
LEGISLATIVE SUMMARY

100TH ILLINOIS GENERAL ASSEMBLY



2017

ILLINOIS ASSOCIATION OF COUNTY BOARD MEMBERS

413 West Monroe
Springfield, Illinois 62704
www.ilcounty.org



November 2017

The 100th Illinois General Assembly convened January 11, 2017 in Springfield. This summary report includes bills that were approved by the General Assembly that either affect, or are of interest, to county governments as of November 15, 2017. 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 a continuous session, Veto Session (*if scheduled*) or as special sessions may be called.

A special thanks to 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 in the 100th Illinois General Assembly concerning county government policy. 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.

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State Government



SB 55 (P.A. 100-0037)

BARACK OBAMA DAY

Designates August 4 of each year as Barack Obama Day.

SB 402 (P.A. 100-0554)

SEXUAL HARASSMENT

Prohibits sexual harassment of legislators and lobbyists. Requires state agencies and lobbyists to adopt a sexual harassment policy, and requires all state officials, employees, and lobbyists to complete in person sexual harassment training on an annual basis. Imposes penalties for violations of the sexual harassment prohibition and requires the Dept. of Human Rights to implement a hotline to report sexual harassment. **NOTE:** Each governmental unit shall adopt an ordinance or resolution establishing a policy to prohibit sexual harassment.

SB 647 (P.A. 100-0407)

MORTGAGE FORECLOSURE ARTICLE

Provides that provisions concerning an additional fee paid by residential foreclosure plaintiffs are operative until Jan. 1, 2020 (instead of Jan. 1, 2018). Provisions concerning an additional fee paid by purchasers at a judicial sale are operative and become inoperative on Jan. 1, 2020 (instead of Jan. 1, 2017). Repeals the Section on March 2, 2020 (instead of March 2, 2017).

SB 1933 (P.A. 100-0464)

AUTOMATIC VOTER REGISTRATION

Establishes two procedures for Automatic Voter Registration for the Secretary of State's Office: One for applications for a Real-ID Compliant Driver's License or State ID Card received by the Secretary of State; and another process for applications for a Non-Real-ID Compliant Driver's License or State ID Card received by the Secretary of State. Also establishes two procedures for Automatic Voter Registration Agencies.

SB 2066 (P.A. 100-0242)

UNFUNDED MANDATES REPORT

The Department of Commerce and Economic Opportunity catalog of state mandates shall also include a statewide cost of compliance estimate.

HB 137 (P.A. 100-0553)

SEXUAL HARASSMENT COMPLAINTS

Allows the newly-appointed Inspector General to look into sexual harassment complaints that occurred between the dates of December 2014 and November 2017.

HB 619 (P.A. 100-0026)

FOIA EXEMPTIONS

Amends the Freedom of Information Act to add the following exemptions from disclosure: records requested by persons committed to a county jail or a Department of Corrections facility, as a means to prevent FOIA from being used as a harassment tool.

HB 643 (P.A. 100-0025)

LEGISLATIVE PER DIEM, COLA

Establishes the FY 2018 General Assembly member mileage reimbursement rate and allowance for lodging and meals to be \$111 per day and automobile travel to be reimbursed at a rate of \$0.39 per mile. Beginning July 1, 2017, eliminates the FY 2018 COLA for members of the General Assembly, State's Attorneys (excluding county supplements), elected executive branch constitutional officers, and certain appointed agency employees.

HB 1811 (P.A. 100-0020)

ATT/TELECOM MODERNIZATION ACT

Abolishes the state requirement that AT&T offer traditional landline phone service, moving customers onto wireless phones. Extends the sunset of the 9-1-1 rewrite provisions which was set to be repealed on July 1, 2017 to Dec. 31, 2020. Advances a surcharge rate increase from \$.87 to \$1.50 per line across the state. Enables Chicago to raise its 9-1-1 rate to \$5 per line (currently \$3.90).

HB 3005 (P.A. 100-0490)

STATE INVESTMENTS

Allows the state Treasurer, with the approval of the Governor, to invest or reinvest any state money in the treasury that is not needed for current expenditures due or about to become due, or any money in the state treasury that has been set aside and held for the payment of the principal of and interest on state bonds. Authorizes the Comptroller to deduct amounts owed by a county or municipality from specified percentages of grants of state funds made to the county or municipality when the county or municipality defaults on a bond with which state money in the treasury was invested.

HB 3488 (P.A. 100-0526)

INDIGENT BURIAL

Provides that if private funds are not available for burial and a request for funds is made to an official of State or local government, the official shall inform the requester of the option to donate the remains for use in the advancement of medical science.

HB 3110 (P.A. 100-0153)

CONTRACT NOTIFICATION

Requires greater notification if state agencies do not have funds, or plan to reduce, terminate or suspend contracts with service providers, and only applies to non-governmental services providers who deliver social services and applies regardless of the source of funds.

HB 3649 (P.A. 100-0552)

DEBT TRANSPARENCY ACT

Requires state agencies to report to the Comptroller on a monthly basis (*rather than annual basis*) the amount of bills being held, liabilities for which there are appropriations, and liabilities that are subject to late interest penalties.

State Budget

SB 42 (P.A. 100-0023)
BUDGET IMPLEMENTATION
Creates the FY18 Budget Implementation Act (BIMP) to make changes to state programs that are necessary to implement the FY18 budget.



- Implements the following among other provisions:**
- Speeds up payments to local governments by having IDOR deposit amounts directly into LGDF, instead of depositing into GRF and then the Treasurer making the transfer into LGDF. Reduces the deposits by 10% for FY 18 only.
 - Provides, for FY 2018, to set the share of individual income taxes deposited into the Income Tax Refund Fund at 9.8% and business income taxes deposited at 17.5%.
 - For TRS, SURS, and non-covered SERS – Beginning FY 2018, creates a voluntary Tier 3 Hybrid defined benefit/defined contribution plan for Tier 2 members.
 - Permits State entities to enter in energy savings contracts/leases. Agreements shall not be over 15 years.
 - Amends the General Obligation Bond Act to authorize an additional \$6 billion in Income Tax Proceed Bonds for the purposes of paying down the backlog of bills. The bonds are payable 12 years from the date of sale.
 - Identifies nearly \$300 million in special fund transfers to the General Revenue Fund (GRF).

Housing Development

SB 1562 (P.A. 100-0233)
ABANDONED HOUSING REHABILITATION
Amends the Abandoned Housing Rehabilitation Act by changing definitions. “Parties of interest” now include the applicable unit of local government where the property is located (previously, only owners of record, judgment creditor, tax purchaser, or those with title). “Rehabilitation” now includes ensuring the proposed improvements conform to a local government’s comprehensive plan or other planning policies and applicable units of local government’s licensing, and zoning code (previously, only fire, housing, and building codes).

SB 1795 (P.A. 100-0314)
BLIGHT REDUCTION
When a government unit acquires property under a blight reduction or abandoned property program administered by the Illinois Housing Development Authority, all undue or unpaid property taxes and existing liens for the unpaid property taxes imposed or pending under any Illinois law/ ordinance or any of its political subdivisions shall become null and void.

Employees



SB 318 (P.A. 100-0396)
GENETIC INFORMATION PRIVACY
Provides an employer shall not penalize an employee who does not disclose his or her genetic information or does not choose to participate in a program requiring disclosure of the employee’s genetic information.

SB 1697 (P.A. 100-0100)
EMPLOYEE RELIGION
It is a violation for an employer to impose as a condition of obtaining or retaining employment any term or condition that requires a person to violate or forgo a sincerely held practice of his/her religion including the wearing of any attire, clothing, or facial hair. Dress codes or grooming policies that include restrictions related to workplace safety or food sanitation are not prohibited.

Health Services

HB 706 (P.A. 100-0345)
DISPOSAL OF UNUSED MEDICATIONS
Codifies the authority of a nurse to dispose of any unused medications at the scene of a death. Nurses or physicians are only authorized to do so if a police officer, State police officer, coroner, or medical examiner is not present at the scene and only after consulting with any investigating law enforcement agency to ensure that the unused medications will not be needed as evidence in an investigation.

HB 3703 (P.A. 100-0012)
MENTAL HEALTH PILOT PROGRAM
Creates a two-year mental health pilot program beginning Jan. 1, 2018, for which a mental health facility located in Rock Island County, may accept the admission of an Iowa resident from the Eastern Iowa Mental Health Region.

Elections



SB 1479 (P.A. 100-0442)
NURSING HOME GRACE PERIOD
Provides that grace period registration and changes of address shall be conducted for eligible residents in connection with voting at certain elder care facilities.

HB 512 (P.A. 100-0298)
PUBLIC QUESTION NOTICE
Public questions must be published not more than 60 days (rather than 30) and not less than 10 days before the date of a regular election.

County Government



SB 3 (P.A. 100-0107)

LOCAL GOVERNMENT CONSOLIDATION

Extends to all Illinois counties the abilities formerly held exclusively by DuPage, Lake and McHenry counties to hold backdoor referendums on consolidation. Also allows communities to hold referendums on whether to dissolve or consolidate townships. If a township is abolished, all rights, powers, duties, assets, property, liabilities, obligations and responsibilities of the township are transferred to the municipality or county within which the township is located. Allows for referendums to be held on the merging and combination of townships, with the responsibilities of dissolved townships to be handed to the consolidated or receiving townships.

SB 751 (P.A. 100-0221)

ENFORCEMENT OF JUDGMENTS

Includes unpaid non-real property taxes and fees as debt owed to a county under an enforcement of judgment, and shifts the additional costs incurred by having to go to a collection agency to the taxpayer instead of forcing the county to pay it. Applies to Cook, DuPage, Kane, Lake, McHenry and Will counties. Previously, taxes and fees were not included under an enforcement of judgment.

SB 1668 (P.A. 100-0457)

PROPERTY CONVEYANCES

Authorizes the Dept. of Natural Resources to make certain real estate conveyances in Cook County, subject to specified conditions. Authorizes the Dept. of Transportation to make certain real estate conveyances in Ogle County, Pike County, Madison County, St. Clair County, Will County, and Woodford County, subject to specified conditions.

SB 2057 (P.A. 100-0330)

FOOD HANDLING SAFETY

Provides that a county health department or unit of local government may not regulate the preparing or serving of food in a private residential leasehold. Exempts Chicago.

HB 169 (P.A. 100-0290)

COUNTY BOARD POSTS

Clarifies that county board members are not prohibited from being a public administrator or public guardian.

HB 539 (P.A. 100-0337)

NUMBER OF ELECTION JUDGES

County boards may reduce the number of judges of election from five to three for primary elections.

HB 3036 (P.A. 100-0271)

COUNTY RECORDER FEE SCHEDULE

Requires counties to adopt and implement a predictable fee schedule by Jan. 1, 2019. Schedules shall eliminate surcharges or fees based on individual attributes of a standard document to be recorded. Sets the flat recording fees allowable for each classification of standard document.

HB 3150 (P.A. 100-0276)

FRAUDULENT FILINGS

Removes the June 1, 2018, repeal date of a law that gives counties the ability to establish procedures for investigating fraudulent filings.

HB 3521 (P.A. 100-0187)

SANGAMON COUNTY TOWNSHIP COLLECTOR

Changes the Township Code to eliminate the township collector positions in all of Sangamon County beginning January 1, 2022.

Cook County



SB 473 (P.A. 100-0401)

HOMESTEAD EXEMPTIONS

Increases the amounts of several homestead exemptions for Cook County only. Increases the Senior Citizen Homestead Exemption in Cook County to \$8,000 for taxable years 2017 and after (current exemption amount is \$5,000 in all counties). Increases the Senior Citizen Assessment Freeze Exemption maximum income limitation amount to \$65,000 (currently \$55,000) for taxable years 2017 and after, for all counties. Provides the exemption amount, in Cook County, will be the greater of the amount calculated as provided in statute, or \$2,000. Increases the General Homestead Exemption amount to \$10,000 in Cook County for taxable years 2017 and after (current exemption is \$6,000 for all counties).

SB 1781 (P.A. 100-0287)

EXPUNGEMENT FEE WAIVER

Extends the pilot program in Cook County waiving the fee to be paid for a petition to expunge/seal records of arrests resulting in release with charging or arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated. Extends the inoperative date to on and after Jan. 1, 2019.

SB 1843 (P.A. 100-0319)

SPECIAL PROSECUTOR

Requires that a court presume a conflict of interest on behalf of a State's Attorney when considering a petition to appoint a special prosecutor in cases in which the defendant or defendants are members of any law enforcement agency. Creates the Commission on Police Professionalism to review training and certification process for law enforcement officers and review policies.

HB 155 (P.A. 100-0243)

APPLICATIONS FOR JUDGMENT

Amends the Property Tax Code. Extends the application for judgment and order of sale deadline in Cook County.

Local Government and Special Districts



SB 731 (P.A. 100-0083)

ZONING APPEALS

Clarifies that when dealing with zoning board of appeals and the definition of a party of record, removes the language "in a municipality with a population of 500,000 or more inhabitant." Intended to prevent a private citizen who only signs in to testify or attend a public zoning hearing from becoming a defendant in a subsequent case or appeal.

SB 1420 (P.A. 100-0093)

GREASE COLLECTION BENEFIT

A nonprofit organization or government entity that hosts a collection center to collect cooking grease or cooking oil from the public shall be exempt from the registration, fees, licensure and reporting requirements under the Act.

SB 1807 (P.A. 100-0316)

CONSTRUCTION AND DEMOLITION DEBRIS

Allows construction/demolition debris haulers to operate without fear of violating contracts cities currently have with their waste haulers by prohibiting any municipality from entering into a contract or franchise with a private entity that includes general construction or demolition debris. This prohibition does not apply to the renewal or extension of any currently existing contracts regardless of whether the contract automatically renews, is amended, or is subject to a new request for proposal.

SB 2068 (P.A. 100-0462)

LIBRARY ADVISORY REFERENDUM

Gives a library board of trustees the ability to place an advisory referendum question on the ballot at the next regularly scheduled election as long as it is directly related to the operation of the library (rather than public policy).

HB 305 (P.A. 100-0467)

POLICE EDUCATION REQUIREMENT

Allows municipalities to waive the requirement that a police applicant possess an associate's degree if that applicant has at least 60 credit hours toward a bachelor's degree from an accredited college/university.

HB 373 (P.A. 100-0245)

LIBRARY FINANCIAL STATEMENTS

Requires library financial statements that provide the necessary amount to levy for the next fiscal year be submitted to the municipality no less than 60 days prior to when the tax levy must be certified under the Property Tax Code (rather than 60 days after the expiration of the fiscal year).

HB 547 (P.A. 100-0338)

PUBLIC CONTRACT APPROVAL

Increases the base amount from \$20,000 to \$25,000 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.

HB 771 (P.A. 100-0471)

VOLUNTEER FIREFIGHTER

Allows a volunteer firefighter to purchase four new vehicle tires every three years through his/her fire department's or municipality's purchasing contract.

HB 2407 (P.A. 100-0053)

QUALIFYING TERRITORY FOR ANNEXATION

Provides an exception to the requirement that annexed territory be contiguous to the municipality if the territory is separated only by a lake, river, or other waterway.

HB 2585 (P.A. 100-0072)

NOTICE REQUIREMENTS

Amends the Notice By Publication Act and the Newspaper Legal Notice Act. Gives units of local government and school districts the ability to use a secular newspaper having general circulation within that local government and school district in complying with notice requirements.

HB 2778 (P.A. 100-0547)

FIRE PROTECTION DISTRICT ACT

A fire protection district may annex any property into its jurisdiction for which it is providing coverage under the Emergency Telephone System Act.

HB 2842 (P.A. 100-0382)

POLLUTION CONTROL FACILITIES SITING

Applicants for local siting approval must submit evidence to demonstrate compliance and must present testimony subject to cross-examination at specified public hearings.

HB 3879 (P.A. 100-0307)

CJIA INVENTORY

The Illinois Criminal Justice Information Authority may conduct an inventory of law enforcement agencies, county sheriff's offices, clerks of the circuit court, or circuit clerks that operate using a predominately paper system.

Education



SB 1947 (P.A. 100-0465)

EDUCATION FUNDING REFORM

Establishes a new school funding formula, which treats all of Illinois' 852 school districts equitably while prioritizing funding for low-income districts. No school district loses money under this plan. At the heart of the plan is an evidence based-model to distribute money to schools. Allows districts over 110 percent of adequacy to hold a referendum to reduce property taxes. Also creates a Commission to study TIF districts in relation to school-funding formula.

Townships



SB 422 (P.A. 100-0210)

COMPETITIVE BIDDING EXCEPTIONS

Provides competitive bidding exceptions for townships, establishing that contracts and purchases that by nature are not adopted to award competitive bidding are not subject to the competitive bidding requirements of the township code.

HB 607 (P.A. 100-0106)

ROAD DISTRICT CONSOLIDATION

Allows every township in Illinois to place a referendum on the ballot asking voters whether a township road district should be abolished and the responsibilities of maintaining roadways transferred to the township. Previously this option was only available for townships located in Cook County. In addition, no township road district may continue in existence if the roads forming a part of the district do not exceed a total of four centerline miles (rather than four miles) in length. The new law goes into effect on January 1, 2018.

SB 666 (P.A. 100-0219)

TOWNSHIP CAUCUS VOTE

States that, within the Township Code, a participant in a caucus is entitled to only one vote for each office that is being voted on. In response to the practice in McHenry Township, where a precinct committeeman's vote counts for some 400 votes compared to the average citizen.

HB 764 (P.A. 100-0350)

HIGHWAY DE-ANNEXATION

Provides that township roads included within a municipal annexation are returned to the township if there is a de-annexation or disconnection of that territory within one year of the annexation.

HB 1896 (P.A. 100-0474)

TOWNSHIP FUND LIMIT

Prohibits the accumulation of township funds exceeding 2.5 times the annual average expenditure of the previous three fiscal years. Introduced as a means to prevent township governments from holding excessive amounts of dollars in reserves.

HB 2423 (P.A. 100-0054)

TREE MULCH DELIVERY

Gives a township road district the ability to deliver wood chips, mulch and other products resulting from tree maintenance to district residents. The district must provide adequate notice to the resident receiving such products.

HB 2427 (P.A. 100-0056)

RECYCLING YARD WASTE

A township may, by ordinance, provide for the collection, transport, disposal, and recycling of brush, wood chips, and leaves within the unincorporated areas of the township without referendum approval.

Veterans



SB 266 (P.A. 100-0392)

CHICAGO VETERANS' HOME FUND

Establishes the Illinois Veterans' Home at Chicago, and directs the Illinois Department of Veterans Affairs (IDVA) to operate and maintain the home. The home will be able to accommodate 200 veterans. Project cost: \$76 million.

SB 1238 (P.A. 100-0088)

VETERANS COURT TREATMENT

At the discretion of the Chief Judge, the Veterans and Service Members Court program may be operated in one or more counties in the Circuit, and allow veterans from all counties within the Circuit to participate.

SB 1312 (P.A. 100-0426)

VETERANS COURT

A defendant may be admitted into a Veterans and Service Members Court program post-adjudication only with the approval of the court. Aligns veterans' courts and mental health courts, no longer requiring the defendant to have agreement of the prosecutor to participate in the programs.

Prevailing Wage

HB 3120 (P.A. 100-0154)

PREVAILING WAGE POSTING

If the Department of Labor (DOL) ascertains the prevailing rate of wages for a public body, the public body may satisfy the newspaper publication requirement by posting on the public body's website a notice of its determination with a hyperlink to the prevailing wage schedule for that locality that is published on the official website of the Dept.

HB 3044 (P.A. 100-0002)

PREVAILING WAGE SCHEDULE

DOL shall publish on its website a prevailing wage schedule for each county in the State, no later than August 15 of each year, based on the prevailing rate of wages investigated and ascertained by the Dept. during the month of June. DOL may publish rates more than once per year.

FOID Card



SB 607 (P.A. 100-0082)

SWITCHBLADE KNIFE

Allows an exemption from the prohibition on sale, manufacture, purchase, possession or carrying of a switchblade knife to a person who possesses a valid FOID card or an entity engaged in selling or manufacturing the knives.

Courts and Law Enforcement



SB 31 (P.A. 100-0463)

ILLINOIS TRUST ACT

Prohibits law enforcement from stopping, arresting, searching, detaining, or continuing to detain a person solely based on an individual's citizenship or immigration status unless presented with a valid, enforceable "federal warrant." Gives immunity to law enforcement from any civil or criminal liability for release of a person if acting in good faith. Creates new training mandates for law enforcement compliance with the Illinois TRUST Act.

SB 58 (P.A. 100-0389)

POLICE SHOOTING – DRUG TEST

Requires each law enforcement agency adopt a written policy regarding drug and alcohol testing following an officer-involved shooting. Testing must be completed no later than the end of the officer's shift or tour of duty.

SB 1319 (P.A. 100-0427)

ADULT GUARDIANS VIDEO CONFERENCING

If a person is unable to attend in person for adult guardianship proceedings, the judge can decide to hold the hearing at a place that is convenient. Also provides that any circuit court of the State may adopt rules consistent with the rules of the Illinois Supreme Court permitting the use of video conferencing equipment in any adult guardianship hearing; and that no rule shall preclude a party from seeking the presentation of testimony in accordance with a specified Supreme Court Rule.

SB 2034 (P.A. 100-0001)

RICO EXTENSION

Extends the state RICO Act ("Illinois Street Gang And Racketeer Influenced And Corrupt Organizations Law") for an additional five years. Expands existing law regarding threats to public officials.

HB 270 (P.A. 100-0515)

SEXUAL ASSAULT INVESTIGATION

Requires each law enforcement agency to have a written policy regarding the investigation of an officer involved in sexual assault. Investigators must have completed specialized training approved by either the Illinois Law Enforcement Training and Standards Board or the State Police.

HB 375 (P.A. 100-0247)

POLICE TRAINING

Requires the Law Enforcement Training and Standards Board to create an introductory course to provide all police with an awareness of mental illness issues.

HB 649 (P.A. 100-0027)

UNFIT TO STAND TRIAL PLACEMENT

Expedites transfers of inmates unfit to stand trial from county jails to the Dept. of Human Services mental health facilities. Gives DHS 20 days to tell sheriffs where to take inmates who are unfit to stand trial or not guilty by reason of insanity. If DHS fails to identify a mental health facility

within 20 days, sheriffs can put DHS on notice that they will take defendants to the nearest facility. The department would then have two days to provide an estimated date for admission to a facility.

HB 1685 (P.A. 100-0358)

STATE'S ATTORNEY ACCESS TO FUNDS

Amends the Insurance Claims Fraud Prevention Act. A State's Attorney can access funds not awarded to a private party to investigate "crime" (currently "insurance fraud").

HB 3054 (P.A. 100-0034)

CIRCUIT COURT COMPLAINTS

Court clerks must post in common areas of the courthouse a notice that a person may file a complaint against a judge, which will include contact information for the Judicial Inquiry Board. The Board will develop a statewide notice and format for each clerk.

HB 3106 (P.A. 100-0151)

PEACE OFFICERS

Provides that marshals of the Supreme Court are peace officers and have all the powers possessed by police officers in cities and by sheriffs. Marshals may exercise these powers throughout the State. However, no marshal has peace officer status unless he/she successfully completes the basic police training course mandated by the Illinois Law Enforcement Training Standards Board or the Board waives the training requirement.

Juveniles



SB 1399 (P.A. 100-0431)

ELECTRONIC MONITORING

A drug court program may, subject to the approval of the Chief Judge of the Circuit, establish a program for electronic monitoring of juveniles with regard to drug/alcohol offenses as a less restrictive alternative to detention.

HB 3817 (P.A. 100-0285)

JUVENILE EXPUNGEMENT EXPANSION

Automatically expunges records related to juvenile delinquency findings two years after the case is closed. Excludes homicides, felony sex offenses, certain bodily harm offenses, forcible felonies other than burglary, and weapons offenses. Applies to burglary, misdemeanor sex offenses, felony and misdemeanor drug offenses, and misdemeanor domestic battery. States that juvenile adjudications (convictions) that are not eligible for the expanded automatic expungement can now be expunged sooner by petitioning the court two years (rather than 5 years) after the case is closed; first degree murder or sex offenses requiring registration are excluded.

Economic Development

HB 162 (P.A. 100-0511)

EDGE EXTENSION

Extends the sunset date until June 20, 2022 for the Economic Development for a Growing Economy (EDGE) Tax Credit, which had expired on April 30, 2017. The "credit" means the amount agreed to between the DCEO and the Applicant, but not to exceed the lesser of:

1. the sum of 50% of the Incremental Income Tax attributable to New Employees and 10% of the training costs of New Employees; or
2. 100% of the Incremental Income Tax attributable to New Employees.

If the project is located in an "underserved area" the amount of credit is increased to the lesser of:

1. the sum of 75% of the Incremental Income Tax attributable to New Employees and 10% of training costs of New Employees; or
2. 100% of the Incremental Income Tax attributable to New Employees

Makes changes concerning the capital investment and employment requirements, distinguishing between larger employers (+100 employees) and smaller employers (100 or less). Provides for greater transparency requirements and new provisions regarding supplier diversity.

SB 1567 (P.A. 100-0451)

EDGE REPORTS

Adds a reporting requirement. Every April 15, the EDGE tax credit recipient must send a report to DCEO detailing supplier diversity goals for female-owned, minority-owned, veteran-owned, and small business enterprises.

Agriculture

HB 1800 (P.A. 100-0046)

INCONVENIENCE FEES

Allows county boards to pay increased inconvenience fees to farmers that allow farmable land to be used as snow breaks on highways. The county may pay the grower an additional sum of money equal to at least 10% of the contract price (rather than a sum of money equal to 10% of the contract price) as an inconvenience fee.

HB 3058 (P.A. 100-0112)

INSPECTION REQUESTS

Amends the Insect Pest and Plant Disease Act. Upon receipt of an inspection request from any municipality, park board, or other board or person in control of public grounds the Department of Agriculture shall review the application and may comply with it as deemed appropriate.



Animals



SB 641 (P.A. 100-0405)

CONTROL FERAL CATS

Allows a county animal population control fund to be used to support feral cat spay, neuter and vaccinate programs recognized by the county or municipality. Exempts Cook County. Also gives counties the option to fund low-cost spay and neuter services for the pets of owners receiving disability benefits.

SB 1882 (P.A. 100-0322)

PET SOURCING REGULATIONS

Establishes a statewide pet sourcing standard for Illinois pet stores, while maintaining local control. Prohibits pet stores from purchasing animals from large commercial breeders that are not USDA-licensed. Requires pet stores to obtain copies of inspection reports either from the USDA website (if posted online) or directly from the breeder prior to purchasing the cat or dog and must be made available to consumers prior to sale. Pet stores are required to microchip dogs or cats prior to sale.

HB 2810 (P.A. 100-0504)

ANIMAL PROTECTIONS

Allows for the removal and possession of companion animals by law enforcement during the course of an arrest for certain animal abuse and cruelty-related crimes.

Utilities and Energy

SB 71 (P.A. 100-0016)

WIND POWER INSTALLERS

Deletes wind power installers from ICC rules/certification requirements.

HB 3396 (P.A. 100-0177)

JOINT MUNICIPAL ELECTRIC POWER ACT

Allows an electric cooperative which is an independent system operator to sell power in the wholesale markets.

HB 3400 (P.A. 100-0178)

PUBLIC UTILITIES BACK-BILLING

Corporate authorities of a municipality shall bill for any utility service, including previously unbilled service, within 12 months (for residential customers) or 24 months (for non-residential customers) after provision of the service.

HB 3656 (P.A. 100-0499)

FLUE GAS DESULFURIZATION TASK FORCE

The Flue Gas Desulfurization (FGD) Task Force will work toward analyzing the cost benefits regarding flue gas desulfurization and make recommendations regarding the construction of new stacks at coal-fired power plants with new scrubber technology. Recommendations will be due to the General Assembly by Dec. 31, 2017

Taxes, Fees and Exemptions



SB 403 (P.A. 100-0555) **INCOME TAX CREDIT – DISASTER**

Creates a natural disaster tax credit worth up to \$750 that eligible, affected property owners may apply to their 2017 Illinois income tax. Township assessors shall issue eligibility certificates for requesting property owners, and assessors shall certify to the Illinois Dept. of Revenue listings of flood-damaged properties. Included counties are: Cook, Lake, Kane, McHenry, Alexander, Clinton, Jackson, Marshall, Union, Woodford, Carroll, Henry, Jo Daviess, Lee, Ogle, Rock Island, Stephenson and Whiteside.

SB 609 (P.A. 100-0216) **PROPERTY TAX APPEAL BOARD (PTAB)**

If PTAB renders a decision after the deadline for filing complaints with the board of review, or after adjournment of the session of the board of review, for any subsequent year in the general assessment period (instead of the subsequent year only), then the taxpayer may appeal the assessment for those subsequent years directly to PTAB.

SB 1434 (P.A. 100-0437) **RENTAL TAX**

A tax will be imposed at the rate of 6.25 percent on businesses engaged in renting merchandise under a rental-purchase agreement. Also, on the privilege of using merchandise that is rented from a merchant.

SB 1493 (P.A. 100-0445) **PROPERTY TAX ABATEMENT**

Forest preserve districts can abate property taxes on certain property it acquires.

SB 9 (P.A. 100-0022) **INCOME TAX INCREASE**

Increases the individual income tax rate to 4.95% (previously 3.25%) and corporate income tax rate to 7% (previously 5.25%) beginning July 1, 2017. The 32 percent income tax increase is expected to bring in about \$5.5 billion in new tax revenue.

Provisions also include:

- Reinstates the Research and Development Credit. The credit will sunset on January 1, 2022.
- Increases the Earned Income Tax Credit to 14% of the federal tax credit beginning Jan. 1, 2017 and then 18% beginning Jan. 1, 2018.
- Increases the Education Expense Credit to \$750 for tax years ending on or after Dec. 31, 2017. Income limit for taxpayers claiming this credit: \$500,000 for joint filers and \$250,000 for all others.
- Implements an income limit for taxpayers claiming the standard deduction and receiving a tax credit for property taxes: \$500,000 for joint filers and \$250,000 for all others.
- Closes corporate tax incentives.

SB 1593 (P.A. 100-0455) **PROPERTY TAX – PARKING**

Provides that parking areas owned by religious institutions, when leased or rented to a municipality for the purpose of providing free public parking, are exempt.

SB 1783 (P.A. 100-0236) **RIVER EDGE PROGRAM**

Extends the income tax credit for restoration and preservation of a qualified historic structure located in a River Edge Redevelopment Zone to December 31, 2021.

SB 1871 (P.A. 100-0321) **ROLLING STOCK**

Amends various Sales Tax Acts to make changes to the rolling stock exemption beginning July 1, 2017.

HB 743 (P.A. 100-0348) **FIRE PROTECTION DISTRICT ACT**

Clarifies a section regarding levying a special tax for the purpose of providing funds to pay for the costs of emergency and rescue crews and equipment.

HB 466 (P.A. 100-0296) **MOBILE HOME TAX NOTICE**

Extends the timeframe for tax purchasers to notify owners of the tax sale and the date of expiration of the redemption period, and timeframe in which a tax purchaser can file a petition for the issuance of a tax certificate of a title.

HB 819 (P.A. 100-0302) **RETAILERS' OCCUPATION TAX ACT**

Certificates of registration that are issued or renewed on or after July 1, 2017 shall expire one year (previously, 5 years) after the issuance or last renewal of that certificate.

HB 1542 (P.A. 100-0519) **OIL/GAS NON-COAL FORMATIONS**

Royalties, lease bonuses, or other interests received from the sale of oil or gas from non-coal formations are deemed income. Applies only to nontrust estates.

HB 2453 (P.A. 100-0363) **DOWNSTATE PUBLIC TRANSPORTATION FUND**

Changes how revenues from sales and use taxes are deposited into the Downstate Public Transportation Fund (DPTF). Currently, revenue received from sales and use taxes are deposited into the General Revenue Fund (GRF), and then a portion (by formula) is deposited into the DPTF on a monthly basis. This bill bypasses GRF and has the revenue directly deposited into the DPTF.

HB 2801 (P.A. 100-0009) **MOTOR FUEL TAX – NATURAL GAS**

Levels the tax paid on compressed natural gas (19 cents/gallon) and liquefied natural gas or propane (21 cents/gallon) to match the tax paid on gasoline and diesel fuel, respectively, when used as a motor fuel.

Transportation and Regulation



SB 421 (P.A. 100-0529)

DRONE REGULATION AND PENALTIES

Provides that certain ordinances adopted by the Board of Commissioners of an airport authority may prescribe such fines as the Board deems appropriate of not less than \$1 nor more than \$1,000 (rather than not less than \$1 nor more than \$200) upon conviction for each offense. **NOTE:** In response to the increased use of drones and concerns pilots have with possible interference.

HB 683 (P.A. 100-0343)

SEMI-TRAILER LENGTH

Changes the maximum semi-trailer length on all non-state highways from 55 to 65 feet. Sets the kingpin real axle length longer than 48 feet limit to 42 feet 6 inches. Removes the 55 feet overall wheel base limitation on other state highways and class III routes. Allows the state or unit of local government to seek recovery for the cost of repair from damages as a result of a semitrailer combination exceeding 55 feet. The state or local governments are not required to widen or alter highways constructed before the effective date of this legislation.

HB 791 (P.A. 100-0352)

AUTOMATED DRIVING SYSTEM RESTRICTIONS

Prohibits local governments, including home rule units, from enacting ordinances that prohibit the use of Automated Driving System equipped vehicles on roadways.

HB 799 (P.A. 100-0473)

DETOUR WEB NOTICE

Requires IDOT and local governments to post notice of highway detour locations on their respective websites no later than 10 days before a detour becomes active.

HB 2363 (P.A. 100-0476)

LONG-RANGE TRANSPORTATION PLAN

Requires each municipality with a population exceeding 5,000 to develop and update a long-range highway transportation plan for a period not to exceed 20 years. A copy should be made public on an annual basis.

HB 2492 (P.A. 100-0366)

FIRE TRUCK EXEMPTION

Provides that except for weight limits on Class I highways under a Chapter in the Illinois Vehicle Code governing size, weight, load, and permits, the provisions under that Chapter governing size, weight, and load (rather than size and load) do not apply to fire apparatus or emergency vehicles (rather than only fire apparatus).

HB 2581 (P.A. 100-0071)

TOLLWAY INTERGOVERNMENTAL AGREEMENT

When the Illinois State Toll Highway Authority has built or will build grade separations or interchange improvements at intersections with any railroads, waterways, street railways, streets, thoroughfares, public roads, or highways intersected with the toll highways, the local highway

agency or municipality with jurisdiction must enter into an agreement with the Authority for the ongoing maintenance of the structures.

HB 2953 (P.A. 100-0523)

RTA ACT – BIDDING THRESHOLD

Increases the threshold that RTA (Pace and Metra), CTA, and downstate transit systems must provide for public bidding of contractual work from \$40,000 to the small purchase threshold set by the Federal Transit Administration (currently \$100,000).

Environment



SB 1417 (P.A. 100-0433)

ELECTRONICS RECYCLING

Creates the Consumer Electronic Recycling Act. Requires manufacturers to provide e-waste programs to transport and recycle residential electronic devices through a convenience-based standard. Programs are to start in 2019.

SB 1561 (P.A. 100-0095)

POLLUTION CONTROL FACILITIES

Provides that nothing in this act shall be construed to permit a county with a population of less than two million the power to regulate the operations of pollution control facilities or recycling centers.

HB 1914 (P.A. 100-0254)

WASTEWATER LINE CONSTRUCTION

Allows every public water district and non-profit private water company to construct, maintain, alter and extend water mains and wastewater lines along or under streets.

HB 1955 (P.A. 100-0362)

E-WASTE (Trailer Bill)

Even though SB 1417 creating the Consumer Electronic Recycling Act passed by wide bipartisan margins in both chambers, there was opposition remaining from the Illinois Environmental Protection Agency (IEPA) and some industry groups. Those concerns include record keeping and reporting requirements, registration fees, the ability of manufacturers to audit collection programs and penalties. This enacted bill includes the agreed language.

HB 2831 (P.A. 100-0077)

PACE FINANCING DISTRICTS

Creates the Property Assessed Clean Energy (PACE) Act. A city or county may establish a clean energy program and create a PACE area by entering into a voluntary assessment contract with commercial and industrial property owners to finance or refinance energy projects.

Pensions and Retirement Benefits



SB 701 (P.A. 100-0411) **IMRF EARNINGS EXCLUSION**

Requires an employer to pay the present value of the increase in pension resulting from an increase in earnings greater than 6% or 1.5 times the increase in the consumer price index for any of the 12-month periods used to determine final rate of earnings, excludes earnings increases resulting from payments for unused vacation time, but only for payments for unused vacation time made in the final 3 months of the final rate of earnings period. Does not change what the employer has to pay IMRF, it just allows the payments to be spread over the full amortization period, rather than within three years. Compensation for vehicle use cannot be used as pensionable salary.

HB 350 (P.A. 100-0334) **PENSION FELONY FORFEITURE**

Provides for the forfeiture of benefits for any person who otherwise would receive a survivor benefit who is convicted of a felony relating to or arising out of or in connection with, the service of the member from who the benefit results.

HB 418 (P.A. 100-0281) **DOWNSTATE POLICE**

Prohibits a police chief from electing to participate in IMRF instead of a downstate police pension fund, unless that police chief began participating in IMRF before Jan. 1, 2019.

HB 815 (P.A. 100-0354) **IMRF POLICE AND FIRE**

Provides that certain police officers and firefighters who participate in IMRF may be granted Sheriff's Law Enforcement Employee (SLEP) status with the approval of the employing municipality.

HB 3070 (P.A. 100-0148) **IMRF PURCHASED CREDITS**

Codifies the current IMRF practice of allowing members to take one payment for service credit purchases after termination, so long as a valid application is received while the member is still living.

HB 2966 (P.A. 100-0139) **IMRF BOARD OF TRUSTEES**

Updates the qualifications section for the IMRF Board of Trustees to ensure that Board candidates are vested, regardless of the tier in which they participate.

HB 3122 (P.A. 100-0274) **IMRF PART-TIME GOVERNMENT OFFICIALS**

A person who holds part-time elected or appointed office as a governing body member is not a participating employee in IMRF unless they were elected to office before the effective date of the Act and chosen to become a contributor. An office as a member of a governing body shall be deemed to be part-time if the performance of their duty takes less than 1000 hours per year.



ILLINOIS ASSOCIATION OF COUNTY BOARD MEMBERS

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Executive Director: Kelly Murray • **Legislative Consultant:** Taylor Anderson

2017-2018 LEGISLATIVE COMMITTEE

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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.