The bill also provides that such activity shall continue to be considered an "act of duty" even if performed without compensation. **This bill is currently on 3rd Reading in the Senate. Oppose**

**SB 1351 (Sen. Munoz D, Chicago) Creates the Automated License Plate Recognition System Data Act** - provides a law enforcement agency may only use recorded automated license plate recognition system (ALPR) data and historical ALPR system data for a



legitimate law enforcement purpose. Law enforcement agencies using an automated license plate recognition system must adopt a policy governing use of the system; a privacy policy to ensure that data is not used or shared in violation of this Act; adopt audit procedures relating to use of system data; and adopt a comprehensive training program for agency employees. Law enforcement agencies must report to the Department of State Police requests for data, any data breach, and audit results. Data obtained in violation of this Act is inadmissible in a court or administrative proceedings. Prohibits less restrictive local regulation, including home rule units and exempts this date from the Freedom of Information Act. **This bill is currently assigned to committee. Monitor**

## **Property Tax**

**SB 656 (Sen. Murphy R, Palatine) Amends the Property Tax Code** - caps property taxes between taxable year 2015 and taxable year 2017 to the total amount due for that property in taxable year 2014. **This bill is currently assigned to a sub-committee. Oppose**

**SB 690 (Sen. Murphy R, Palatine) Amends the Property Tax Code** - provides that no increase in assessment may exceed 2% per year, and there will be exceptions for the valuation of property that is sold, transferred, or conveyed during the taxable year and for new improvements. **This bill is currently assigned to a sub-committee. Oppose**

## **State Regulation and Preemption (Mandates)**

**SB 762 (Sen. Sandoval D, Cicero) Amends the Local Governmental and Governmental Employees Tort Immunity Act** - provides that a local public entity is not liable for damages to property caused by climate-related events, flooding, or the design, construction, or improvement of infrastructure intended to mitigate climate-related events or flooding. **This bill is currently assigned to committee. Monitor**

**SB 1508 (Sen. Sandoval D, Cicero) Amends the Environmental Protection Act** - provides that "pollution control waste", "sludge", and "waste" do not include exceptional quality biosolids. **This bill is currently on 3rd Reading in the Senate. Monitor**

**SB 1638 (Sen. Connelly R, Wheaton) Creates the Private Electronic Communications Protection Act** - prohibits the State or units of local government from using a person's private electronic communication or data held by a third-party computer service or communications common carrier in any judicial, criminal, civil, or administrative proceeding,

unless the person's private electronic communication or data was obtained by a court issued search warrant, order authorizing use of an eavesdropping device, or order authorizing interception of private communications. Provides an exception if consented to by the sender and recipient of the private electronic communication or if obtained under a constitutionally authorized exception to the search warrant requirement. Makes any private electronic communication obtained in violation of this requirement inadmissible in any judicial, criminal, civil, or administrative proceeding. **This bill is currently assigned to a sub-committee. Monitor**