

**Illinois Association of County Board Members
and Commissioners**

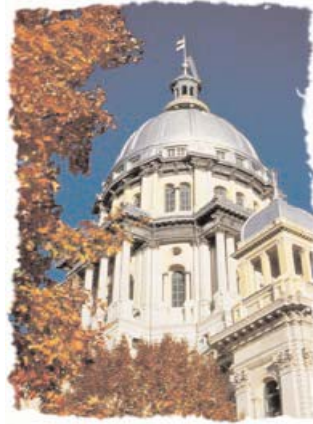
2013

LEGISLATIVE SUMMARY

*98th Illinois General Assembly
Spring Session*

**ILLINOIS ASSOCIATION OF
COUNTY BOARD MEMBERS AND COMMISSIONERS**

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July 2013

The 98th Illinois General Assembly spring session constitutionally adjourned on May 31, 2013. This summary report includes bills that were approved by the General Assembly that either affect, or are of interest, to county governments. 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 will be considered by lawmakers when they return in October for the fall Veto Session or as special sessions may be called.

We want to thank the IACBMC 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 over the rest of the year and 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 IACBMC office. We welcome your comments and suggestions.

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State Government



HB 2 (P.A. 98-0047)

GRANT FUNDS RECOVERY

Creates the Illinois Single Audit Commission to research federal practices for awarding grants and reporting recommendations to adopt uniform standards of grant administration in the state.

HB 983

ALTERNATE REVENUE BONDS

Tightens regulations in the Local Government Debt Reform Act by dropping the number of signatures required to get alternative revenue bonds onto a ballot. Alternate revenue bonds – known to lenders as “double-barreled bonds” – allow taxing bodies to issue debt to pay for projects with the understanding that the money is backed by an identified revenue stream. A referendum would be required if sought by the lesser of (i) 5% of the registered voters or 5,000 registered voters in a governmental unit with more than 4,000 registered voters, and (ii) 15% of the registered voters or 200 registered voters in a governmental unit with 4,000 or less registered voters. Citizens would have 45 days to collect the necessary signatures, up from 30 days.

HB 1045

LOCAL GOVERNMENT CONSOLIDATION

Extends the deadline to September 30, 2013 for the Local Government Consolidation Commission to issue its report to the General Assembly. The Commission did not meet the original December 31, 2012 deadline.

HB 1046

PRISONERS AND MEDICAID

Authorizes prisoners to apply for medical assistance at any time (rather than 30 days) prior to their scheduled release. Assures that the state qualifies for the maximum available federal match.

HB 1652

DNR DRONE PROHIBITIONS

Makes it a Class A misdemeanor to use a drone to interfere with a law-abiding hunter or angler. The proposal defines “drone” as any aerial vehicle that does not carry a human operator. The measure is in response to People for the Ethical Treatment of Animals’ (PETA) plans to use drones for surveillance of sportsmen.

HB 2470

EXPUNGEMENT OF CRIMINAL RECORDS

Amends the Criminal Identification Act concerning the expungement and sealing of criminal records. Provides that the petitioner, State’s Attorney or prosecutor charged with the duty of prosecuting the offense, arresting agency, or chief legal officer of the local government effecting the arrest (rather than the petitioner or any party entitled to notice) may file a motion to vacate, modify, or reconsider

the order granting or denying the petition to expunge or seal within 60 days of service of the order.

HB 2488

EMAIL NOTICES

Amends the Local Government Professional Services Section Act to allow government agencies to email a notice of interest to professional firms including architects, engineers and land surveying services. The firms must have a statement of qualification on file with the political subdivision.

HB 2540

SECRETARY OF STATE FILINGS

Deletes language requiring copies of determinations concerning the prevailing rate of wages to be filed with the Secretary of State.

HB 2613

CAPITAL PROJECT FUND

Clarifies that federal capital funds left over after the State completes a construction project must remain in a capital fund for future construction projects, rather than be used to pay off bonds.

HB 2776

SAFETY BELT EXEMPTIONS

Amends the Illinois Vehicle Code to provide that the exception to safety belt requirements does not apply to vehicles of the fire department or ambulances, unless the delivery of life-saving measures prohibits the use of a seat safety belt.

HB 2820

PUBLIC BUILDING COMMISSION

Allows Public Building Commissions to rent property to not-for-profit agencies.

HB 2856

9-1-1 DIRECTORY

Requires the Illinois Commerce Commission to provide 9-1-1 operators with a directory of other call centers to be able to transfer calls out of their original jurisdiction.

HB 2869 (P.A. 98-0094)

CAPITAL BOND AUTHORIZATION

Allows the Governor to sell \$2.77 billion in new bonds for capital projects as part of the Capital Construction program authorized in 2009.

HB 3081

LITTERING FINE

Adds a minimum fine of \$50 for littering under the Litter Control Act.



HB 3035

DISASTER RESPONSE FUNDS

Changes the name of the Disaster Relief Fund to the Disaster Response and Recovery Fund in order to reimburse local governments furnishing services whenever funds appropriated to the State and local governments for disaster response and recovery are insufficient to provide services and when the Governor has declared a disaster. Gives the Emergency Management Agency more leeway to spend funds during disasters instead of relying on an order from the Governor for every expense.

HB 3139

MOBILE INSURANCE PROOF

Allows both the delivery of auto insurance cards to customers by electronic means and auto insurance to be displayed by electronic means (smart phone, etc). Law enforcement officers and the courts would be immune from liability for any damage to a portable electronic device that may occur such as during a traffic stop.

SB 26

MEDICAID EXPANSION (P.A. 98-0104)

Enacts a critical part of the Affordable Care Act (ACA). Makes Medicaid coverage available to adults with annual income below 138% of the federal poverty line, which is \$15,860 for individuals and \$21,408 for couples. The measure is expected to enroll 342,000 people by 2017. Currently, Medicaid is only available to children, their parents or guardians, adults with disabilities or seniors. Enrollment for the newly eligible population will begin October 1 with coverage starting on January 1. The federal government will pay 100% of the cost of the new recipients in 2014-2016, with the matching level being phased down by about 2% a year starting in 2017 to 90% by 2020 and subsequent years. State officials estimate this will bring more than \$12 billion in new federal funding to support the state's health care system from 2014 to 2020, while others estimate that the expansion will cost the state an additional \$574.4 million by 2020 in direct costs.

SB 205

COMPTROLLER DEBT COLLECTION

Allows the Comptroller to contract with a third party collection agency to collect debt owed to local governments. Also allows for a fee increase to pay for the outside agency.

SB 1329 (P.A. 98-0024)

BUDGET IMPLEMENTATION BILL (BIMP)

Budget Implementation Bill for Fiscal Year 2014. Makes permanent the provisions to pay the salaries of Regional Superintendents of Schools out of the Corporate Personnel Property Replacement Tax (CPPRT) funds. Also allows CPPRT funds to be spent for stipends, salary and additional compensation for chief election clerks, county clerks and recorders, and Educational Labor Relations Board.

SB 1603 (P.A. 98-0090)

ILLINOIS FINANCE AUTHORITY

Expands the powers of the Authority to sell bonds for projects outside of Illinois. Also expands the Emerald Ash Borer Revolving Loan Program to include the treatment of trees, not just the replanting of trees on public lands.

SB 1657

BOARD OF REVIEW

Provides that no more than two members of a board of review shall be affiliated with the same political party.

SB 1670

CMS DATA COLLECTION

Requires the Department of Central Management Services (CMS) to serve as a data collection point for each state agency to report on their annual workforce characteristics, compensation and employee mobility. This information will then be published annually on the Illinois Transparency and Accountability Portal or another open data site.

SB 2182

TIF REQUIRED REPORTING

Requires that Tax Increment Financing (TIF) Reports must be filed electronically with the Comptroller within 180 days after the close of the municipal fiscal year or as soon thereafter as the audit for the redevelopment project area for that fiscal year becomes available. The bill allows the Comptroller to grant extensions. If the required report is not filed within the time extended by the Comptroller, the Comptroller may charge a municipality a fee of \$5 per day for the first 15 days past due, \$10 per day for 16 through 30 days past due, \$15 per day for 31 through 45 days past due, and \$20 per day for the 46th day and every day thereafter.

SB 2306

SOCIAL NETWORKING

Amends the Right to Privacy in the Workplace Act to provide that the restriction on an employer's request for information concerning an employee's social networking profile or website applies to only the employee's "personal" account.

SB 2339

JOINT INSURANCE POOL OVERSIGHT

Amends the Intergovernmental Cooperation Act to impose new filing and reporting requirements on joint insurance pools. Grants the Director of Insurance expanded regulatory oversight. Requires joint insurance pools to annually file a certification with the Director by an independent actuary, guaranteeing that the pool's reserves are in accordance with sound loss-reserving standards and are sufficient for the payment of claims.

County Government



HB 163

TELECOMMUNICATIONS TOWERS

Creates additional regulations for new telecommunications towers in Lake County. The county board asked for more control over siting and zoning due to the pace and volume of towers being installed in the region.

HB 956

CHARITABLE SOLICITATION

Requires organizations seeking an exemption from the prohibition on charitable solicitation to provide the county or municipality, as applicable, with a list of three alternate solicitation locations. This is aimed at groups like first responders or firefighters who solicit contributions from drivers at a street corner or intersection. If the county determines the original location too dangerous, then they must approve one of the alternate locations.

HB 1020

HOUSING DEMOLITION

Amends the Counties Code to allow for non-residential outbuildings, such as a garage or shed, to be demolished as part of an order declaring property to be a hazard.

HB 1203

LEGAL NOTICES

To save money, allows counties to use a common street address and property index number when publishing legal notices, rather than a full description of the property.

HB 1405

GIS AND ANIMAL CONTROL

Allows counties with a Geographic Information System (GIS) to charge a fee to provide automated access to that system, as well as for access to property records. Also allows for animal registration fees collected to be used for additional duties that deal with public health including the spread of rabies, impounding strays and controlling pet populations through euthanasia.

HB 1522

STORMWATER MANAGEMENT

A "pilot" bill that gives two of the more urbanized counties, DuPage and Peoria, the authority to adopt stormwater management plans and a fee system that provides incentives for the use of green infrastructure while improving flood control. Sets forth the circumstances under which a fee schedule may be adopted and uses for the fees.

HB 2401

REDEPLOY ILLINOIS (P.A. 98-0060)

Allows Cook County to participate in the Redeploy Illinois program which provides financial incentives to keep youth in the local community rather than commit them to the Department of Juvenile Justice. Twenty-eight counties currently participate in Redeploy Illinois.

HB 2482

SALARY INCREASES

Requires the annual county budget to include a detailed statement showing any bonuses or increases in salary, wage, stipend, or other form of compensation that is not part of a collective bargaining agreement. Applies to every agency, department or entity that receives appropriations from the county. Employees of a collective bargaining unit would be included only if they receive a pay hike that is above and beyond their collective bargaining agreement.

HB 2690

SPECIAL ADVOCATE FEE

Authorizes county boards to impose an additional fee to support Court Appointed Special Advocate services. The added fee of \$10 to \$30 would be on convictions and grants of supervision for felonies, misdemeanors, petty offenses and business offenses.

HB 2832

FRAUDULENT FILING (P.A. 98-0099)

Permits county recorders to establish a system of reviews and referrals of documents suspected to be fraudulent. The review process may only be initiated at the request of the property owner.

HB 3207

9-1-1 BOARD MEMBERS

Establishes three-year staggered terms for 9-1-1 board members in counties with a population of 100,000 or less. Allows board members to be removed for official misconduct or neglect of office with a majority vote.

SB 494

GOVERNMENT EFFICIENCY

Provides DuPage County with the authority to dissolve, by ordinance, outdated or defunct county agencies when it has been deemed to be in the best interest of taxpayers. Requires a public audit before a program can be eliminated or reduced. Only affects appointed (non-elected) agencies such as sanitary, mosquito abatement, fire protection (without full-time employees) and street lighting.

SB 1430

COUNTY BORROWING

Allows counties (other than Cook County) to borrow from a local bank instead of using a tax anticipation warrant, as long as the funds are repaid within two years.

SB 1737

TAX COLLECTOR ERRORS

If a county collector sends a separate bill for arrearages of taxes due, as a result of an administrative error on the part of the county, the bill may be due no sooner than 30 days after the due date for the next installment of taxes.

Counties *continued*

SB 1843

COUNTY INMATE TRANSFERS

Defines “transfer case” in the Probation and Probation Officers Act to ensure that the correct county is reimbursed for the fees associated with the transfer of a juvenile offender. Clarifies that: 1) jurisdiction over an offender may be transferred between circuit courts in Illinois; 2) the probation department within the transfer jurisdiction may impose probation fees upon receiving the offender; and 3) after the transfer has occurred all probation fees must be paid to the probation department in the jurisdiction that has received the transfer (not the original jurisdiction).

SB 1859

HOTEL OPERATORS OCCUPATION TAX

Authorizes Winnebago County by ordinance to raise, with the consent of Rockford, their hotel tax rate by 2 percent to support regional sports tourism.

SB 1872

PROSTITUTION

Provides that a county may establish a special mental health court program for defendants charged with prostitution. Judicial circuits must partner with prostitution and human trafficking advocates, survivors, and service providers in the development of the programs.

SB 1930

WILL COUNTY LAND SALE

Extends the deadline date to 2018 allowing Will County to sell unused land from a golf course.

Firearms

HB 183

CONCEALED CARRY (P.A. 98-0063)

Grants Illinois citizens the right to carry a concealed firearm in public. Applicants must meet certain qualifications before they will be issued a license to carry a firearm by the Illinois State Police. Applicants must undergo 16 hours of training and pay a \$150 application fee. The license will be good for five years. The new law contains clear prohibitions on carrying a concealed firearm in schools, hospitals, government buildings, airports, sports stadiums and a number of other locations. It prohibits carrying a firearm while under the influence of drugs or alcohol and outlines strict penalties for those who are found to be under the influence. It also contains strong mental health standards and reporting procedures. The law amends the Firearm Owners Identification Card Act to preempt local authority on the regulation, licensing, possession, registration and transportation of concealed handguns and ammunition. It

Emergency



HB 438

AMBULANCE SERVICE FUNDS

Allows counties with a population between 8,400 and 9,000 (Hamilton County) to use funds generated from an ambulance service levy for 9-1-1 services if approved by voters through referendum.

HB 1349

EMERGENCY ACCESS

Allows fire protection districts to require the installation of key boxes or other emergency access to buildings protected by automatic fire alarms or security systems. Healthcare facilities including nursing homes, mental health facilities and hospitals which have an electronic code box are exempt from the bill as long as they provide the fire department with a valid access code.

HB 2761

INTERSTATE EMERGENCY AID

Authorizes the state and units of local government to enter into mutual aid agreements with units of government from neighboring states to provide for emergency services.

HB 2737

EMERGENCY USE OF CIVIC CENTERS

Civic Center authorities must make their buildings available for emergency services at the request of the Illinois Emergency Management Agency, a local emergency management agency, a state-accredited emergency agency or the American Red Cross.



also preempts all local ordinances on the regulation of assault weapons, unless the ordinance is enacted before July 20, 2013. The Governor amendatorily vetoed the bill and the General Assembly overrode his veto on July 9, 2013 – the same day the law became effective.

HB 1189

FIREARM TRANSFERS

Regulates private sales of guns and requires the reporting of lost or stolen guns to authorities. Private party firearm transfers would be required to use the State Police dial-up system to verify FOID card status before making a gun sale. Requires reporting of lost or stolen firearms to law enforcement within 72 hours of knowledge of the loss or theft.

Municipalities & Special Districts



HB 58

PROHIBITED INTEREST IN CONTRACTS

Allows municipal officials to serve on a board of an electric cooperative as long as it is not an investor-owned public service corporation. Prohibits a mayor or commissioner from being an official of any public service corporation at the time he or she assumes office. Defines "official of a public service corporation" to mean a member of the board of an investor-owned public service corporation.

HB 1192

RESTAURANT INSPECTIONS

Permits a municipality to enter into an agreement with a local health district to regulate and inspect retail food establishments.

HB 1201

WIND TOWER REGULATIONS

Gives municipalities that do not have a zoning ordinance the ability to prohibit any electric generating wind device from locating within its corporate limits. Applies only to devices permitted after the Act becomes law.

HB 1710

POLICE HIRING PREFERENCE

Permits persons who have participated in a municipality's police explorer or cadet program to be preferred for positions and appointments to offices in municipal police departments.

HB 1353

GOVERNMENT INVESTMENTS

Allows park districts, forest preserve districts and conservation districts to invest in bonds of state and local governments. Generally, government bonds are considered to be a low-risk investment.

HB 1404

SURETY BONDS

Increases the threshold in which public construction projects must require surety bonds from \$5,000 to \$50,000.

HB 2623

FUEL TYPE DISCLOSURE

Gives municipalities and other local governments that aggregate power the authority to require bidders to disclose the fuel type of electricity to be generated on behalf of the program. The local jurisdiction may take the type of power source into consideration when choosing a supplier.

HB 3233

RURAL AMBULANCE SERVICE

Allows fire protection districts, by referendum, to levy a special tax for ambulance service at a rate of 0.40% (currently 0.30%) of the value of all taxable property in the district.

SB 1410

PARK DISTRICT ANNUAL APPROPRIATION

Allows park districts to adopt a supplemental appropriation after the annual budget has been adopted. It must not exceed the aggregate revenue available to the park district and is exempt to all publication, notice and public hearing requirements.

SB 1417

OPEN BURNING FEES

Allows a fire department to charge and collect fees when called on to extinguish an illegal open-burning fire. The fee will apply only to the person responsible for the illegal open-burning.

SB 1456

FIRE PROTECTION DISTRICT

No more than two members of a three-member appointed Fire Protection District Board can belong to the same political party. Allows persons to declare party affiliation by affidavit, rather than by voting record.

SB 1524

WINDOW TINTING

Preempts home rule with respect to window tinting of automobiles. The maximum level of tint is established by state law. This bill is intended to prohibit municipalities from mandating a lighter tint, preventing motorists from being ticketed while driving in other cities.

SB 1826

ELECTRONIC SIGNATURES

Provides that in the course of exercising any permitting, licensing, or other regulatory function, a municipality may accept, but shall not require, documents with an electronic signature. Current Illinois law does not allow the use of electronic signatures in any of these functions.

SB 1869

DRAINAGE MAINTENANCE

Updates language in the Illinois Municipal Code to allow the corporate authorities of cities and villages to maintain storm sewers, detention basins, retention basins, and "green infrastructure" facilities such as green roofs, rain gardens, bioswales, tree boxes, porous pavement, porous pipe systems, native plantings, constructed wetlands, and cisterns. Also allows cities to acquire land to manage runoff by infiltration, evapotranspiration or collection.

SB 1950

PUBLIC FUNDS INVESTMENT

Allows all units of government, other than just counties and municipalities, to invest public funds in state or local government bonds.

Townships

HB 2454 ADVISORY REFERENDA

Restricts ballot questions approved at an annual town meeting to those “directly related to the business of the township.” Currently, townships must place an advisory question on the ballot if 15 voters petition the township board. This has raised concerns in some townships that small groups of people are forcing the townships to place numerous irrelevant questions on the ballot. The bill also requires 15 days notice (now 10) for meetings, agendas, sales hearing, and new tax referendum meetings.

HB 2716 TOWNSHIP CAUCUSES

Requires township parties to notify the clerk in advance of nominating meetings. If no notice is given, then that party cannot field slates. This bill’s intent is to correct a statewide problem of township political parties failing to provide sufficient information about upcoming caucuses to the township clerk. It aims to encourage the political committee chairman to provide information in a timely fashion as required by law so the clerks can fulfill their legal duties of publication.

SB 2268 SALE OF PERSONAL PROPERTY

Clarifies the ability of townships to dispose of surplus property. Lets townships and township road districts sell or lease personal property by a vote of the township board or township highway commissioner. Townships may use online auctions and other services to sell surplus property. Removes high bid exemptions for property valued under \$2,500.

Veterans

HB 3186 (P.A. 98-0053) EMT MILITARY EXPERIENCE

Recognizes members of the armed forces, Reserves and Illinois National Guard’s military training and clinical experience when applying to be an EMT. Waives the application fee for all Illinois State Troopers or members of the Illinois National Guard who volunteer as an EMT in a municipality with a population of 5,000 or fewer. Intended to help create more EMTs in underserved areas throughout Illinois.

SB 1497 VETERANS PROBATION PROGRAM

Clarifies that eligibility for a Veterans and Service members Court program or a mental health court program is limited to only those defendants whose crime is eligible for probation.

Elections



HB 226 (P.A. 90-0051) VOTING AGE

Allows a 17 year-old who will be 18 years old by the general election to vote in the preceding primary election.

HB 1560 (P.A. 98-0004) VOTING SITE CLOSURES

Allows election authorities to close early voting sites for the religious holidays of Good Friday, Holy Saturday, and Easter Sunday provided that they extend early voting hours during the final week of the early voting period.

HB 2418 ELECTIONS OMNIBUS

Makes sweeping changes to the election code. The most significant change would allow for online voter registration. It includes certain safeguards. Online registrants must provide: 1) driver’s license or state identification number; 2) driver’s license or state identification issuance date; and 3) last four digits of Social Security number. The bill raises the threshold for becoming a political committee from \$3,000 to \$5,000, makes permanent early voting locations that were established last year at several state universities and includes a provision that states a person is not eligible to hold a municipal office, if that person, at any time during the term of office, has a debt to the municipality. A controversial measure buried deep within the 200 plus page bill is a provision that would strip Lake County voters of their right to elect their election authority. It changes Lake County to a county board of election commissioners system with the chief judge of the circuit court appointing the commissioners. This was done over the objection of most county officials and is expected to increase costs to Lake County taxpayers.



SB 1824 MEMORIAL MAINTENANCE

Allows counties, municipalities and townships to appropriate funds to maintain veterans’ memorials within their jurisdiction. Park Districts that lease land for the use of a memorial may transfer the maintenance of the memorial to the organization holding the lease.

SB 1908 LAW ENFORCEMENT EMPLOYMENT

Allows military service to be used instead of a bachelor’s or associate’s degree for municipal police qualification. Applicant must have served at least 180 days in combat and was not dishonorably discharged.

Courts & Law Enforcement



HB 131 TASER USE

Requires police training in the use of electronic control devices (tasers), including the psychological and physiological effects of the use of those devices on humans. The Illinois Law Enforcement Training Standards Board will randomly inspect local government police departments concerning the use of such devices to determine whether the officers received appropriate training in their use. The Board will issue a report of its findings to the Governor and General Assembly on or before June 30, 2016.

HB 827 VICTIM STATEMENTS

Requires States Attorneys to inform crime victims or their families of the right to make a victim impact statement at a sentencing hearing. The goal is to assure that all family members know they have a right to make a statement.

HB 830 COURT FEE

Adds service, process and court costs to those costs that can be included in an additional fee of 30% that may be charged on top of the 30% fee that can already be charged against an offender for unpaid fines, fees, restitution, judgments, etc. No more than 1/3 of the 30% additional fee charged to the offender (10%) can be paid to a collection agency.

HB 2404 JUVENILE COURT JURISDICTION (P.A. 98-0061)

Raises the age of juvenile court jurisdiction to 18, which means that 17-year-olds charged with misdemeanors and nonviolent felonies will be tried and sentenced in juvenile court rather than adult court. Youth charged with the most serious felonies including first degree murder, aggravated criminal sexual assault, aggravated battery with a firearm or armed robbery with a firearm, would be subject to transfer to adult court. Any felony would still be eligible to be sent to adult court following a hearing in juvenile court.

HB 2664 SHERIFF WARRANTS

Allows Will County to require local governments to house persons arrested for failure to appear in court if the arrest warrant originated with the local government instead of the County Sheriff.

HB 3029 FELONY RELEASE E-NOTIFICATION

Provides that written notification of release of any person who has been convicted of a felony shall be provided electronically to the appropriate State's Attorney, Sheriff, law enforcement agency, or public housing agency if they have provided the Department of Corrections with an accurate and up to date email address.

HB 3054 AUTHORIZED EMERGENCY VEHICLE

Provides that no person not authorized by law may have flashing lights, sirens, or any other indicia of emergency vehicle authority in their vehicles. Allows law enforcement officers to seize both the prohibited equipment and the vehicle that contains the prohibited equipment and hold both for evidentiary purposes.

HB 3255 CROWDS ON RAILROAD TRACKS

Prohibits having a parade on roadways without receiving a permit from the local municipality or permission from the principle law enforcement officer of the community.

SB 923 SCHOOL BUS CAMERAS

Allows school buses to be equipped with automated traffic law enforcement systems in order to issue citations for motor vehicles passing a stopped school bus. Originally, the money was set to go to school districts, but a House amendment changed the allocation so more of the money will go to the municipalities where they are located.

SB 1587 DRONE RESTRICTIONS

Requires law enforcement to get a search warrant based on probable cause before using an unmanned drone to gather evidence in the state. Provides for exceptions in specific emergency situations. The duration of the warrant is limited to 45 days, renewable by the judge upon a showing of good cause for subsequent periods of 45 days. Evidence must be destroyed after 30 days unless part of an ongoing investigation. Requires annual reporting.

SB 1849 BLOOD TEST REIMBURSEMENT

Allows reimbursement up to \$500 for costs associated with a blood test when a person refuses to submit to a breath test when a defendant is found guilty or pleads guilty to a DUI. This will help defray the costs of employing a medical professional to perform the test.

SB 1852 ARRESTS OUTSIDE OF JURISDICTION

Allows a peace officer to conduct temporary questioning or make an arrest outside of his or her jurisdiction, if while on duty the officer becomes aware (rather than personally aware) of the immediate commission of a felony or misdemeanor violation of Illinois law.

SB 1853 FINGERPRINTING FEE

Allows local law enforcement agencies to charge a fee related to the cost of offering fingerprinting services.

Human Services

HB 1 MEDICAL MARIJUANA

Establishes the Compassionate Use of Medical Cannabis Pilot Program Act to permit the doctor-advised medical use of marijuana. All cannabis dispensed to patients would be grown by one of up to 22 regulated cultivation centers. Dispensaries could distribute no more than 2.5 ounces to registered qualifying patients during any 14-day period. Minors could not qualify as patients. Patients also could not be active police officers, firefighters, bus drivers, correctional officers or probation officers. The bill does not prohibit an employer from enforcing a policy concerning drug testing or drug free workplace.

HB 1233 HOSPICE

Expands the number of licensed hospice homes in the state to allow five in any county.

SB 1210 HOMELESS BILL OF RIGHTS

Protects people who experience the loss of housing from discrimination by creating a list of basic rights. Included are the right to maintain gainful employment, to access emergency medical care, public spaces and transit systems, right to privacy of personal property, and the right to vote. If one of these rights were violated solely because someone were homeless, that individual would have the right to take legal action and seek damages. Some cities opposed the legislation on the basis that it could make it difficult to enforce public loitering ordinances.

Ethics

HB 2925 COOK COUNTY ETHICS

Provides that any member of a governmental entity appointed by the president of the Cook County Board must abide by the ethics laws and policies of the county and shall also be subject to the jurisdiction of the county's ethics officer or inspector general.

HB 2943 LOBBYIST DISCLOSURE

Requires lobbyists that have another lobbyist as a client to disclose the name and address of the ultimate beneficiary of their lobbying efforts.

SB 2380 STATE GRANTS

Prohibits grant recipients from using funds for political activity. Introduced in response to a situation where grant funds were used to pay teenagers to walk in a parade.

Pensions



HB 1351 IMRF RETURN TO SERVICE

Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Pension Code. Requires re-enrollment and the pension to be suspended when annuitant reaches the employer's hourly standard, rather than when the position is "normally expected" to exceed the hourly standard. Currently, retirees are re-enrolled in IMRF and their pension suspended if they return to a position that is "expected" to require 600/1,000 hours (whichever is that employer's hourly standard for participation) in a twelve-month period. There is no bright line test. This is intended to address problems where retirees return to work and exceed the maximum number of hours allowed, thereby requiring them to repay pension benefits.

HB 1375 FIREFIGHTER GUARDIAN PENSION

Increases the benefits paid when a deceased firefighter leaves behind minor children under age 18 if the firefighter had no surviving spouse. Increases the pension payable to the guardian of the child from 12% to 20% of the firefighter's monthly salary.

HB 1444 IMRF AMORTIZATION

Permits the IMRF Board to determine the amortization period to be used in calculating the amount to be contributed by participating instrumentalities in order to adjust for changes in the Fund's unfunded accrued liabilities. Specifies that the amortization period shall not exceed 30 years for participating municipalities or 10 years for participating instrumentalities. Also requires the Board to meet at least quarterly (rather than monthly).

HB 2656 IMRF POLICE PENSION TRANSFER

Requires IMRF to calculate the cost for a police chief to transfer service credit from a downstate police pension fund to IMRF SLEP on an actuarial basis. Requires police chiefs who make the transfer to pay the full cost of the transfer.

SB 1245 PUBLIC SAFETY EMPLOYEE BENEFITS ACT

Authorizes a study of possible abuses of benefits under the law and solutions to the growing problem. Introduces reporting requirements to promote transparency.

SB 1534 ROTH IRA ROLLOVERS

Allows state employees with a deferred compensation plan to also participate in Roth IRA plans. Also instructs the Department of Central Management Services and units of local government with such plans to amend them accordingly within a reasonable time.

Gaming

HB 996

CHARITABLE GAME EXPANSION

Allows a municipality to provide 48 (rather than 16) charitable game nights a year on its premises. Increases the tax paid to 5% of net proceeds (currently 3% of the gross).

HB 1140

ELECTRONIC RAFFLE GAMES

Clarifies that electronic charity raffle games are not considered a video game under the Video Gaming Act. In some communities, players pay bartenders to add credit onto a game device. Designated charities receive a percentage of the money from winnings cashed out.

HB 1570

VIDEO GAMING LOCATION

Clarifies that video gaming can be offered at an Off Track Betting (OTB) facility.

HB 2520

CHARITABLE GAMES “POKER RUN”

Legalizes poker runs as a charitable games event under the Charitable Games Act. A poker run is an event in which participants – usually on motorcycles – travel to five or more predetermined locations, where they draw a playing card or equivalent item at each location in order to assemble a poker hand or other numeric score. The bill also expands the definition of “qualified organization” that will open the events up to most not-for-profits that are exempt from federal income taxation.

SB 70 (P.A. 98-0077)

VIDEO GAMING LOCATIONS

Provides that bars, fraternal clubs and truck stops that hold a liquor license can receive a license for video gaming, even if they are located within 100 feet of a church or school, so long as the establishment had obtained its liquor license before the church or school moved within the restricted area.

SB 1738 (P.A. 98-0031)

VIDEO GAMING CLEANUP

Clarifies aspects of the state's Video Gaming Act. Allows the vendor (Scientific Games) that operates the central communications system to also manufacture and distribute gaming terminals. Removes language restricting the operation of video gaming terminals near inter-track wagering licensees. Requires the splitting of the annual fees for videogaming terminals by a terminal operator and a licensed establishment, truck stop, fraternal establishment or veterans' establishment. Prohibits the state Gaming Board from disseminating information relating to video gaming that is specific to individual licensed locations, but allows the dissemination of information that is aggregated based on county or municipality.

SB 2371

SOCIAL CLUB VIDEO GAMING

Allows for “social clubs”, such as Knights of Columbus, to be a licensed establishment under the Video Gaming Act.



Economic Development

HB 1544

ECONOMIC DEVELOPMENT PLAN

Requires the Department of Commerce and Economic Opportunity (DCEO) to develop a strategic economic development plan every five years. Creates the Illinois Business Development Council to serve as an advisory body to DCEO in the creation and updating of the plan. Businesses receiving financial incentives from the state will be required to report quarterly and annually specified data related to job creation.

SB 20

ECONOMIC DEVELOPMENT OMNIBUS

Creates the Economic Development Act of 2013, an omnibus economic development package that supports or incentivizes a number of development plans across the state including construction of an arena and hotel at McCormick Place in Chicago, remodeling of the Rosemont Convention Center, land acquisition for a Peotone airport,



and development of a fertilizer plant near Tuscola (Douglas County). Establishes a South Suburban Brownfield economic development area and an income tax increment fund to support projects in suburban Cook County. Makes several changes to the existing Enterprise Zone statute related to the application process and exemption reporting. Requires the oversight board within DCEO to consider the costs incurred by the State and units of local government as a result of tax benefits received by the enterprise zone and changes the way Grundy County can rebate taxes in County Economic Development Project Areas. The bill also changes farmland assessment with a 10% cap applied to “median cropped soil” which will bring lower Production Index (PI) soils. Supporters of the measure argue this will more accurately reflect the farmland assessment value of these lower PI soils.

Business & Labor

HB 2590

WORKPLACE VIOLENCE PROTECTION ACT

Allows employers to obtain orders of protection against employees who commit an act of violence at work or threaten individuals in the workplace.

HB 3267

BUSINESS LOANS

Diverts up to \$3 million during a fiscal year, for a period of 5 years from the Road Fund to the newly created Working Capital Revolving Loan Fund. Gives Disadvantaged Business Enterprises (DBE's) the opportunity to receive loan assistance from the Illinois Dept. of Transportation to buy equipment or obtain insurance to participate in state construction projects. The state's interest is protected as the line of credit authorized under the legislation must be repaid before the DBE can receive a profit from the project.

HB 3390 (P.A. 98-0040)

WORKERS' COMPENSATION ACT

Makes minor changes including eliminating a \$35 fee in order to appeal; clarifying that arbitrators are not subject to the Personnel Code; requiring the Commission to provide interpreters for pro se workers; and eliminating the requirement that handbooks be mailed to each injured worker.

SB 1847

WORKERS' COMPENSATION ACT

Removes the rebuttable presumption for certain benefits with respect to EMTs that work for private ambulance companies.

Prevailing Wage

HB 922

PREVAILING WAGE VIOLATIONS

Requires contractors and subcontractors who participate in public works projects to keep records for five years (now three years) from the date of the last payment. A public body must also keep records for five years. Contractors may retain records in electronic format versus paper form. The bill also allows the Department of Labor to bring an action against a contractor up to five years (currently two) after a violation of the Prevailing Wage Act is alleged to have occurred.

HB 923 (P.A. 98-0105)

INDEPENDENT CONTRACTOR REPORTING

Requires contractors for which construction services are performed by an individual, sole proprietor, or partnership to report to the Department of Labor all payments made to those entities if the recipient of the payment is not classified as an employee. The report has to include the

Consumers

HB 99 (P.A. 98-0025)

HOMEOWNER PROTECTION

Extends the Illinois Homeowner Protection Act by three years, to July 2016. Gives homeowners a grace period of up to 90 days on mortgage foreclosures for those who enter housing counseling. Under the law, mortgage holders must notify struggling homeowners who are at least 30 days late on their payments that they have 30 days to seek housing counseling to get their loan back on track. If the homeowner enters counseling, they get an additional 30 days to work out a payment plan or refinance option.

HB 991

DODD-FRANK IMPLEMENTATION

Implements portions of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act. Allows Illinois to immediately provide financial assistance to companies that may need assistance to prevent bankruptcy.

SB 1042

LANDOWNER LIABILITY

Protects landowners from liability if they allow public recreational access to their property. The intent of the bill is to codify the statutes as a result of an Illinois Supreme Court decision involving a sledding accident. Extends liability coverage to landowners who open their property to the public and expands the number of covered activities the public may engage in while on the property. The coverage does not extend to landowners who open their property to only invited guests.



name of the nonemployee, address, FEIN and amount paid. Contractors who violate the reporting provisions may be subject to civil penalties and debarment from bidding on state contracts.

HB 3223

PREVAILING WAGE RECORDS

Increases the number of items a "non-union" contractor must provide to the Department of Labor on their certified payroll for work performed on a public works project. The record filing must include the gross and net wages, hourly wage rate, hourly overtime rate, start and stop times, fringe benefit rates, and the sponsor and administrator of fringe benefit plans. These added reporting requirements may discourage competition for publicly financed projects, which could be more costly for taxpayers.

Taxes and Fees



HB 1206

MABAS TAX EXEMPTION

Exempts property owned by the board of a Mutual Aid Box Alarm System (MABAS) that is used for the public purpose of disaster preparedness and response from taxation.

HB 2498

TAX REFUNDS

Exempts tax refunds from the law allowing the Comptroller to pay amounts under \$5 by electronic fund transfer. The Illinois Department of Revenue requested the change because not all persons entitled to a tax refund have an account that accepts electronic transfers.

HB 2499

AIRLINE FUEL

Clarifies what constitutes an international flight for the purpose of determining eligibility to receive a sales-tax exemption on the purchase of jet fuel.

HB 2807

TAX LEVY CERTIFICATION

Amends the Illinois Highway Code to allow the certification of a tax levy approved by referendum to occur at any time after the election.

HB 2918

COAL MINING SALES TAX

Retroactively re-enacts a sales tax exemption for coal mining equipment (roof bolts and support) that expired in 2003. It does not allow for a claim of credit or refund based on that exemption from 2003 to present.

SB 41 (P.A. 98-0093)

HOMESTEAD EXEMPTION ERRORS

Allows the Cook County Assessor to record a tax lien against property that was granted one or more erroneous homestead exemptions.

SB 622 (P.A. 98-0003)

MEDICAL DISCIPLINARY FUND

Transfers \$6.2 million from the Local Government Tax Fund to the State Medical Disciplinary Fund. The measure was introduced to provide the Department of Financial and Professional Regulation added resources to license and discipline physicians in Illinois. The State is required by statute to repay the amount of that transfer over the next three years by making three payments of \$2.2 million to the Local Government Tax Fund. Also raises licensing fees for physicians to \$700 for a three-year license until 2018 and then allows the fees to drop back to \$500 in 2018.

SB 1379

UTILITY TAX EXEMPTIONS

Changes the Public Utilities Act to allow Keystone Steel in Peoria, which is located in an Enterprise Zone, to retain

750 jobs (instead of 1,000) for a total of 3,750 jobs created between 2013 and 2017 in order to qualify for an exemption from municipal and state utility taxes that are added to its utility bills. The job retention requirement is per year.

SB 1404

SCAVENGER SALES

Amends the Property Tax Code concerning scavenger sales. Requires the Cook County collector to publish notice of the intended application for judgment and sale of all properties upon which all or a part of the general taxes for each of 3 or more years (instead of 2 or more years) are delinquent. The intent is to provide an extra year's worth of information on delinquent taxes so that a buyer would know the amount of taxes to be made and allow a purchaser more time to file a sale in error.

SB 1659

TAX CREDIT – EX-OFFENDER HIRING

Expands the maximum income tax credit for employers who hire qualified ex-offenders from \$600 to \$1500. The credit is equal to 5% of the wages paid to the ex-offender. The \$1500 maximum is a lifetime cap. Once an employer has claimed the credit for an ex-offender the credit cannot be claimed again for the same ex-offender. The legislation allows a business to claim this tax credit within 3 years after the offender is released from a correctional facility. Includes all persons sentenced to incarceration, excluding those required to register as a sex offender.

SB 1768

SPECIAL COURT FEES

Creates the Supreme Court Special Purposes Fund in which the Supreme Court by rule may change certain statutory fees to defray costs associated with electronic filing and case management systems in reviewing courts as well as the operation of committees and commissions. Opponents raised concerns that granting the Supreme Court this authority with no legislative oversight could lead to excessive fees.

SB 1772

AUTOMOBILE RENTAL TAX

Expands the exemption on sales taxes for rental vehicles under the Automobile Renting Occupation and Use Tax Act to include trucks and SUVs.

SB 2155 (P.A. 98-0023)

PROPERTY TAX – HYDRAULIC FRACTURING

Amends the definition of "new property" in the Property Tax Extension Limitation Law (PTELL) to include an increase in the assessed value of property due to oil or gas production for a well used for hydraulic fracturing and which was not produced in or accounted for during the previous levy year.

Energy & Utilities



HB 1379

WATER AND SEWER RATES

Provides an alternative procedure that a public utility may choose in establishing the rate base of a water or sewer utility that the utility is acquiring. Imposes a rate cap of 2.5% for the initial rate change and limits the alternative procedure to water utilities buying small systems (7500 or less customer connections).

HB 1745

ELECTRIC AGGREGATION

Clarifies that county electric aggregation only applies to unincorporated areas and not municipal areas that have already adopted aggregation via referendum.

HB 2232

PARK DISTRICT ENERGY PURCHASES

Allows park districts to enter into contracts to purchase energy from a utility or an alternative retail electric supplier for a term not to exceed three years

SB 9 (P.A. 98-0015)

SMART GRID DEPLOYMENT

Clarifies existing language in the smart grid law enacted in 2011 that allowed utilities to adjust consumer rates in order to digitize and repair the state's aging electrical grid. The law provides a schedule for the new meter deployment program allowing utilities to begin installing their in-home smart meters in 2013. Also makes several changes pertaining to filing and reporting from public utilities under the

Public Utilities Act. The Governor vetoed Senate Bill 9 on May 6. The veto was overridden in the Senate on May 21 and in the House the following day.

SB 1664 (P.A. 98-0045)

TELECOMMUNICATIONS REWRITE

Extends the state's Telecommunications Act until 2015, essentially deferring a major rewrite for two years. The bill makes no changes to the existing 5% franchise fee to local governments. It removes build out requirements for systems of 300,000 to 1,000,000 access lines and expands the requirements for the owners of multi-dwelling units to refrain from interfering with the installation of video or cable service. It provides, that if the Article is repealed, then a cable operator may treat a local government in which it operates as a "franchising authority" for the purposes of federal renewal rights and requires the cable operator to submit information to the local government with respect to the renewal.

SB 1715 (P.A. 98-0022)

HYDRAULIC FRACTURING

Creates the Hydraulic Fracturing Regulatory Act. Enacts a comprehensive set of regulations on hydraulic fracturing in the state, and includes provisions to protect water quality, assure transparency and promote public involvement. The regulations are considered to be a model for the nation in balancing environmental concerns with job creation.

Environment



SB 1341

OPEN SPACE LAND GRANTS

Reduces the Open Space Lands Acquisition and Development (OSLAD) grant match requirement from the current 50% to 10% for "distressed" local governments. OSLAD reimburses local governments for land acquisition costs for projects such as parks and natural preservation areas. The money generates from a tax on property transfer/closing costs. Under this bill, communities may receive up to a 90% reimbursement. However, DNR must first establish the definition of a "distressed" local government through administrative rule.

SB 1637

OPEN LAND GRANT REIMBURSEMENT

Provides that at least 50% of any grant made to a local government under the OSLAD Act must be paid to the unit of local government at the time the Department awards the grant. The remainder of the grant will be distributed quarterly on a reimbursement basis.

SB 2226

ASPHALT ROOFING SHINGLES

Provides that landfills located within a 25 mile radius of an asphalt shingle recycling center cannot accept for disposal load of whole or processed asphalt roofing shingles (unless commingled with other construction materials). No asphalt shingle recycling facility may charge a tipping fee of more than 50% of the average gate tipping fee for all materials accepted at the sanitary landfills within a 25-mile radius of the facility. Also requires the recycling centers to submit reports on the amounts of shingles received in a calendar year to the EPA.

HB 3243

LITTER CONTROL ACT

Includes cigarettes in the definition of "litter", meaning people could be fined for inappropriately disposing of their cigarette butts.

Transportation



HB 1247

CELL PHONE PROHIBITION

Prohibits the use of cell phones while driving unless the phone is integrated into the motor vehicle. The measure has an exception for emergency situations.

HB 1539

TRAFFIC CONTROL

Allows local authorities to certify persons to act as traffic control for special events. The persons must be obeyed in the same manner as a police officer or crossing guard.

HB 2273

WEIGHTS AND MEASURES

Provides that weights and measures used for commercial or law enforcement purposes must have a Certificate of Conformance or have been certified by the Department or the city sealer on or before July 1, 2012.

HB 2361

CONCRETE MIXERS

Increases the weight limits for 3-axle truck mixers, registered as a Special Hauling Vehicle, and used exclusively for the mixing and transportation of concrete.

HB 2489

COUNTY ROAD FUNDS

Extends the time counties have to obligate funds allocated to them under the Illinois Highway Code by 24 months.

HB 2641

FIRE DEPARTMENT VEHICLE PLATES

Motor vehicles used by fire departments are eligible for \$8 permanent registration plates, as long as those plates

indicate the fire protection service that owns the vehicle. Plates are exempt from a transfer fee but transfers must be reported to the Secretary of State.

HB 2720

LAND VALUATION

Allows land valuation waivers to be performed by a county engineer under specific guidelines, rather than by a licensed appraiser. A county engineer must be registered under the Professional Engineering Practice Act.

SB 1929

DISABILITY DECALS

Provides that persons with disability decals shall not be exempt from the payment of fees in publicly owned parking structures.

SB 2154

RECKLESS DRIVING – FUNERAL PROCESSIONS

Authorizes police to impound vehicles used in reckless driving offenses if the car is part of a funeral or the vehicle interferes with a funeral procession. Reckless driving during funeral processions of known gang members is a growing problem on the South Side of Chicago. Drivers often swerve in and out of traffic or allow passengers to hang out of the windows and doors of their vehicle.

SB 2356

SPEED LIMITS

Increases the maximum speed limit to 70 mph on all interstates and toll highways. Allows Cook County, the collar counties, Madison County and St. Clair County to opt out of the higher speed limit via ordinance.

Senior Citizens



SB 1894 (P.A. 98-0007)

SENIOR EXEMPTIONS

Raises the Senior Homestead Exemption (property tax breaks for Illinois residents age 65 and older) from \$4,000 to \$5,000. Seniors in Cook County will have the increase applied to their taxable year 2012 taxes, due in 2013. For all other counties, the increase would go into effect for taxes due in 2014. This bill also raises the general homestead exemption for Cook County starting next year. Originally phased-in over three years, Cook County's Alternative General Homestead Exemption was designed to limit yearly increases and assessments on residential property. Cook County currently has a seven percent exemption cap, while the rest of the state maintains a flat exemption rate of \$6,000. The new law moves Cook

County to a flat exemption rate of \$7,000 beginning taxable year 2012.

SB 1951

SENIOR CITIZEN TAX DEFERRAL ACT

Requires that payments to counties for the Senior Citizen property tax deferral shall be made within 14 days of the fund balance becoming sufficient in order to pay. Corrects audits finding from the Office of Executive Inspector General, including amending the Act to provide that, in the event of a shortfall in funding, payments will be made when appropriated or a sufficient fund balance exists.



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Mission Statement

It is the mission of the Illinois Association of County Board Members and Commissioners (IACBMC) to enhance the stature, role and responsiveness of county government in the State of Illinois. IACBMC 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.