
LEGISLATIVE SUMMARY

100TH ILLINOIS GENERAL ASSEMBLY



2018

ILLINOIS ASSOCIATION OF COUNTY BOARD MEMBERS

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November 2018

In the second year of the 100th Illinois General Assembly, the legislature was in session from January 8, 2018, through May 31, 2018. Veto session is held for six days in November to allow the General Assembly to take action on bills that the governor has vetoed in addition to other measures.

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 26, 2018. 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 signed into law by the Governor. Measures that are amended or vetoed may be considered by lawmakers during a continuous session, Veto Session or as special sessions may be called.

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. We expect a heavy agenda advancing into 2019 concerning local government policy. Remember, counties play an essential role in legislative and administrative state functions. Broadening and establishing a relationship with your legislators is critical to advancing the needs and initiatives in your county. We are here to assist you and will continue to keep you informed of important information as it is made available.

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

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State Government



SB 1451 (P.A. 100-0585)

SMALL WIRELESS FACILITIES DEPLOYMENT ACT

Standardizes small cell regulation to pave the way for 5G deployment. Restricts how local governments can regulate small wireless facilities collocations. Small cells are lower-profile wireless signal alternatives to traditional cell towers that can be attached to existing structures including utility poles, light poles, traffic lights or outdoor building walls. Caps annual rates that many local governments can charge telecoms annually for small cells on public utility poles at \$200 per year. Applies to municipalities with a population below one million, exempting Chicago.

SB 2540 (P.A. 100-0997)

GRANT TRANSPARENCY

Makes several changes to the state grant process as a result of the misuse of grant funds in the Neighborhood Recovery Initiative. Places greater restrictions on fund transfers, and prohibits transferring grant funds from appropriated to non-appropriated funds. Also permits the state comptroller to stop payment on grants when serious concerns arise about a program or recipient.

SB 2667 (P.A. 100-0838)

ENTERPRISE ZONE SCORING

Changes Enterprise Zone scoring procedures to help rural areas compete on a level playing field with urban areas. Provides that an Enterprise Zone applicant's plan for participation by minorities, women, and persons with disabilities is included in a list of qualifying factors.

SB 2773 (P.A. 100-0980)

PACE BOND FINANCING

Updates various provisions of the Property Assessed Clean Energy (PACE) Act enacted in 2017. Enables local governments to permissively use Illinois Finance Authority for bond financing of PACE projects on privately-owned commercial, industrial, non-residential, agricultural, or multi-family (of 5 or more units) real estate, lowering the costs of such projects to create clean energy jobs.

SB 3285 (P.A. 100-1084)

HOME GROWN BUSINESS OPPORTUNITY ACT

DCEO will create an economic plan to assist units of local government located along the borders of Illinois. Includes economic assessments, recommendations, and resources relevant to assist employers as job creators.

SB 3488 (P.A. 100-1088)

ANTI-REGISTRY PROGRAM ACT

Expands Illinois' prohibition on information-sharing between state and local government and the federal government, beyond what is already prohibited by the "Trust Act." No agent or agency shall use any moneys, facilities, property, equipment, or personnel of the agency to participate in or provide support in any manner for the creation, publication or maintenance of a registry program.

HB 4295 (P.A. 100-0742)

STATE EMPLOYEE LOCATION

Codifies into law that Sangamon County is the default location for most state jobs. The director of CMS will specify the geographic location for each job and, when a job is located outside of Sangamon County, the CMS director will provide the reason for the exception.

HB 4757 (P.A. 100-0678)

TOURISM PROMOTION

Authorizes DCEO to reserve up to 3% vs. 10% of total local tourism funds available for costs of administering the program to conduct grant audits or promotional activities.

HB 5121 (P.A. 100-0655)

TRUTH IN HIRING ACT

Bars Illinois governors from "offshoring" salaries of their staffers to other state agencies. The intention of the Act is to get a true account of the size of the governor's budget.

HB 5814 (P.A. 100-1064)

PROMPT PAYMENT INTEREST PENALTY

Beginning July 1, 2019, forces the Governor's office to record late interest payments as a separate line item in its appropriations to state agencies. Assists in painting a clearer picture of the state's funds and slows the depletion of funding needed to run those agencies.

State Budget



HB 3342 (P.A. 100-0587)

BUDGET IMPLEMENTATION

Makes numerous fund transfers and designated uses for specific funds. For FY 2019 sets the share of individual income taxes deposited into the Income Tax Refund Fund at 9.7% and the share of business income taxes deposited at 15.5%. Offers pension reform measures like voluntary buyouts and capping end-of-career salary increases that cause pension spiking.

LOCAL GOVERNMENT REVENUE

The 2019 Budget Implementation bill, cuts distribution to the Local Government Distributive Fund (LGDF) by 5%. This marks a continuation of the LGDF "one-time" diversion contained in the fiscal year 2018 budget, but at a lower percentage (5% vs. 10%). In addition, it reduces the administrative fees for collection of 11 local government sales taxes from 2.0% to 1.5%. This proposal was implemented to help offset cuts to LDGF. And, continuing the trend from prior budget cycles, contains a large diversion from the Corporate Personal Property Replacement Tax (CPPRT) – a slight increase in the diversion from last year (\$295 to \$302 million).

Accounting



SB 2638 (P.A. 100-0837) LOCAL GOVT. AUDITS

Amends the Municipal Audit Act, Local Government Audit Act, and County Audit Act to clarify that units of local government can continue submitting audited financial statements with the Office of the Comptroller using cash basis accounting. Provides a legislative remedy in response to the Comptroller's change of practice to require audited financial statements using accrual basis accounting. Clarifies that local governments can continue submitting audited financial statements with the Comptroller's Local Government Division using cash basis accounting. Local governments who file audited financial statements using accrual basis accounting after June 30, 2019 will be required to continue filing audited financial statements using accrual basis accounting.

HB 4573 (P.A. 100-0752) PUBLIC FUND INVESTMENTS

Extends the length of maturity in which the obligations of corporations, which are invested by a public entity, reach their threshold. Public entities may invest in obligations of corporations if the obligations mature not later than 3 years (currently 270 days) from the date of purchase. Aims to allow local governments to increase their return on the investments that statute currently allows.

Employees



SB 20 (P.A. 100-1066) HUMAN RIGHTS ACT

Expands the powers of employees in litigating their claims. Allows complainants to opt-out of the Illinois Department of Human Rights (IDHR) investigation and commence an action in court 60 days after a charge is filed with the IDHR. Increases the time to file charges of discrimination from 180 days to 300 days.

SB 2999 (P.A. 100-1094) EMPLOYEE EXPENSE REIMBURSEMENT

Requires employers to reimburse employees for expenses the employer authorized or required the employee to incur (e.g. uniforms, equipment, vehicle expenses, electronic devices such as cell phones, tablets, and computers). Employers may establish written reimbursement policies with which employees must comply.

HB 1595 (P.A. 100-1003) NURSING MOTHERS BREAK

Requires employers provide paid and reasonable break time for nursing mothers for up to one year after their child's birth. Prior state law only required employers provide unpaid break time to nursing mothers.

Elections



SB 2651 (P.A. 100-0623) OMNIBUS ELECTION BILL

Every 2 years, each election authority shall submit specified information on the voting equipment used within their jurisdiction to the State Board of Elections. Adds language regarding applications for vote by mail that are sent to P.O. boxes (applications must include a valid and current phone number for the organization controlling the box and be turned over to the appropriate election authority within 7 days of receipt). The State Board of Elections will create a Cyber Navigator Program to defend against cyber breaches.

HB 2222 (P.A. 100-0746) LIBRARY TRUSTEE

A person is not eligible to serve as a library trustee unless he or she is a qualified elector of the library district and has resided in the district at least one year at the time he or she files nomination papers or a declaration of intent to become a write-in candidate or presented for appointment.

HB 2477 (P.A. 100-1110) HOSPITAL RESIDENT VOTING

No patient who has resided for less than 180 days in any hospital or mental institution in the State shall by virtue of his/her abode at the hospital be deemed a resident or legal voter in an election district in which the hospital or mental institution is situated.

HB 4395 (P.A. 100-1041) ECONOMIC INTEREST STATEMENTS

Allows candidates to electronically file Statements of Local Interests with county clerk offices that provide the option.

Sexual Harassment

SB 405 (P.A. 100-0698) PROCUREMENT – SEXUAL HARASSMENT POLICY

Requires companies that make a bid under the state's procurement code to have a sexual harassment policy in place. Companies that claim EDGE credits would also be required to include their sexual harassment policy in their annual state report.

HB 4243 (P.A. 100-0748) SEXUAL HARASSMENT PAYOFF RESTRICTIONS

Prohibits use of public funds including, district office allowances, to facilitate a payout of money to buy silence or inaction related to allegations or investigations of sexual harassment by a member of the General Assembly.

HB 5597 (P.A. 100-0693) CUSTODIAL SEXUAL MISCONDUCT

Expands the definition of custodial sexual misconduct to include law enforcement officers who engage in sexual conduct with an individual in police custody.

County Government



SB 2313 (P.A. 100-0787)

ANIMAL CONTROL ACT

Allows each county to retain the licensing differential and the public safety fees collected and deposit them in the county's animal population control fund rather than sending them to the state.

SB 2459 (P.A. 100-0874)

DISSOLUTION OF DRAINAGE DISTRICTS

Allows the Lake County Board to pass a resolution to dis-solve the Seavey Drainage District.

SB 3134 (P.A. 100-0730)

FLOOD CONTROL COMMISSION

Addresses flooding issues in the suburbs by creating a commission to study flood control practices in the counties of DuPage, Kane, Lake, McHenry and Will.

SB 3212 (P.A. 100-0731)

DAMAGED PROPERTY REPORTS

Nothing in the Illinois Income Tax Act or Freedom of Information Act prohibits the disclosure of information by officials of a county or municipality involving reports of damaged property or the owners of damaged property if that disclosure is made to a township or county assessment official in connection with the natural disaster credit.

HB 3648 (P.A. 100-0669)

STATE'S ATTORNEY SPECIAL ASSISTANTS

A State's Attorney may appoint qualified attorneys to assist as Special Assistant State's Attorneys when public interest so requires.

HB 4319 (P.A. 100-0633)

HANNA WORK CAMP

Allows property previously transferred to Peoria County from the Department of Corrections to be sold. If Peoria County sells the property, 10 percent of the proceeds will be paid to the State of Illinois.

HB 4711 (P.A. 100-0595)

LAWSUITS AGAINST COUNTIES

Provides that lawsuits are not authorized against the county or its officials for their administration of the zoning code, concerning a property owner's or county's authority to seek legal action in the circuit court to abate, correct or restrain code violations, unless the county owns the offending property. The law is consistent with various Illinois cases that have dismissed lawsuits filed against government entities under the Adjoining Landowner Act.

HB 4748 (P.A. 100-0758)

COUNTY STORMWATER MANAGEMENT

Authorizes counties containing all or a part of an urbanized area (rather than only 9 specified counties) to adopt stormwater management plans by referendum. Requires a

county to adopt and enforce

a floodplain management ordinance or a stormwater management ordinance that has been approved by the Office of Water Resources of the Dept. of Natural Resources and designate a Certified Floodplain Manager before the county may submit a referendum question to the electors for an annual tax. Prohibits a county from levying the tax if they are not in full compliance with specified provisions.

HB 5777 (P.A. 100-1113)

LOCAL GOVERNMENT DISSOLUTION

Amends the Local Government Reduction and Efficiency Division of the Counties Code. Reduces the amount of time given for an audit of a government body or agency proposed for dissolution to 30 days, or as soon as is practical once the audit is requested by the county executive. Once the audit is returned, the county board may adopt an ordinance authorizing dissolution at most 60 days (instead of 150 days) following the court's appointment of a trustee-in-dissolution. Also gives the county board chairman the ability to proceed with the dissolution after the petition process and the referendum process.

HB 5123 (P.A. 100-0628)

DUPAGE COUNTY ELECTION COMMISSION

Allows the DuPage County Board to dissolve the county election commission and move its responsibilities to the county clerk's office. Out of 102 counties in Illinois, only DuPage and Peoria have election commissions.

Townships



SB 2299 (P.A. 100-0868)

TOWNSHIP OFFICERS

Prohibits anyone who has been elected or appointed to fill a vacancy in an elected township position to also be employed by that township in another position. Exempts volunteer firefighters from the prohibition.

SB 2923 (P.A. 100-0983)

TOWNSHIP PAYOUT ATTESTATION

Requires that if a township supervisor issues a payout from the township treasury for any purpose, the township clerk shall attest to all moneys paid out.

SB 2940 (P.A. 100-0839)

PROPERTY MANAGEMENT

Allows the township electors to delegate the power to purchase, lease, or sell property to the township board for up to a 12-month period. The township board may specify properties being considered for purchase, lease, or sale.

Local Government and Special Districts



SB 2328 (P.A. 100-0968)

LOCAL GOVERNMENT CAPS

Raises the cap for architecture, surveying, and engineering projects under \$40,000 (was \$25,000) to be exempt from certain public notice, evaluation and selection procedures.

SB 2543 (P.A. 100-0793)

MOSQUITO ABATEMENT DISTRICT DISSOLUTION

Allows the board of any mosquito abatement district to vote to consolidate its district with either another mosquito abatement district or with a township, city or county. Illinois is home to 20 mosquito abatement districts.

SB 2598 (P.A. 100-1072)

FIRE PROTECTION DISTRICT TERRITORY

Allows a home rule municipality to detach property from a fire protection district if the municipality gives fire protection service to at least 80% of territory within municipal corporate limits. Provides petition and hearing processes by which the disconnection is to be carried out.

SB 3291 (P.A. 100-0735)

DRONE REGULATION

Makes the state the regulator of drones. Effective immediately, the law states "the regulation of an unmanned aircraft system is an exclusive power and function of the state. Adding, "No unit of local government, including home rule unit, may enact an ordinance or resolution to regulate unmanned aircraft systems." Exempts Chicago.

SB 3464 (P.A. 100-0945)

CATV FRANCHISE FEE AUDIT PROCESS

Makes procedural changes to the way counties and cities conduct community antenna television system (CATV) franchise fee audits. Does not change the amount of any franchise fee charged to a CATV or the amount in franchise fees the local government receives.

HB 1190 (P.A. 100-0847)

SANITATION SYSTEMS AND WATERWORKS

Allows a sanitary district, by ordinance, to combine and jointly operate the district's waterworks and sewerage systems.

HB 4242 (P.A. 100-1040)

SEVERANCE AGREEMENTS

Requires local governments to publish information about any severance agreement with an employee or contractor who was found to have engaged in sexual harassment or sexual discrimination.

HB 4253 (P.A. 100-0737)

PUBLIC WATER DISTRICT

Permits the appointing authorities of a Water District Board to remove a trustee for misconduct, official misconduct, or neglect of office.

HB 4340 (P.A. 100-0671)

HUMAN TRAFFICKING RESOURCE NOTICE ACT

Adds to the list of establishments required to post notice under the Act: massage establishments; public gatherings and special events conducted on property open to the public that require the issuance of a permit from the unit of local government; public and private elementary and secondary schools; and establishments registered under the Tattoo and Body Piercing Establishment Registration Act.

HB 4748 (P.A. 100-0758)

STORMWATER COMMISSIONS

Allows all counties to set up stormwater commissions that can adopt plans and ordinances as well have access to a fee schedule and a 0.2 percent of EAV property tax levy if certain conditions are met. Ten counties that fit a provided definition of "urbanized area" may do so automatically while other counties may do so by front-door referendum.

HB 4822 (P.A. 100-0856)

LOCAL GOVERNMENT ELECTRONIC NOTIFICATION

Allows local governments to establish a process to allow people to select an electronic notification delivery system, such as email or other electronic means, for governmental mailings that are being sent by U.S. mail.

Cook County



SB 1979 (P.A. 100-1104)

COOK COUNTY OVERPAYMENTS

In provisions concerning refunds for erroneous assessments or overpayments in Cook County, establishes a \$5,000,000 (previously, \$2.5 million) annual cap on the amount of taxes and interest refunded per year.

HB 4765 (P.A. 100-1034)

PREDICTABLE RECORDER FEE SCHEDULE

Allows the Cook County Board to establish a predictable fee schedule that is similar to the one that was passed in 2017 for every other county in Illinois – eliminating surcharges based on an individual document.

HB 5176 (P.A. 100-0685)

FORECLOSURE SALES

Defines how law firms must publish the sale of a foreclosed property. Provides that legal notices concerning real estate be published in the township (rather than in the county) of the property in question; and that the required Cook County newspaper notice of foreclosure-related sales of property be published in a newspaper different from the paper used for the legal notice.

Agriculture



SB 2298 (P.A. 100-1091) INDUSTRIAL HEMP ACT

Establishes a legal framework within which Illinoisans could grow, cultivate and process industrial hemp, subject to licensure by the Illinois Dept. of Agriculture.

HB 4569 (P.A. 100-0637) ABOVE GROUND GAS STORAGE

For agricultural purposes and certain commercial purposes, an above ground gas storage tank holding 12,000 gallons of fuel may be used for refueling equipment and vehicles.

HB 5749 (P.A. 100-1090) AGRICULTURE COMMODITY TRANSPORT

Requires the Dept. of Transportation (between Sept. 1 and Dec. 1) to issue special permits authorizing the movement of loads of agricultural commodities that may exceed the current axle or vehicle gross weight limits by 10 percent. Permits are to cost \$500 with a total combined permit fee of no more than \$1,000. Also, increases the fee to the Illinois State Police for a police escort to \$75 per hour.

Energy and Utilities

SB 2817 (P.A. 100-0882) SANITARY DIST. INTERGOVERNMENTAL AGREEMENT

If a local government performs non-emergency construction or maintenance work on the public way, a sanitary district may enter into an intergovernmental agreement with the unit of local government allowing similar construction work to be performed by the sanitary district on the same project, in an amount not in excess of \$100,000. Transparency and disclosure requirements are provided.

SB 2899 (P.A. 100-0936) COAL EXTRACTION

Amends the Surface Coal Mining Land Conservation and Reclamation Act. The Act does not apply to the extraction of coal as an incidental part of a federal, State, or local government-financed highway or other construction under rules adopted by the Department of Natural Resources.

HB 4746 (P.A. 100-0896) NATURAL GAS LEAKS – MAHOMET AQUIFER

Requires gas storage operators located above to notify local communities if natural gas leaks threaten to expose residents and businesses to contaminated water. Also mandates annual storage field inspections by the Illinois Department of Natural Resources. Aimed at protecting the Mahomet Aquifer, this legislation responds to a gas leak in Champaign County in 2016. Local officials and area residents were not informed about the leak that contaminated private wells and was so severe that residents reported being able to light their water on fire.

Animals



SB 2270 (P.A. 100-0740) ANIMAL PROTECTION

Authorizes law enforcement to temporarily take custody of a dog or cat if the animal is exposed to extreme temperature conditions for an extended time. Applies to animals trapped in hot motor vehicles, and also to those forced to stay outdoors in conditions of extreme cold. The officer must attempt to make contact with owner. Also, the owner is responsible of cost required for veterinary care.

SB 2380 (P.A. 100-0870) ANIMAL CONTROL FACILITIES

Creates greater transparency on the welfare of animals, and to discern whether a facility has a history of performing high numbers of euthanization. Includes animal control facilities on the list of establishments that can transfer animals to other facilities. New license renewal requirements are established, including breakdowns of incoming animals (stray, left by owner) and the disposition of those animals (adopted, euthanized). For license renewal, shelters must submit a report of their total intake number for dogs, cats, or other animals from the calendar year. Dept. of Agriculture must post intake/outcome statistics on their website for each facility. If a microchip is present in the animal, the registered owner must be contacted before intake.

SB 2386 (P.A. 100-0971) RECKLESS DOG OWNER PENALTIES

Dog owners could be defined as “reckless” if their animal is deemed dangerous for killing another dog and is found running at large twice within 12 months. If a person is determined to be a reckless owner, all dogs on their property will be forfeited to a licensed shelter, rescue or sanctuary. Reckless dog owners will be prohibited from owning dogs for up to three years if found guilty.

HB 1671 (P.A. 100-0666) POLICE DOG SERVICE PROTECTION ACT

A vehicle transporting a police dog must be equipped with a heat sensor that remotely alerts law enforcement if the vehicle reaches 85 degrees. Vehicles must also be equipped with a safety mechanism to lower the interior temperature. Requires police dogs to receive an annual medical examination and rabies vaccination.

Mobile Homes

SB 3261 (P.A. 100-1083) ABANDONED MOBILE HOMES

Authorizes mobile home owners and operators to remove and dispose of abandoned mobile homes. A proceeding can be filed in the circuit court of the county that the mobile home is located. Outlines the circumstances in which the mobile home park owner or operator may commence a judgment that the home is abandoned.

Courts and Law Enforcement



SB 558 (P.A. 100-0597)

DOMESTIC VIOLENCE ORDER OF PROTECTION

A petition for a domestic violence order of protection may be filed by a State's Attorney on behalf of any minor child or dependent adult in the care of the named victim, if the named victim does not file a petition.

SB 2378 (P.A. 100-0970)

OFFICER INVOLVED SHOOTINGS

Requires every law enforcement agency in the state to develop a written policy for the internal review of officer-involved shootings that would be available under FOIA.

SB 2560 (P.A. 100-0927)

PUBLISHING CRIMINAL RECORDS

A law enforcement agency may not publish booking photographs (mugshots), on its social media website in connection with certain offenses unless the photograph is posted to assist in the search for a missing person, a fugitive, person of interest, or individual wanted in relation to a crime.

SB 2579 (P.A. 100-0929)

BAIL – CASH BOND

A person subject to bail on a Category B offense shall have \$30 deducted from his/her 10% cash bond amount (rather than monetary bail) every day the person is incarcerated. The sheriff shall apply this \$30 per day reduction and send notice to the circuit clerk if a defendant's 10% cash bond amount is reduced to \$0, at which point the defendant shall be released upon his or her own recognizance.

SB 3105 (P.A. 100-0625)

DCFS LAW ENFORCEMENT ASSISTANCE

Encourages, but does not mandate, police protection for DCFS workers to accompany them on a call regarding a report of child abuse/neglect, and who have a reasonable belief the person named in the report could be violent.

SB 3388 (P.A. 100-0999)

ADULT REDEPLOY ILLINOIS

Adult Redeploy aims to reduce recidivism through local services like counseling and substance abuse treatment. Currently, it is only offered to people charged with probation-eligible offenses who are considered "non-violent." This bill allows services to be expanded to all offenders.

SB 3503 (P.A. 100-0947)

PUBLIC LACTATION ROOM

On or before June 1, 2019, every facility that houses a circuit court room shall designate one public lactation room that is located outside the confines of a restroom and includes, at minimum, a chair, a table, and an electrical outlet, as well as a sink with running water where possible. Lactation rooms and areas shall also meet with reasonable minimum standards prescribed by the Supreme Court of Illinois

HB 1464 (P.A. 100-0630)

ALTERNATIVES FOR PREGNANT DETAINEES

Seeks to reduce the number of children born in custody to pre-trial detainees in Illinois. Proposed by Cook County Sheriff Tom Dart, requires that pregnant detainees found likely to give birth during pre-trial detention be given an alternative to incarceration, such as electronic monitoring, unless a special hearing determines the release would pose a risk to public safety. The bill would not affect any criminal charges.

HB 4888 (P.A. 100-0907)

INMATE VIOLENCE REPORTING

Requires the Illinois Dept. of Corrections to collect and report violence in prisons and other correctional facilities and to publish public safety reports.

HB 5000 (P.A. 100-0991)

INVESTIGATIVE REPORTS

Allows the Inspector General to share unredacted investigative reports and raw data, with a local law enforcement entity, State's Attorney, or coroner upon written request.

HB 5341 (P.A. 100-0776)

SEALING OF RECORDS

Bars judges from considering an individual's fines, fees, or outstanding financial obligations when reviewing a petition to seal their criminal record. It does not eliminate the debt, but prohibits judges from refusing to seal a record until all fines or fees are paid.

HB 5745 (P.A. 100-0696)

JURY COMMISSION ACT – NURSING MOM

Allows nursing mothers to be exempt from jury duty upon request.

Juveniles



SB 2915 (P.A. 10-0720)

JUVENILE EXPUNGEMENT

Allows the parents, guardian and counsel of a minor who is the subject of record to inspect and copy law enforcement records. Requires juvenile court proceedings to be expunged within 60 days of receiving the order.

HB 5077 (P.A. 100-0765)

COMMITMENT REPORTS

If a minor is committed to the Dept. of Juvenile Justice, the clerk of the court shall forward to the Department the sentencing order and copies of committing petition and an accurate reporting of the minor's criminal history in a manner and form prescribed by the Department.

Firearms



SB 2640 (P.A. 100-0931) FIREARM BUYBACK

Allows retiring State Police Officers and State Fire Marshal Investigators to have the option of purchasing their service weapon and badge. Officers must possess a valid FOID Card upon retirement and pay for the pistol.

SB 2642 (P.A. 100-0712) RETIRED OFFICER EXEMPTION

Deletes the requirement (under State law) for retired police officers from having to obtain a Firearm Control Card to be a licensed private security officer if they are currently in good standing under the Federal Law Enforcement Officers Safety Act of 2004.

SB 3256 (P.A. 100-0606) 72-HOUR WAITING PERIOD

Require applicants for any firearm, not just handguns, to wait at least 72 hours before they can receive it. Retains the 24 hour withholding period for stun guns and Tasers (Class 4 felony if violated). Also, eliminates the current statutory exemption from the waiting period requirements for the sale of a firearm to a nonresident of Illinois while at an official gun show recognized by the State Police.

HB 2354 (P.A. 100-0607) FIREARMS RESTRAINING ORDER

Allows a court to order the removal of a gun from a person deemed dangerous. The "red flag" bill allows an immediate family member or the police to go to court if they fear a person with access to guns may do something violent. If the court determines the person poses a threat to himself or others, it can order the person's guns be temporarily removed by law enforcement (for a six-month period).

HB 5231 (P.A. 100-0911) FOID CARD REVOCATION

Eliminates a job requirement which would temporarily revoke the FOID card, when a police officer seeks mental health treatment. Prevents police agencies from requiring a FOID card as a condition of continued employment.

Environment



HB 4724 (P.A. 100-1006) HYDRAULIC FRACTURING

Seeks uniformity across all operators, producers and purchasers of oil and gas under the Act. First purchasers shall not be required to obtain exemption certificates from the producer until the first high volume horizontal hydraulic fracturing permit has been approved by the Department of Natural Resources. Also would remove the exemption from taxation of oil and gas under the Act.

Opioids



SB 2777 (P.A. 100-1106) CONTINUING EDUCATION

Requires licensed prescribers of controlled substances (medical professionals) to complete 3 hours of continuing education on how to safely prescribe opioid medications. Impacted professions that hold a separate controlled substance license include: Physicians, Podiatric Physicians, Advanced Practice Registered Nurses, Dentists, Physician Assistants, Clinical Psychologists, Optometrists, and Veterinarians.

SB 3023 (P.A. 100-1025) COMMUNITY DEFLECTION

Allows law enforcement agencies to implement deflection programs that offer alternatives to jail for individuals suffering with substance abuse. Modeled off the Safe-Passage Program in Dixon, connects law enforcement with licensed substance abuse service providers in order to focus on preventive measures in dealing with the opioid crisis and other substance use issues.

HB 4707 (P.A. 100-0989) PRESCRIPTION DRUG TASK FORCE

Formed to study the extent of over-prescription of opioids in Illinois such as Hydrocodone and Oxycodone. The task force will consist of state lawmakers, health care professionals, members of law enforcement and parents who have lost children from drug overdoses. The task force will make recommendations to the General Assembly on actions that can be taken at the state level.

HB 4795 (P.A. 100-0759) SUBSTANCE USE DISORDER ACT

Makes changes to provide the foundation for subsequent policies and rules that will enhance efforts to combat the opioid epidemic and other substance use disorders and resultant changes created for medical and community-based organizations that provide treatment.

Task Force



HB 4594 (P.A. 100-0987) CRIMINAL AND TRAFFIC ASSESSMENT ACT

Implements recommendations of the Statutory Fee Task Force created by the General Assembly to study the current system of fees, fines, and other court costs in Illinois. Standardizes court fees and fines into 13 schedules of potential assessments for criminal and traffic offenses, and four schedules for civil court cases, which are divided by the type of offense or case. A minimum fine is \$25 unless waived by the judge. Fee changes do not take effect until July 1, 2019, allowing time for counties to adjust.

Taxes, Fees and Exemptions



SB 585 (P.A. 100-1070)

PROPERTY TAX CODE – FEE COLLECTION

Brings uniformity to the various fees collected on tax sales and clarifies that fees are to be charged for subsequent taxes. Each tax purchaser shall pay to the county collector an automation fee set of not more than \$10 for each item purchased (previously, each county collector may assess such a fee). The indemnity fee in counties other than Cook County shall be not more than \$20. Makes changes concerning the fee imposed by the county board on each person purchasing property at a sale under the Code for payment of interest and costs.

SB 2274 (P.A. 100-0834)

SPOUSAL TRANSFER WOODED ACREAGE

A transfer between spouses does not disqualify wooded acreage from the provisions for the assessment of un-transferred wooded acreage.

SB 2539 (P.A. 100-0975)

PROPERTY TAX CODE – RECEIPT OF PAYMENTS

In a Section requiring a receipt for payment of certain fees and costs incurred by a certificate holder, provides that the county clerk shall write or stamp the date of receiving upon the receipt. In a Section concerning notice of an extended period of redemption, provides that the county clerk shall write or stamp the date of receipt upon the notice, and provides that the county clerk is not required to extend the period of redemption unless the purchaser or his or her assignee obtains that acknowledgments of delivery.

SB 2958 (P.A. 100-0722)

STATE TAX LIEN REGISTRY

The notice of a tax lien shall also include the county or counties where the real property of the debtor to which the lien will attach is located. A tax lien that is filed in the registry shall be attached to all of the existing and after-acquired real and personal property of the debtor.

SB 3017 (P.A. 100-0938)

RADIOACTIVE WASTE MANAGEMENT ACT

Provides that units of local government are exempt from specified waste fees.

SB 3085 (P.A. 100-1095)

PROPERTY TAX NOTICES

County collectors shall no longer publish (or send notice) of delinquent or forfeited property taxes for certain undeveloped but platted and subdivided property or for any other exempt property.

SB 3093 (P.A. 100-1077)

LIFE CARE FACILITY HOMESTEAD EXEMPTION

Grants a general and senior homestead exemption to residents in life care facilities like Friendship Manor in Rock Island, saving a resident about \$1,100 per year.

SB 3215 (P.A. 100-0890)

PROPERTY TAX CODE – SALES IN ERROR

In cases where improvements upon the property sold have been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy, the court may order the holder of the certificate of purchase to assign the certificate to the county collector, upon request of the county collector. The county collector may further assign the certificate to the county, acting as trustee for taxing districts, or to a taxing district having an interest in the taxes sold. If the certificate of purchase is assigned to the county delinquent tax agent because the improvements have been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy, then the county delinquent tax agent shall extend the redemption period by 36 months.

SB 3527 (P.A. 100-0629)

RIVERS EDGE REDEVELOPMENT ZONES

Expands the River Edge historic preservation tax credit program to the entire state. Previously, the incentive only was available in Peoria, Rockford, East St. Louis, Elgin and Aurora, all of which are riverside communities that had sought to lure community investment and revitalize their economies. The credit is limited to an aggregate annual cap of \$15 million and a per plan cap of \$3 million.

HB 4415 (P.A. 100-0594)

COAL AND MINING EQUIPMENT EXEMPTION

Extends the exemption from Illinois sales taxes for coal and aggregate exploration, mining, off-highway hauling, processing, maintenance, and reclamation equipment to June 30, 2023. This will help Illinois coal mines compete on a level playing field with companies in other states.

Cigarettes



SB 2514 (P.A. 100-0877)

SMOKING ENFORCEMENT

Expands the number of law enforcement agencies that can enforce the state's prohibition on smoking inside public buildings and within 15 feet of building entrances to the Illinois State Police and Dept. of Natural Resources.

SB 3141 (P.A. 100-0940)

TOBACCO RECORDS AND UNSTAMPED CIGARETTES

Sets penalties for failure to keep certain books and records. Distributors who purchase cigarettes for shipment into Illinois from a point outside the state must make invoices available for inspection by the Illinois Dept. of Revenue which may assess taxes and penalties on original packages of cigarettes that do not contain property tax stamps. Also, prohibits the sale of individual or "loose" cigarettes.

Transportation and Regulation



SB 3024 (P.A. 100-0727)

FIRST RESPONDER CELL PHONE EXEMPTION

A first responder, while operating his or her own personal motor vehicle, can use an electronic communication device for the sole purpose of receiving information about an emergency situation while en route to performing his or her official duties.

SB 3148 (P.A. 100-0803)

RESTRICTED PERMIT

A restricted driving permit may be issued for two years rather than one year.

SB 3241 (P.A. 100-0734)

COVERED FARM VEHICLE DESIGNATION

Allows second division vehicles in the 8,000 lbs. or less category that are specialty plated to receive the Covered Farm Vehicle (CFV) designation on the vehicle's registration card. Vehicle owners requesting to receive the CFV designation must pay an additional \$10 surcharge to receive the designation, equal to the additional fee needed to designate a B or D plated vehicle as a CFV.

HB 4259 (P.A. 100-0986)

MULTI-YEAR VEHICLE REGISTRATION

Beginning in 2021, allows motorists of first and second division vehicles (under 8,000 pounds), the option to register their vehicles for one or two years. Also allows owners of trailers to register their trailer up to five years. The price per year would be the same, but motorists would be able to pay multiple years up front and would not have to change their sticker every year.

Cannabis



SB 336 (P.A. 100-1114)

OPIOID ALTERNATIVE

Creates the Opioid Alternative Pilot Program. Lifts restrictions included in Illinois' original medical marijuana law, the Compassionate Use of Medical Cannabis Pilot Program. Allows individuals who are physician-certified as having a medical condition where an opioid has been prescribed to purchase medical cannabis without applying to the state registry program.

HB 4870 (P.A. 100-0660)

MEDICAL CANNABIS (ASHLEY'S LAW)

Allows the administration of medical cannabis infused products on school premises or on the school bus to a student who is a qualifying patient. Named after an 11-year old girl who was not allowed to take medical cannabis for her seizures at a school in Schaumburg.

HB 4846 (P.A. 100-0858)

CELL PHONE MOVING VIOLATION

Makes the first time a person uses a hand held cell phone while driving a moving offense. Previously, only a \$75 fine.

HB 4944 (P.A. 100-0683)

VEHICLE SAFETY TEST

Provides that property carrying vehicles weighing 10,000 pounds to 26,000 pounds will be subject to a safety test at least every 12 months, rather than six months.

HB 5206 (P.A. 100-0773)

INTERCITY RAIL SERVICES

Allows IDOT to enter into agreements with any state, state agency, or local government for the purpose of leasing any locomotive, passenger rail cars, and other rolling stock equipment or accessories. Funds gained would be placed in an escrow account for future rail costs.

Solar Farms



SB 486 (P.A. 100-0781)

ASSESSMENT STANDARDIZATION

Creates certainty around the property tax revenue that solar farms will pay to local taxing bodies. Under the new law, each megawatt (MW) of ground-mounted solar installed in Illinois will generate an average of \$6,000-\$8,000 per year in property tax revenue. The industry expects to install up to 2,000 MW of ground-mounted solar farms by 2021, which will create a total \$250-\$350 million in property tax revenue over a 25-year lifespan.

SB 2591 (P.A. 100-0598)

SOLAR POWER REGULATIONS

Sets standards for the construction and deconstruction of solar farms on agricultural land. Requires solar developers to enter into an Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Dept. of Agriculture prior to solar farm construction. The AIMA will set standards for solar construction and deconstruction and require financial assurances from developers that land will be restored to its prior use at the end of a solar farm's life.

SB 3214 (P.A. 100-1022)

POLLINATOR FRIENDLY SOLAR SITE ACT

Encourages solar developers to create habitats for bees, monarchs and other pollinators within their solar sites. Requires certification from the Dept. of Natural Resources to designate themselves as "pollinator friendly". There are no new zoning requirements or mandates placed on solar developers under this Act. Ensures that solar arrays will be managed to prevent propagation of noxious weed species.

Pensions



SB 3119 (P.A. 100-1097)

IMRF POLICE PENSION / DOWNSTATE FIRE PENSION

Tightens limitations on police participation by prohibiting participation by former police chiefs who return to the same municipality as a police advisor or in another, similar position. Applicable only to new members. Also amends the Downstate Fire Pension Fund to allow a firefighter to no longer have annual evaluations for duty disability caused by PTSD if they have signed documentation from two medical professionals and are over the age of 45 and approval of a super-majority of the board.

SB 3604 (P.A. 100-0895)

GOVERNMENT SEVERANCE PAY ACT

Attempts to prevent “golden parachutes” for government officials. Caps payment packages for departing public executives to a maximum of 20 weeks of compensation and stops employees who get fired for misconduct from getting any severance at all.

HB 4684 (P.A. 100-0988)

SURS COMPTROLLER INTERCEPT

Enhances SURS’ ability to obtain delinquent employer payments that are owed under the law by intercepting them through the state Comptroller and/or the county treasurer for the county in which the employer is located.

Veterans



SB 2306 (P.A. 100-0869)

VETERANS HOMESTEAD EXEMPTION

The homestead exemption for veterans with disabilities shall be prorated if the person qualifying for the exemption does not occupy the qualified residence as of January 1 of the taxable year.

HB 4288 (P.A. 100-0826)

NATIONAL GUARD PREFERENCE

Expands Veteran’s Preference to those who live in Illinois, but served in another state’s National Guard unit. Under prior law, members of National Guard units from states other than Illinois were not granted Veteran’s preference for state employment purposes. However, Illinois National Guard members will be given priority over any other state.

Constitutional Amendment

SJRCA 4

EQUAL RIGHTS AMENDMENT

Ratifies the Equal Rights Amendment (ERA) to the United States Constitution. The ERA provides that “equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex.”



ILLINOIS ASSOCIATION OF COUNTY BOARD MEMBERS

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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.