
LEGISLATIVE SUMMARY

99TH ILLINOIS GENERAL ASSEMBLY



2015

ILLINOIS ASSOCIATION OF COUNTY BOARD MEMBERS

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Springfield, Illinois 62704
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November 2015

The 99th Illinois General Assembly is in continuous session. This summary report includes bills that were approved by the General Assembly that either affect, or are of interest, to county governments as of October 30, 2015. The synopsis of each bill is extremely brief and may not encompass the full content or impact of the legislation. For full meaning, you can obtain “enrolled” bill text on the Illinois Legislative Information System website at www.ilga.gov.

The Illinois Constitution provides that each bill passed by the General Assembly shall be presented to the Governor within 30 days of its passage. The Governor has 60 days from that date in which to act on a bill by either signing it into law, amending it, or vetoing the bill in its entirety. If the Governor chooses not to act on the legislation it automatically becomes law after the 60 day period. Public Act numbers are included in this report for bills already signed into law by the Governor. Measures that are amended or vetoed may be considered by lawmakers during the continuous session, Veto Session (*if scheduled*) or as special sessions may be called.

We want to thank the IACBM legislative committee and all of our members who stayed involved with these important issues and who took the time to share their views with state lawmakers. There is still much work to be done the remainder of this year. We will continue to keep you informed of important information as it is made available.

If you have questions about any legislation or statute please contact the IACBM office. We welcome your comments and suggestions.

TABLE OF CONTENTS

Animal Control	7	Meetings	7
Cannabis	11	Municipalities & Special Districts	6
Concealed Carry	11	Oil & Gas	13
Cook County Government	10	Records	14
County Government	5	Recycling	11
Courts & Law Enforcement	9	State Government	3
Elections	4	Taxes, Fees and Exemptions	8
Environment	12	Telecommunications	11
Freedom of Information	7	Townships	13
Health & Human Services	8	Transportation	14
Juveniles	12	Utilities	12
Labor	7	Veterans	13
Local Government	4	Wind Energy	12

State Government



HB 317 (P.A. 99-0001) **FY2015 BUDGET FIX**

A one-time emergency budget fix allowing the Governor to move money around to patch a \$1.6 billion in the FY15 budget. The plan allowed for funding of court reporters, correctional workers, and child care programs. Failure to pass this fix would have resulted in layoffs and the loss of critical state services.

HB 318 (P.A. 99-0002) **FY2015 BUDGET FIX**

Provides the appropriations authority as part of the one-time emergency FY15 budget fix.

HB 373 (P.A. 99-0003) **OBAMA LIBRARY / GEORGE LUCAS MUSEUM**

Gives the City of Chicago legal authority to build the President Barack Obama Presidential Library. Also adds language allowing for the George Lucas Museum to be constructed by the City on public park land.

HB 422 (P.A. 99-0232) **PENSION SYSTEM ANALYSIS**

Requires the actuary of each of the five State-funded systems to conduct an investigation of the system at least once every 3 (rather than 5) years.

HB 576 (P.A. 99-0355) **COLA FOR LAWMAKERS**

Rolls back the FY16 COLA for legislators and freezes mileage and per diem at FY15 rate.

HB 1361 (P.A. 99-0097) **RENTAL HOUSING SUPPORT PROGRAM**

Requires that geographic distribution of funds for the Rental Housing Support Program shall come solely from its annual receipts. IHDA must also perform reconciliations of all funds made in connection with the RHS program.

HB 1362 (P.A. 99-0034) **LAND MAINTENANCE PROCUREMENT**

Requires all state agencies responsible for maintenance of public lands to review their procurement specifications and policies to determine if incorporating compost materials will help reduce stormwater run-off and increase infiltration of moisture in land maintenance activities. Also requires them to submit a report to the General Assembly by December 2015 stating their recycled content usage and potential for additional usage in land maintenance activities.

HB 2731 (P.A. 99-0086) **MEDICAID DATA REPORTS**

Requires Health and Family Services to publish monthly reports on its website on the enrollment of persons in the state's medical assistance program and the enrollment of recipients into a Medicaid Managed Care Entity.

HB 3311 (P.A. 99-0087) **PUBLIC AID DEATH RECORDS**

Requires DHS to at least once per month cross-reference its roster of public aid recipients with the death records information from the Department of Public Health.

HB 3389 (P.A. 99-0459) **COMPTROLLER DEADLINE**

Clarifies that the deadline to submit documents to the Comptroller is 180 days instead of six months.

HB 3556 (P.A. 99-0452) **BUSINESS DISTRICT DEVELOPMENT**

Allows a municipality to utilize up to 1% of the revenue from a business district retailers' occupation tax and service occupation tax, and a hotel operators' occupation tax, in connection with one business district for eligible costs in another business district.

HB 3560 (P.A. 99-0155) **RENEWABLE ENERGY TASK FORCE**

Creates the Renewable Energy on State-Owned Properties Task Force to consider whether it is feasible and economic to install and maintain renewable energy facilities on state-owned properties.

HB 3840 (P.A. 99-0158) **EQUAL OPPORTUNITY TASK FORCE**

Creates the "Equal Opportunity Task Force" to examine barriers to economic opportunity in economically depressed communities; issues that discourage local investment and business development; local community concerns; and current economic conditions. The task force is to take these factors into consideration to develop a comprehensive economic policy for all size businesses.

HB 4166 (P.A. 99-0007) **CAPITAL PROJECT FUNDS**

Appropriates almost \$20 billion for capital projects. Considered a "bare bones" capital bill, it represents projects with an imperative need to be completed, or projects that are vital to Illinois' roads, bridges and rail systems.

SB 44 (P.A. 99-0392) **UNMANNED AERIAL SYSTEM TASK FORCE**

Creates the Unmanned Aerial System Oversight Task Force to examine the impact of drones on a number of different current regulations under State law, including privacy, public safety, environment, and others.

SB 398 (P.A. 99-0046) **LIQUOR CONTROL REGULATIONS**

Permits hotels to obtain only one liquor license to operate across multiple facilities. Ends Sunday sales prohibition. Gives local liquor commissions the ability to grant 100-foot rule exemptions. Authorizes retailers to sell house-infused

State Government *continued*



spirits (subject to specific health regulations). Requires all alcohol servers in the State of Illinois to complete basic responsible alcohol service training and establishes "prohibited happy hour rules."

SB 564 (P.A. 99-0218) **AGENDA TRANSPARENCY**

Requires the Governor's Office of Boards and Commissions to establish an online section that an individual could subscribe to receive email notices of meetings of each board and commission and the meeting's agenda. The site would also contain a listing of all meeting times and agendas for each board and commission. All emails and posting notices must be completed at least 48 hours in advance.

SB 784 (P.A. 99-0135) **MARION LAND CONVEYANCE**

Authorizes CMS to convey land that is the unused frontage of the State's Regional Office Building in Marion to the Rides Mass Transit District for \$1. If the land ever ceases to be used for public purposes, title shall revert without further action to the State. Rides Mass Transit District intends to use the property to erect a transfer station and parking for the local bus system.

SB 842 (P.A. 99-0008) **BUDGET IMPLEMENTATION**

One of four budget implementation (BIMP) bills to implement the FY16 budget. Contains BIMP language for elements of state system pension funding. Also, contains enhanced intercept language for failure of local employers to make pension payments.

Local Government

HB 228 (P.A. 99-0353) **UNITS OF LOCAL GOVERNMENT BAN**

Prohibits the General Assembly from creating any new form of local government. Includes any General Assembly action to divide any existing local governments into two units. Prohibition sunsets in 4 years.

SB 740 (P.A. 99-0205) **FIRE HYDRANTS**

States that whoever fails to comply with the Fire Hydrant Act within 30 days after a written notice has been issued from the unit of local government in which the hydrant is located within, is responsible for all reasonable costs, including attorney's fees, that the unit of local government incurred to correct the noncompliance.

SB 903 (P.A. 99-0393) **COMPTROLLER LEDGER**

Codifies the "Online Ledger" and "The Warehouse" under the State Comptroller. These are repositories for the storage of any reports submitted by local governmental units to the Comptroller and a database of all of the State's transactions. This bill removed the local government requirement of posting a link to "The Warehouse" on its website.

SB 1102 (P.A. 99-0461) **EMPLOYEE INDEMNIFICATION**

Prohibits representation or indemnification of any State employee in criminal proceedings. Allows a local public entity to reimburse an employee for reasonable defense costs only if arising out of and directly related to official duties or under color of authority and the action is dismissed or results in a final disposition in favor of that employee.

Elections



SB 82 (P.A. 99-0091) **SCHOOL BOARD ELECTIONS**

Provides that for community unit school districts formed before January 1, 1975 and combined school districts formed before July 1, 1983, a proposition to change to an at large school board without restriction by area of residence can be approved by either 1) a majority of those voting in each congressional township in the area comprising the school district or 2) by two-thirds of those voting in the election.

SB 1265 (P.A. 99-0221) **CONGRESSIONAL VACANCIES**

The Election Code is amended to modify the time frame for holding a special election to fill a vacancy in the office of representative in Congress. If a vacancy occurs in the office of representative in Congress more than 240 days (now 180 days) before the next general election, the Governor shall issue a writ of election within 5 days after the occurrence of the vacancy appointing a day within 180 days of issuance of the writ for a special election to fill the vacancy. Petitions for established party candidates will be filed between the 85th and 82nd day (now between the 54th and 50th day) prior to the date of the special primary election and petitions for independent candidates will be filed between the 93rd and 90th day prior to the date of the special election (now between the 68th and 64th day prior to the special election).

County Government



HB 299 (P.A. 99-0010)

SHERIFF MERIT COMMISSION

Provides that no court security officer shall be subject to the jurisdiction of a Sheriff's Merit Commission unless the officer was hired through the Sheriff's Merit Commission's certified applicant process.

HB 2474 (P.A. 99-0273)

BUDGET HEARING

Requires counties to have a public meeting on the annual budget and provide to the public, copies of that budget at that meeting at least 15 days before final action on that budget. Notices pertaining to the budget meeting shall be posted on the county's website, if it maintains one.

HB 2580 (P.A. 99-0237)

REDUCED WEIGHT LIMITS ON ROADS

Sets a process for county highway commissioners to impose reduced vehicle weight limits on roads.

HB 3104 (P.A. 99-0356)

COUNTY BUDGET APPROPRIATIONS

Permits the transfer of money between funds without a vote of the board, as long as the transfer does not impact the total amount appropriated for the year, and as long as these transfers do not affect personnel or capital which require a two-thirds vote.

HB 3241 (P.A. 99-0115)

LAND CONVEYANCE

Authorizes IDOT to convey certain land or release from easement in Madison, Tazewell, and Whiteside counties.

HB 3538 (P.A. 99-0405)

POKER RUNS

Allows bona fide non-profit organizations to hold poker runs. Requires county government (Cook County is exempt from this mandate) to establish a system for the licensing of organizations to operate poker runs. Removes the requirement that poker runs by an organization be under the supervision of a single manager designated by the organization and associated bond requirements.

HB 3812 (P.A. 99-0280)

TRANSPORTATION SAFETY HIGHWAY HIRE-BACK

Allows counties to use a portion of the money in its Transportation Safety Highway Hire-back Fund to purchase equipment for county law enforcement and fund the production of materials to educate drivers on construction zone safe driving habits.

SB 86 (P.A. 99-0018)

PAYMENT COLLECTION

Allows a state's attorney to retain attorneys and private collection agencies to collect for the county a defaulted payment or installment of an imposed fine/penalty.

SB 87 (P.A. 99-0019)

CAPITAL FUND

Allows a county to accumulate an amount not to exceed 3% of the equalized assessed value of property subject to taxation by the county (rather than 5% of the amount appropriated to the county's general corporate or operating fund) for capital improvements, repairs, or replacements.

SB 509 (P.A. 99-0360)

CIGARETTES CONTRABAND STAMP

Provides that any cigarette lacking a city or county tax stamp should be considered a "contraband cigarette."

SB 663 (P.A. 99-0408)

CORONER TRAINING BOARD

Transfers the oversight of coroner training from the Law Enforcement Training Standards Board to a new Coroner Training Board the authority to establish application, training, and certification standards for coroners.

SB 780 (P.A. 99-0164)

HOMESTEAD PROPERTY SALES

Removes the provision of notifying the county assessment officer of the sale or transfer and provides that in the event a homestead property is sold or transferred the new owner, if qualified, will apply for the general homestead exemption. Amends the Property Tax Code to provide in Cook County when a homestead property is sold or transferred the new property owner will notify the chief county assessment officer and, if qualified, will reapply for the general homestead exemption. Once the assessment officer receives the notice or the application the officer will remove any previously granted homestead exemptions for which the property is no longer eligible.

SB 809 (P.A. 99-0208)

PROSECUTORS

In regards to the Office of the State's Attorney's Appellate Prosecutors, makes changes related to board representation, employment of part-time investigators, cooperation of investigators with local law enforcement; and the time frame for allocation of county shares of the expenses to participating counties in proportion to population.

SB 1630 (P.A. 99-0269)

KANE COUNTY FACILITY

Authorizes the Kane County Board to impose a judicial facilities fee to be used for the building of new judicial facilities. The fee will be imposed on both civil and criminal cases and is not to exceed \$30.

SB 1734 (P.A. 99-0169)

STATE'S ATTORNEY INVESTIGATORS

Allows State's Attorneys to use special investigators for service of process and a court may charge the special investigator's service fees as costs in the proceeding.

Municipalities & Special Districts



HB 220 (P.A. 99-0004)

FIRE PROTECTION DISTRICT – RESCUE TAX

Provides that a board of trustees of a fire protection district may submit a question to increase the current special tax rate for the purpose of providing funds to pay the costs of emergency and rescue crews and equipment to the voters of the fire protection district by referendum. Also provides that Adams County may impose a public safety retailers' occupation tax and service occupation tax at the rate of 0.25%, as provided in the referendum approved by voters on April 7, 2015.

HB 405 (P.A. 99-0053)

PARK DISTRICT LAND SALES

Notice of an application for the sale of park district land not exceeding 3 acres shall be given at least ten days before the day of the hearing on the application.

HB 1363 (P.A. 99-0271)

PARK DISTRICT PROGRAMS

Allows park districts to jointly create recreational programs with non-contiguous units of government (school districts).

HB 3273 (P.A. 99-0014)

OLD TOWN SANITARY DISTRICT

Dissolves the Old Town Sanitary District of Cook County and transfers the function of the sewer district and current property tax levy to the municipalities it serves: Prospect Heights, Arlington Heights, Wheeling, and Mt. Prospect.

HB 2744 (P.A. 99-0292)

BOUNDARY LINE CONTRACT

Provides that a jurisdictional boundary line agreement between two municipalities is not in conflict with other agreements with a third municipality as long as it doesn't affect the boundaries of the third municipality.

HB 2745 (P.A. 99-0293)

JUDGMENT LIEN

The Municipal Code is amended to give Non-Home Rule municipalities the authority to record an Administrative Adjudication Judgment (lien) against a defendant's property. Home-Rule municipalities currently have this authority.

HB 3444 (P.A. 99-0449)

ELECTIVE OFFICE

Removes a provision that prevented an individual from holding municipal office if that person, at any time during the term of office, owes payment to the municipality. Establishes protocol for dealing with a situation where a municipal officer fails to pay a debt to the municipality.

HB 3747 (P.A. 99-0183)

FAIR AND EXPOSITION AUTHORITY

Eliminates the Fair and Exposition Authority in DuPage County that was established in 1999.

SB 369 (P.A. 99-0063)

LAND ANNEXATION

Provides that municipalities may annex a parcel of land less than one acre if it would be contiguous to the municipality but separated by a forest preserve district, federal wildlife refuge, open land/space, or conservation area.

SB 376 (P.A. 99-0132)

COOK COUNTY FOREST PRESERVE POLICE

Provides that when Cook County Forest Preserve Police are outside the limits of their territory, either leased or licensed by the district and have easement rights, they will act in aid of regular police force of any such city or village. They shall then be subject to the direction of its chief of police, city or village marshals, or other head thereof.

SB 379 (P.A. 99-0313)

BUILDING ALTERATIONS

Pertains to the Cook County Forest Preserve District. Provides that all codes, rules, and regulations that govern land use, construction, and alteration of buildings, structures, parts and appurtenances that are adopted by the county board in which the district is located shall apply to all construction projects on property owned by the district.

SB 791 (P.A. 99-0219)

FOREST PRESERVE DISTRICT

Provides that a forest preserve district may lease or sell (currently, only lease) all or part of a building or ancillary real estate if the board deems the building or other real estate is not then required for the district's purposes. Changes the maximum lease term to 10 years (currently, 40 years). Further provides that the lease shall expressly state that a non-exempt lessee is liable for the payment of any property taxes.

SB 1470 (P.A. 99-0386)

BUDGET OFFICER

Provides that mayors/village presidents of municipalities with a population of fewer than 10,000 people may also serve as the budget officer. However, if a mayor or village president is also serving as the budget officer, they shall not receive compensation for both offices.

SB 1523 (P.A. 99-0186)

LIBRARY FUNDING

Provides that grant funding awarded to a library system may also be expended for the provision of services to other library systems if such expenditure is included in a library system's plan of service and approved by the State Librarian. If state appropriations to libraries fail to meet the \$1.25 per capita amount in statute then funding must be decreased proportionally so all public libraries are awarded the same amount per capita; if appropriations are more than \$1.25 per capita then the funding must be increased proportionally as well.

Animal Control

HB 352 (P.A. 99-0033) BOBCAT HUNTING

Amends the Wildlife Code to allow bobcat hunting in Illinois during a set season (November 1-February 15).

HB 4029 (P.A. 99-0310) ANIMAL WELFARE OWNER ID

Requires animal control facilities to check for microchips and other ID means to determine owner. If an owner is identified, the facility must contact via mail at least seven business days before transfer, foster home, or euthanasia. Before transfer, foster home, or euthanasia the facility is required to check a second time for microchip and make sure original information obtained, if any, was correct.

SB 125 (P.A. 99-0311) HUMANE CARE FOR ANIMALS

No owner of a dog or cat that is a companion animal may expose the dog or cat in a manner that places the dog or cat in a life-threatening situation for a prolonged period of time in extreme heat or cold conditions that results in injury to or death of the animal.

SB 1735 (P.A. 99-0321) IMPOUNDMENT LARGE ANIMALS

Amends Humane Care for Animals Act; in cases where a county has no facilities capable of taking companion animals that are being abused, the authorities (animal control, law enforcement, etc.) may utilize the on-site impoundment of the animals, pursuant to a court order of the property owner.



Meetings

HB 175 (P.A. 99-0402) OPEN MEETINGS ACT

Provides that if facts concerning a violation of the Open Meetings Act are not discovered within the 60 day period where a requester can seek review by the Public Access Counselor, but are discovered at a later date, not exceeding 2 years after the alleged violation, by a person utilizing reasonable diligence, the request for review may be made within 60 days of the discovery of the alleged violation.

HB 1498 (P.A. 99-0235) CLOSED MEETINGS EXEMPTIONS

Allows a public body to hold closed meetings if the entity is discussing either school safety/security or patient quality and safety reports for a hospital or medical institution that is operated by the state or provides care on behalf of the state.

FOIA



HB 303 (P.A. 99-0478) SEVERANCE AGREEMENTS

Subjects all severance agreements involving government employees to public scrutiny and accountability by making them accessible through the Freedom of Information Act (FOIA). Introduced in response to a lucrative severance package awarded to a college president following a closed meeting held by college trustees; the \$763,000 settlement received little, if any, public review.

HB 3895 (P.A. 99-0298) FOIA DISCLOSURE

Exempts from disclosure records requested by persons committed to or detained by the Dept. of Human Services under the Sexually Violent Persons Commitment Act or committed to the Dept. of Corrections under the Sexually Dangerous Persons Act if those materials: (i) are available in the library of the facility where the individual is confined; (ii) include records from staff members' personnel files, staff rosters, or other staffing assignment information; or (iii) are available through an administrative request to DHS or DOC. Also amends FOIA to provide that the provisions regarding arrest reports and criminal history records do not supersede the confidentiality provisions for law enforcement or arrest records of the Juvenile Court Act.



Labor

SB 38 (P.A. 99-0017) MINIMUM WAGE LAW – OVERTIME

An initiative of the Illinois FOP Labor Council. Provides that overtime compensation provisions of the Law do not apply to any employee who is a member of a bargaining unit recognized by the Illinois Labor Relations Board and whose union has contractually agreed to an alternate shift schedule as allowed by specified provisions of the Fair Labor Standards Act of 1938. The Minimum Wage Law currently requires all employers to pay 1 1/2 times the regular rate of pay when working over 40 hours in a week.

SB 1805 (P.A. 99-0369) WORKERS COMPENSATION REQUIREMENTS

Provides for Personnel Employer Organization to meet certain guidelines for workers compensation insurance. Removes one of the options that determines the size of deductible that can be offered to no greater than 20% (rather than to 20%) of the total net worth of the policyholder. Includes security agreements which provide for the policyholder to bear the risk of loss of \$100,000 or greater (rather than a specified amount) per claim or occurrence.

Taxes, Fees and Exemptions



HB 2547 (P.A. 99-0274) **MOBILE HOME VIN**

Provides that the annual tax judgment, sale, redemption, and forfeiture record for mobile homes must contain the Vehicle Identification Number (VIN) if known. This would allow the county treasurer to proceed with processing the pertinent mobile home documentation.

HB 2554 (P.A. 99-0098) **PROPERTY TAX COMPLAINTS**

Provides that complaints and other written correspondence concerning any property that is overassessed or under-assessed sent by the United States mail shall be considered filed as of the postmark date. Provides that complaints and other written correspondence sent by a delivery service other than United States mail shall be considered as filed as of the date sent. Provides that a taxing district wishing to intervene shall file a request with the board of review at least five days in advance of a scheduled hearing.

HB 3672 (P.A. 99-0075) **RECORDER FRAUD ALERT**

Standardizes the process for property owners to sign up for Cook County's property fraud alert system. Requires real estate professionals to register with the recorder's office before filing on behalf of property owners.

SB 107 (P.A. 99-0375) **HOMESTEAD EXEMPTION**

Defines "accessibility improvement" as a home modification listed under the Home Services Program administered by DHS as well as, provides to end the assessed valuation freeze 7 years after the improvements to the residential property are completed. Also provides for 2015 and after, a three-tiered system be used for determining the value of the disabled veterans homestead exemption.

SB 792 (P.A. 99-0367) **TRUTH IN TAXATION NOTICE**

If a taxing district has a website maintained by the full-time staff of the taxing district, then the notice shall be posted on the website in addition to the other requirements of this Section. 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.

SB 1608 (P.A. 99-0335) **UPIA – FAILURE TO FILE**

Eliminates a potential double penalty for the failure to file sales tax receipts. Provides a mechanism that allows a county treasurer to reimburse another county if a multi-county taxing district over appropriates taxing burden.

Health & Human Services



HB 1 (P.A. 99-0480) **HEROIN ABUSE**

A comprehensive package of legislation designed to address heroin and opioid abuse and addiction in Illinois. Provisions of the bill include strengthening the Prescription Drug Monitoring Program; increasing the availability of lifesaving overdose antidote drugs; enhancing criminal penalties for "doctor shopping;" establishing medication take-back programs; and expanding statewide heroin and opioid specific education programs.

HB 2462 (P.A. 99-0430) **LONG-TERM CARE FACILITY MONITORING**

Allows for residents of long term care facilities to use an audio or video surveillance system in his or her room at the resident's expense. Residents are required to provide written consent for these monitors.

HB 3184 (P.A. 99-0256) **FIRST RESPONDER ASSAULT PENALTIES**

Enhances the penalty for aggravated assault of a peace officer, fireman, emergency management worker, or emergency medical technician.

HB 3334 (P.A. 99-0295) **RESCUE SQUAD DISTRICTS ACT**

Allows the voters within a Rescue Squad District to petition for and approve a referendum to have an elected instead of an appointed board of trustees. If the referendum is approved, the appointed members of the board will continue until their successors are elected and qualified.

HB 3988 (P.A. 99-0160) **FALSE 9-1-1 CALL**

Requires reimbursement where a person makes a false 911 call knowing there is no reasonable ground for making the call or transmission and further knows that the call or transmission could result in the emergency response of any public safety agency. Caps reimbursement at \$10,000.

SB 621 (P.A. 99-0040) **OSCILLATING LIGHTS – EMS**

Provides for the use of red or white oscillating, rotating, or flashing lights on vehicles which are occasionally used as rescue vehicles and authorized for use as rescue vehicles by a volunteer EMS provider.

Courts & Law Enforcement



HB 233 (P.A. 99-0354) **HOMICIDE DNA TESTING**

Requires the County Coroner to properly preserve evidence from a death investigation if appropriate equipment is available and release it to the investigating agency no later than 30 days after collection. Requires the police agency receiving that evidence to submit the specimens to a National DNA Index System laboratory within the State.

HB 2673 (P.A. 99-0179) **INVOLUNTARY TREATMENT**

Gives the circuit court jurisdiction over all persons alleged to be in need of involuntary administration of psychotropic medication or electroconvulsive therapy, whether or not they are charged with a felony. The prohibition on filing involuntary commitment petitions regarding persons charged with a felony is retained.

HB 3152 (P.A. 99-0060) **DRUG DESTRUCTION DEVICE**

Permits a law enforcement agency to dispose of controlled substances on location in a "drug destruction device," rather than transport and pay for the destruction by the State Police.

HB 3270 (P.A. 99-0415) **HEALTHCARE FOR THE INCARCERATED**

Provides that the Department of Healthcare and Family Services cannot deny a person's application for medical assistance solely because that person has become or is an inmate of a public institution, including, a county jail, juvenile detention center, or State correctional facility. Requires the Department of Corrections to provide application assistance to the inmate and requires the inmate to be uninsured to have the opportunity to apply for Medicaid.

HB 3620 (P.A. 99-0133) **COURT INTERPRETERS FOR CIVIL CASES**

Requires appointment of language interpreters for witnesses and parties in civil cases. Definition of "interpreter" includes a sign language interpreter.

HB 3704 (P.A. 99-0102) **JURIES – REMOVAL AND DISABILITY**

In Sections of the Jury Act concerning removal of prospective jurors due to total and permanent disability, provides that proof of total and permanent disability may be submitted in the form of copies of school special education individual education programs. The county board, jury administrator, or jury commissioners shall notify a prospective juror, or his or her legal guardian, when the juror is permanently excluded from all current and subsequent jury lists or general jury lists due to total and permanent disability. Total and permanent disability does not include an impairment or disease that is transitory or minor in nature or is capable of being improved.

HB 3785 (P.A. 99-0259) **COUNTY JAIL GOOD BEHAVIOR**

Changes existing provision that no committed person may be penalized more than 30 days of good behavior allowance for any one infraction by providing that if the infraction is the second or subsequent infraction within any 30-day period, then the committed person may not be penalized more than 60 days of good behavior allowance.

HB 3884 (P.A. 99-0241) **GOOD CONDUCT SENTENCING CREDIT**

Gives an additional 30 days of sentence credit to any prisoner who passes their high school equivalency testing while in the Department of Corrections or while they are being held in pre-trial detention (county jail) prior to the current commitment to the Department of Corrections.

HB 3933 (P.A. 99-0281) **ACCESS TO JUSTICE ACT**

Enables the Equal Justice Foundation to create the Illinois Access to Civil Justice Council. Orders the development of a pilot program to provide court-based legal services. Creates funding by adding a \$2 surcharge on all initial filings and initial pleadings in civil cases.

HB 4089 (P.A. 99-0215) **MENTAL HEALTH TRACKING**

Whenever a prisoner is transferred to the custody of the Department of Human Services from a county jail, the warden of the jail shall supply DHS with information as to the prisoner's sentence, physical and mental history, security or threat risks, and other specified information.

HB 4090 (P.A. 99-0216) **MENTAL HEALTH CONFIDENTIALITY**

Provides that certain records may be disclosed to law enforcement in connection with a person who has left a facility without being discharged or free to do so.

HB 4097 (P.A. 99-0244) **MISSING PERSONS IDENTIFICATION ACT**

Provides that no law enforcement agency may refuse to accept a missing person report on the basis of the missing person's mental state or medical condition.

SB 764 (P.A. 99-0246) **AED MANDATE**

Requires all county sheriff's offices and municipal police departments that employ over 100 police officers comply with the AED Act and be equipped with an AED.

SB 804 (P.A. 99-0256) **COURT SERVICES FEE**

Allows a higher court services fee (not to exceed \$25) if the fee is supported by an acceptable cost study. The fee must be used to defray court security expenses.

Courts & Law Enforcement *continued*



SB 1304 (P.A. 99-0352)

BODY CAMERAS

Establishes rules and regulations for the use of officer-worn body cameras and implements a package of police reforms. **Police reforms:** Prohibits police from using chokeholds, except when deadly force is justified; requires an independent review of officer-involved deaths, and makes investigation reports part of the public record if an officer involved in a death is not charged with a crime; expands police officer training to include topics like use of force; creates a database of officers who have been fired or resigned due to misconduct. **Body camera regulations:** The bill does not require police departments to use body cameras. If they choose to do so, officers must keep their cameras on when conducting law enforcement activities. Officers would be allowed to turn the camera off when talking to a confidential informant, or at the request of a victim or witness. Requires officers to let people know they are recording if they enter a home. Videos will be kept for 90 days, unless flagged for specific reasons. Allows for grants via a \$5 fee increase for each \$40 on criminal and traffic offenses, to go toward cameras and new training.

SB 1308 (P.A. 99-0093)

PROBATE CITATIONS RECOVER

Allows the court to issue a citation, pursuant to any civil cause of action, for the appearance of any person who may have had assets in his or her possession and of any person who may be liable to the estate of a ward.

SB 1389 (P.A. 99-0094)

FACILITATED COURTROOM TESTIMONY

Allows the court to set conditions it finds just and appropriate, including the use of therapy and service animals, for taking the testimony of a child victim or disabled victim in certain sex offense cases.

SB 1441 (P.A. 99-0438)

TOWING COMMERCIAL VEHICLES

Prohibits tow truck drivers from removing commercial vehicles under their own power unless authorized to do so by a law enforcement officer. Requires all law enforcement departments that patrol highways (excluding Chicago) to create a tow list to regulate towing in their jurisdictions.

SB 1547 (P.A. 99-0441)

POLICE CONTACT BY TENANTS

Prohibits local governments from enacting ordinances and imposing penalties based on number of calls to police from residential properties.

SB 1688 (P.A. 99-0095)

VITAL RECORDS ACT

Authorizes certification or a certified copy of a birth certificate to be issued upon the specific written request of a State's Attorney for the purpose of criminal prosecution.

Cook County Government



HB 356 (P.A. 99-0425)

DRUG TESTING PILOT PROGRAM

Creates the Cook County Drug Analysis Field Test Pilot Program Act. The Superintendent of Police for the City of Chicago shall create a pilot program that allows officers to use drug analysis field test devices for use in the Circuit Court of Cook County to determine whether a recovered substance is illegal cannabis, cocaine, or heroin. Provides for the issuance of quarterly reports and a final report to the General Assembly.

HB 1119 (P.A. 99-0412)

BAIL BOND COSTS

In no event shall the amount retained by the clerk of the court as bail bond costs exceed \$100.

HB 3161 (P.A. 99-0240)

ORDERS OF PROTECTION PROCESS

Provides that in Cook County, a special process server may not be appointed if the order of protection grants the surrender of a child, the surrender of a firearm or firearm

owners identification card, or the exclusive possession of a shared residence.

SB 202 (P.A. 99-0436)

ACCELERATED RESOLUTION COURT

Creates the Accelerated Resolution Court pilot program in Cook County to provide for accelerated case resolutions for non-violent property offenses. If the case is not resolved within 30 days of referral, then the defendant is released from custody. Allows state's attorneys to object and provides additional procedural safeguards.

SB 1487 (P.A. 99-0439)

COOK COUNTY TITLE FREEZE

The Counties Code is amended to create the Foreclosure property pilot program in Cook County to freeze the recording of documents relating to a property that is subject to foreclosure. The program shall last from January 1, 2016 to January 1, 2019.

Concealed Carry

SB 836 (P.A. 99-0029)

FOID AND CONCEALED CARRY OMNIBUS

Makes several sweeping changes to the Firearm Owners Identification Card and the Concealed Carry Acts.

- Eliminates a contradiction between Concealed Carry Act and the criminal definition of unlawful use of a weapon.
- Allows the use of a concealed carry license when purchasing firearms or ammunition.
- Allows concealed carry licensees to possess firearms and ammo without being in physical possession of their FOID card.
- Clarifies that if a concealed carry licensee presents their ICCL during a law enforcement investigative stop that it is presumed they are carrying a firearm.
- Eliminates requirement that a licensee unload their firearm when storing or retrieving a firearm from the trunk of their vehicle.
- Ensures that non-resident competitors may purchase firearms at gun shows during a competitive shooting event held at the World Shooting Complex.
- Grants emergency service personnel the right to ask anyone carrying a firearm to secure it for the duration of the contact.
- Creates a mechanism for people with mild developmental disabilities to appeal denial of a FOID card.

Telecom



SB 96 (P.A. 99-0006)

TELECOM AND 9-1-1 REWRITE

Makes numerous changes to the 9-1-1 system. Provisions within the law represent a unanimous recommendation by the 9-1-1 Services Advisory Board to the Governor and General Assembly.

- Extends funding of 9-1-1 centers through July 1, 2017.
- Consolidates plans and establishes grants for the consolidation of local 9-1-1 boards.
- Establishes a uniform \$0.87 rate for all lines (excluding Chicago, whose rate will continue based on the type of line). Local governments will no longer be able to impose a 9-1-1 surcharge unless it would impair the terms of, or affect, the security for bonds, notes, or other obligations secured in whole or in part with the proceeds of the surcharge. It is not anticipated to result in a reduction of funds for any 9-1-1 centers.
- Extends the Chicago 9-1-1 fee to \$3.90
- Shifts 9-1-1 duties/powers from the Illinois Commerce Commission (ICC) to the Illinois State Police.

Recycling



HB 330 (P.A. 99-0052)

RECYCLABLE STOLEN METALS TASK FORCE

Creates the Recyclable Metal Theft Task Force within the Office of the Secretary of State to look at ways to combat recyclable metal theft throughout the State, assist in developing regional task forces to combat recyclable metal theft, and consider and develop long-term solutions.

HB 1429 (P.A. 99-0428)

ILLINOIS PROCUREMENT CODE

During the bidding process for a public contract, preference shall be given to those who use recycled supplies, provided that cost is equal or less than other bidders, unless the use of the product constitutes an undue practical hardship. Starts on January 1, 2016 and does not apply to construction bids.

HB 1455 (P.A. 99-0013)

ELECTRONIC PRODUCTS RECYCLING

Aimed at saving underfunded electronics recycling programs and to ensure that recyclers may not charge units of local government acting as collectors. Allows local governments to contract with private waste haulers in order to secure a lower cost. Creates new goals for recyclers and manufacturers for the next 2 years and helps divert electronic waste from landfills.

SB 1408 (P.A. 99-0317)

RECYCLING FEE

Except in counties with pop. over 1.5 million, a facility which accepts construction/demolition debris for recycling cannot be charged annual fee's directly related to those operations in excess of \$2,000. A facility that receives a beneficial use determination from IEPA cannot be charged annual fee's directly related to those operations in excess of \$1,500.

Cannabis



HB 341 (P.A. 99-0096)

MEDICAL CANNABIS – CORRECTIONS

Provides immunity for correctional officers who in the course of their official duties prohibit or prevent the possession or use of marijuana by a cardholder.

SB 1571 (P.A. 99-0031)

MEDICAL CANNABIS PILOT PROGRAM

Provides that nothing in the Act may be construed to require an employer or a property and casualty insurer to reimburse a person for costs associated with the medical use of cannabis.

Juveniles



HB 2471 (P.A. 99-0069)

LIFETIME SENTENCES FOR JUVENILES

Aligns Illinois's criminal statutes with a U.S. Supreme Court ruling that found automatic mandatory life sentences for juveniles to be unconstitutional. Grants judges leeway to determine whether such a sentence is warranted and allows judges to lengthen or shorten a sentence depending on whether a firearm was used in a capital crime.

HB 2567 (P.A. 99-0254)

MINORS IN DETENTION FACILITIES

Increases the minimum age youth can be held in a county detention facility unless other services are not available.

HB 3718 (P.A. 99-0258)

AUTOMATIC TRANSFER REFORM

Reduces the number of juveniles who are automatically transferred to adult court by allowing a juvenile court judge to have flexibility in their decision for youth ages 15 and younger.

HB 4044 (P.A. 99-0435)

JUVENILE JUSTICE COUNCILS

Amends the Juvenile Court Act of 1987 by expanding entities who may designate representatives to serve on county juvenile justice councils. This will add additional community based perspectives to the juvenile justice councils.

SB 1560 (P.A. 99-0268)

JUVENILE JUSTICE REFORMS

Amends Illinois law to "right-size" the IDJJ population and to improve departmental efficiencies in four ways:

- Redirects juvenile misdemeanants from IDJJ commitment and clarifies the prohibition for low-level offenses.
- Retains pending criminal case individuals at the county level following a new adult criminal charge.
- Adjusts the length of time a youth will be on aftercare to be proportional to the offense under adult sentencing guidelines.
- Expands which documents must be provided by the courts upon commitment to IDJJ, ensuring consistency in reporting.

Utilities



SB 1726 (P.A. 99-0399)

PROPERTY OWNER RIGHTS

Requires additional time and notices to be provided when a utility or telecom company proposes new lines, equipment or substations. Applies only to future projects and does not place additional requirements on existing/planned projects.

Environment



HB 437 (P.A. 99-0011)

COMPOST DROP OFF ACT

Provides that municipalities and counties may approve one-day compostable waste collection events and permanent compostable waste collection points. Establishes requirements for those programs.

HB 1014 (P.A. 99-0012)

WHITESIDE POLLUTION CONTROL ACT

Allows the county to re-apply for an EPA authorization allowing for the acceptance of "nonhazardous special waste". The facility is already built to take this type of waste, however that phrase was left out of the original permit. If they re-applied as the law currently stands they would need to go through the local citing process.

HB 3622 (P.A. 99-0156)

DNR LAND VACATION

If DNR feels it is in the best interest of the public to vacate any plat of subdivision, street, or driveway, it may do so with approval from the Governor; land title is moved unless there is an easement or action instructing otherwise.

SB 543 (P.A. 99-0020)

COAL COMBUSTION

Changes section of EPA concerning Coal Combustion By-Product (CCB) to state that coal combustion waste is considered a CCB when it used as a functionally equivalent substitute for agricultural mined gypsum as a soil conditioner, amendment, fertilizer or other agricultural purpose.

Wind Energy



HB 3523 (P.A. 99-0132)

WIND ENERGY FACILITIES

Creates the Wind Energy Facilities Construction and Deconstruction Act, requiring operators of commercial wind energy facilities built after the effective date and located on private property to enter into an agricultural impact mitigation agreement with the Department of Agriculture, to outline construction and deconstruction plans to preserve the integrity of any impacted land. The bill does not impede local control.

SB 920 (P.A. 99-0123)

LOCAL GOVERNMENT TECH

Clarifies existing law as to whether locals can regulate wind farm sites where there is no zoning. Provides that a county and municipality may establish standards for wind farms and electric-generating wind devices notwithstanding any other provision of law.

Townships

HB 182 (P.A. 99-0171)

ROAD FUNDS

Provides that funds for township and road districts may be derived from other road district sources, but may not exceed the amount that would be allocated under the motor fuel tax fund formula.

HB 3664 (P.A. 99-0279)

QUARRY TOWNSHIP – JERSEY COUNTY

Removes Quarry Township from the America's Central Port District's territory.

HB 3693 (P.A. 99-0474)

BELLEVILLE TOWNSHIP – ST. CLAIR COUNTY

Permits the Belleville Township Trustees to dissolve the township by ordinance and transfer all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities to the City of Belleville. The transfer includes any property tax levy.

SB 1252 (P.A. 99-0248)

GRAY TOWNSHIP – WHITE COUNTY

Allows Gray Township of White County a one-time transfer of general assistance funds to the townships general fund if the townships does not receive any state funding for general assistance; has not borrowed for general assistance purposes in the last 3 fiscal years, and did not certify a new general assistance levy or increase the levy in 2015. The transfer must take place within 1 year of the effective date of the new Act.

Oil & Gas



HB 313 (P.A. 99-0129)

OIL AND GAS RIGHTS ACT

Payments may be remitted to payees annually for the aggregate of up to 12 months' accumulation of proceeds, if the total amount owed is \$100 (instead of \$25) or less.

SB 1377 (P.A. 99-0137)

FALSIFICATION OF PERMITS

Amends the DNR Oil and Gas Act. Changes the section concerning fabrications of permits concerning wells. This would increase the penalty to \$5,000 for every falsification and misuse of information.

SB 1378 (P.A. 99-0138)

SERVICE OF NOTIFICATION ACT

Creates the pathways that DNR would use to notify owners of an abandoned well.

Veterans



HB 3122 (P.A. 99-0152)

VETERANS EMPLOYMENT PREFERENCE

Allows private employers to adopt and apply a voluntary veterans' preference employment policy if the policy is in writing, publicly posted with employment information, and informs all applicants about the policy.

HB 3203 (P.A. 99-0379)

FIREFIGHTER'S EXAM

Amends the Municipal Code. 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 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.

HB 3425 (P.A. 99-0373)

FREE VETERAN CREDIT FREEZE

Waives the fee for a security freeze on a credit account for active duty military personnel and veterans.

HB 3686 (P.A. 99-0374)

VETERANS' DISCOUNT PROGRAM ACT

Creates the Veterans' and Military Discount Program Act. Enables honorably discharged veterans (including those generally discharged) and military personnel currently serving to receive a discount on goods and services from participating merchants, or another appropriate money-saving promotion of a merchant's choice.

SB 563 (P.A. 99-0314)

VETERAN FACILITY – APPEAL PROCESS

Cleans up language pertaining to the Illinois Department of Veterans Affairs Act. Adds an appeal process for those involuntarily discharged from a Veteran facility.

SB 1603 (P.A. 99-0032)

COMBAT VETERANS VEHICLE REGISTRATION

Waives vehicle registration fees for a member of the U.S. Armed Forces returning from active duty for the year following their return.

SB 1665 (P.A. 99-0376)

MEDICAL FOSTER HOMES

Exempts veteran foster homes from the requirements that restrict them to 2 residents; this new law would allow them to care for 3 veterans.

SB 1818 (P.A. 99-0377)

U OF I SCHOLARSHIP – VETERAN CHILD

Allows for scholarships to be awarded to children of war veterans and sets the rules under which the scholarships may be awarded. Allows counties to award a scholarship for another listed period of conflict/hostility if no qualified applicants for other periods of conflict/hostility.

Transportation



HB 198 (P.A. 99-0172)

ELECTRIC VEHICLE PARKING

Prohibits the parking of non-electric vehicles in charging station spaces designated for electric vehicles. Any person found guilty of violating the provisions shall be fined \$75 in addition to any costs connected with removal or storage of the non-electric vehicle; municipalities by ordinance may impose a fine up to \$100.

HB 1051 (P.A. 99-0056)

RIDESHARE INSURANCE AND REGULATION

Provides that a unit of local government (including a home rule unit) may not regulate transportation network companies, company drivers, or company services in a manner that is less restrictive than the regulation by the State. Repeals the Act on June 1, 2020. Also, requires that the primary lien holder of a vehicle would be entitled to any insurance payments in the event of an accident.

HB 2515 (P.A. 99-0057)

FARM VEHICLE CDL

Exempts covered farm vehicles and their operators from the requirements of holding a commercial driver's license.

HB 2685 (P.A. 99-0238)

RTA ISSUANCE OF BONDS

Provides that the Regional Transportation Authority (RTA) may issue, sell, and deliver additional Working Cash Notes before July 1, 2018 (now 2016) that are over and above and in addition to the \$100 million authorization.

HB 3765 (P.A. 99-0465)

HIGH SPEED RAIL OVERSIGHT

Creates the Springfield High Speed Railroad Community Advisory Commission to monitor, review and report on contracting and employment relating to the High Speed Rail Project in Springfield and Sangamon County.

SB 636 (P.A. 99-0202)

O'HARE AIRPORT RUNWAY AUTHORIZATION

Increases the number of runways O'Hare International Airport can operate without obtaining state authorization from 8 to 10. Also, directs the City of Chicago to maintain, and improve, the existing system of noise monitors around O'Hare Airport.

SB 1388 (P.A. 99-0124)

TEMPORARY STOP SIGNS

Allows local authorities to place and maintain temporary stop signs placed as a substitute for missing or damaged permanent stop signs required by the State Manual upon highways under their maintenance jurisdiction. The signs shall be placed in a manner to provide adequate visibility and legibility, and shall be placed within duration recommendations in the State Manual, unless circumstances require longer placement.

SB 1589 (P.A. 99-0127)

ROAD FUND AUDIT CLARIFICATION

Resolves ambiguous language to clarify that the Secretary of State should be depositing certain funds in to the Road Fund, not the State Construction Account.

SB 1704 (P.A. 99-0168)

LOCAL HIGHWAY RESTRICT AUTHORITY

Allows local authorities (by ordinance or resolution) to prohibit the operation of vehicles or impose restrictions as to the weight of vehicles to be operated upon highways under their jurisdiction, for a total period not to exceed 90 days, measured in either consecutive or nonconsecutive days at the discretion of local authorities, in any one calendar year, when conditions will seriously damage or destroy the highway.

SB 1803 (P.A. 99-0400)

IDOT SAND MINE STUDY

Requires IDOT to conduct a transportation study on the effects of agricultural, manufacturing, mining, and other industrial operations in LaSalle County and its bordering counties and submit its report and recommendations to the General Assembly on or before January 1, 2016.

SB 1899 (P.A. 99-0401)

LOW-SPEED VEHICLES

Requires owners of low-speed vehicles that may be operated upon a highway to secure a certificate of title and display valid registration.



Records

HB 362 (P.A. 99-0147)

LOCAL RECORDS ACT UPDATE

Amends the State Records Act and the Local Records Act to update statute to reflect usage of "digital material." This is an initiative of the Secretary of State to address JCAR recommendations to update the records statutes in respect to current technologies.

SB 818 (P.A. 99-0028)

MH/DD RECORD DISCLOSURE

Requires records and communications made or created in the course of providing mental health or developmental disabilities services be protected from disclosure regardless of whether the records and communications are made or created in the course of a therapeutic relationship unless expressly provided for in statute.

Notes





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Mission Statement

It is the mission of the Illinois Association of County Board Members (IACBM) to enhance the stature, role and responsiveness of county government in the State of Illinois. IACBM will promote the ability of Illinois counties to provide responsible public service, efficiently through cooperative legislative action, education of public officials, provision of quality member services and programs, and increasing public awareness of local government issues.