



FIRST READING



ILLINOIS GENERAL ASSEMBLY LEGISLATIVE RESEARCH UNIT

VOLUME 29, NO. 1

OCTOBER 2015

MAJOR BILLS PASSED BY THE ILLINOIS GENERAL ASSEMBLY

This issue of *First Reading* summarizes bills as they passed both houses of the General Assembly, and reports the Governor’s actions on them. A total of 549 bills passed both houses in the spring 2015 session. This issue also summarizes the most important bills that passed the General Assembly in the fall 2014 veto session and became law, below the 2015 bills in each category. This issue summarizes 193 bills of general interest, classified into 12 categories. (An Appropriations & State Budget summary will be published after enactment of a general state budget for fiscal year 2016.)

Major laws from the spring 2015 session will change many provisions on parental rights and duties regarding children, and reduce some barriers to international adoptions and custody determinations; promote police use of cameras on vehicles or officers’ uniforms; require independent investigations of deaths related to police action; and expand use of ignition interlock devices by persons who have driven under the influence.

Other new laws will discourage parents from exempting children from school-related immunizations; increase screening for breast cancer; and use multiple methods to fight misuse of addictive drugs.

Major laws of the fall 2014 veto session addressed regulation of commercial ridesharing services, such as Uber; reduced the size of every civil jury to six and increased jurors’ pay; and expanded tax breaks for veterans returning from combat, disabled veterans, and survivors of deceased military personnel.

Page 26 of this issue gives Public Act numbers for laws resulting from bills summarized here. Information on all bills of the 2015 session is available at the Illinois General Assembly’s website:

www.ilga.gov

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BUSINESS & ECONOMIC DEVELOPMENT

The General Assembly approved several measures to encourage participation of veterans, minorities, women, and the disabled in business. Requirements of the Equal Pay Act of 2003 are expanded to all employers regardless of the number of people employed. Additional protections are enacted for persons seeking reverse mortgages. Legislators also voted to allow the return of “happy hours” with several limitations. In the fall 2014 veto session, legislators voted to regulate commercial ridesharing services.

At-Risk Women. A Task Force on Opportunities for At-Risk Women in the Department of Commerce and Economic Opportunity (DCEO) will create a plan for DCEO to partner with public and private organizations to help women at risk of imprisonment. The Task Force will focus on services such as housing assistance, education, and financial literacy, among others, and report annually to the Governor and General Assembly (H.B. 3284, Flowers-Sandack-Ford-Cassidy-K.Wheeler et al.—Hutchinson-Lightford-Van Pelt-Collins-Hunter et al.).

Credit Freeze Charges. Consumer reporting agencies may not charge to freeze, unfreeze, or temporarily lift freezes on credit reports of Illinois residents on active military duty (H.B. 3425, Jackson-Kifowit-Franks-Ammons-Chapa LaVia et al.—Link).

Energy Early Termination Fees. An electric utility or alternative retail supplier contract, made or renewed after this act takes effect, containing an early termination clause must disclose any early termination fee—which cannot exceed \$50 per residential or \$150 per small retail consumer (H.B. 3766, Scherer-Moylan-Davidsmeyer-D’Amico-Tabares et al.—Biss-T.Cullerton-J.Morrison-Martinez-McCann et al.).

Equal Pay Penalties. Employers with fewer than 4 employees are no longer exempt from the Equal Pay Act of 2003; but if any are determined to violate it, they will be subject to lesser civil penalties than larger employers. Employers of all sizes will be subject to

increasing penalties for repeat offenses (H.B. 3619, Soto-Currie-Williams-Guzzardi-Martwick et al.—Noland-Collins-Lightford et al.).

Health Care Facilities. Private Cook County hospitals and nursing homes with over 100 beds are to encourage small or minority-, women-, or veteran-owned businesses to participate in their capital projects (S.B. 691, Sandoval-Raoul-Hunter et al.—Dunkin-Bellock).

Human Trafficking Signs. The Department of Human Services must design a model sign to be posted by 10 types of businesses through which many people transit, saying that human trafficking victims are protected by law and giving the National Human Trafficking Resource Center’s toll-free number. Signs must be in English, Spanish, and another widely spoken language if there is one (H.B. 2556, B.Wheeler-Williams-Sandack-Tabares et al.—J.Morrison-Hutchinson-Collins-Silverstein-Bush).

Liquor Sales. Retail liquor licensees can have happy hours if discounts last no more than 4 hours a day and 15 hours per week, and end at 10 p.m. Notice of a discount must be advertised 7 days ahead; prices cannot change during a discount period. “Party packages” are allowed for up to 3 hours in a dedicated space limited to participants.

In Chicago, advance notice to an alderman of an application for a license allowing alcohol sales on Sundays from 3 a.m. to noon is no longer required. Sunday retail alcohol sales no longer must have approval by the local governing body.



Mixtures of distilled beverages and flavorings (such as spices or nuts) made on a retailer’s premises must be kept in closed, sanitary containers; aged no more than 14 days; and destroyed 21 days afterward if unused.

All alcohol servers (formerly only Cook County servers) must get training in basic responsible service starting in 2016 to 2018, depending on county location and population. All rooms or buildings for serving alcohol in or next to a hotel, and owned and managed by it, will be covered by one state liquor license; local authorities may still separately license such areas (S.B. 398, Muñoz-Raoul-N.Harris et al.—Feigenholtz-Sandack-E.Sullivan-Evans-Dunkin et al.).

Manufactured Home Sellers. The Secretary of State will license dealers in manufactured homes, including those sold in parks rather than retail settings. A license to sell any new homes, or five or more used ones, in a year at a retail place will cost \$1,000 plus \$100 per added business location. A license to sell five or more homes in a year from a park will cost \$500 plus \$50 per added business location (S.B. 1702, J.Sullivan—Tabares).

New-Business Website. By July 1, 2017, DCEO is to open a website for new businesses, listing fees for licenses and permits for various businesses;

license and registration application forms with links to relevant agencies; and contact information for local government permitting agencies. It is to be updated at least annually (S.B. 659, J.Morrison-Bush-Van Pelt-Hutchinson et al.—Beiser-Sente-Cloonen-Franks-K.Wheeler et al.).

Recycled Materials. Preference in state non-construction contracts is required (formerly only allowed) for contractors using products made of recycled supplies if their bids are no higher than competing bids, unless using recycled products would be an undue practical hardship (H.B. 1429, Sente-Tryon-Williams-Pritchard-Fine et al.—Link-J.Morrison-Bush et al.).

Reverse Mortgages. A new Reverse Mortgage Act will create standards for reverse mortgages, replacing provisions on that subject in several acts. It will prohibit selling investment products along with a reverse mortgage, and require lenders to give potential borrowers information on counseling services and alternatives to reverse mortgages. A 3-business-day wait must occur between acceptance of a reverse mortgage and closing (S.B. 1440, Collins—Turner-W.Davis-Lilly-Ford-Evans et al.).

Solar Energy Reporting. The Commerce Commission’s annual reports are to address residential and small business solar electric use, including barriers to financing, installing, and valuing solar energy (S.B. 1312, Harmon-Bush et al.—K.Burke-Fortner-Ammons).

State Construction and Service Contracts. The goal for value of state construction contracts with minority- and female-owned businesses is doubled to 20%, and public institutions of higher education become subject to those provisions. A goal is set for 20% of the value of contracts for information technology, accounting, architecture and engineering, and legal services to be with minority-, female-, and disabled person-owned businesses, with

similar goals for insurance and investment management services. State retirement systems, pension funds, and investment boards must have a goal to use emerging investment managers for 20% of funds managed; have 20% of investment advisors be minorities, women, or persons with disabilities; and use businesses owned by those people for 20% of service contracts (S.B. 1334, Clayborne-Martinez-Hunter-Collins-Lightford et al.—Turner-Hernandez-Nekritz-W.Davis-Jackson et al.).

Veteran Preference in Private Employment. Any private employer can establish a policy of hiring, promotion, or retention preference to veterans. Adopting such a policy is voluntary. To meet the standards of this act, such a policy must be: (1) in writing and mentioned on job applications, (2) posted at the business and on its website, and (3) applied uniformly. An employer can require documentation of eligibility (H.B. 3122, Pritchard-Chapa LaVia et al.—Hastings-Muñoz-J.Morrison et al.).

Women’s Business Ownership Council. A 9-member Women’s Business Ownership Council within DCEO will report annually to the Governor and General Assembly on topics affecting women business owners, including barriers to women’s entry into business; state and local programs to help women-owned businesses; and ways to obtain financing and procurement opportunities (H.B. 642, Chapa LaVia-Franks-Ammons et al.—Holmes-Van Pelt-Hunter-Collins et al.).

Fall 2014 Veto Session

Ridesharing. Requirements are established for commercial ridesharing services in which customers seek rides and drivers are dispatched electronically using their own cars. The driver, the company, or both together must have liability insurance of \$1 million. Drivers must be at least 19 and not be on the National Sex Offenders

Registry. No driver may have had a DUI in the last 7 years, or more than 3 moving violations in the last 3 years (among other restrictions). Passengers are to be told the rates being charged, and may get estimates of fares (S.B. 2774, Muñoz et al.—Zalewski). □

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LRU Publications

The following are some of the publications that are made available and can be found on the LRU Internet site at: http://www.ilga.gov/commission/lru/lru_home.html

Federal Funds to State Agencies

This publication presents information on federal aid programs administered by Illinois state agencies. It includes program descriptions and outlay information. It also has a State Trust Fund section that identifies the trust fund(s) used for depositing federal grants. A table shows which programs are supported and what regions and populations of Illinois are served by the federal grants.

How a Bill Becomes Law in Illinois (English and Spanish versions)

This chart shows the progress of a bill through the Illinois General Assembly and the Office of the Governor.

Illinois Tax Handbook for Legislators

This handbook gives information on every significant Illinois state tax.

Laws for Youth

This booklet tells about major laws that affect young persons in Illinois. The laws are divided by subject and arranged in a question-and-answer format to make them easy to find.

Penalties for Crimes in Illinois

This chart summarizes the sentences and fines for criminal offenses in Illinois.

CIVIL LAW

Legislators made many changes to Illinois laws on families, including those addressing adoption; determining parentage; and dealing with the results of marital breakup. They also voted to strengthen protections for the privacy of personal information in databases, and for buyers of used vehicles. A law enacted late in 2014 reduced civil juries to six members each while raising juror pay.

Adoption and Re-adoption. Illinois will not impose any pre-adoption requirements on foreign adoptions governed by the federal Intercountry Adoption Universal Accreditation Act of 2012. Such adoptions no longer need Department of Children and Family Services (DCFS) approval. If adoptive parents show an immigrant visa or other evidence of foreign adoption, the court will not appoint a guardian *ad litem*, require termination of biological parents' rights, or require a home study. Parents can re-adopt a child together or separately, regardless of changes in marital (or civil union) status. DCFS must offer post-placement and post-adoption support services (including counseling for emotional, behavioral, and developmental needs) to promote adoption permanency, and offer information on support services to all adoptive parents and entities that facilitate adoptions and provide support services. It must report annually on services offered; families getting them; and any adoption disruptions, dissolutions, and secondary or unregulated placements (H.B. 3079, Sommer-Feigenholtz-B. Wheeler-Williams-Moeller et al. — Harmon-LaHood-Althoff et al.).

Adoption—Birth Grandparent. If a birth parent has died and did not file a form denying exchange of information between the birth family and an adoptee, a biological parent of the deceased birth parent (a birth grandparent) can file forms authorizing the exchange of information with the adopted grandchild. The Illinois Department of Public Health can supply identifying information to such grandparents if proper forms are filed. Birth grandparents are added to the persons who can petition courts for confidential intermediaries to exchange

medical information (H.B. 3967, Sosnowski-Feigenholtz — Martinez-Van Pelt-Collins et al.).

Family Law. Many changes in laws on this subject will take effect January 1, 2016. *Marriage and divorce.* Irreconcilable differences causing “irretrievable breakdown” become the only ground for divorce. But such a breakdown will be irrebuttably presumed if the parties have lived apart for 6 months before final judgment.

Property division. Marital property will include debts and retirement accounts. Non-marital property will include assets obtained by one spouse using only non-marital property as loan collateral; but any repayment from the marital estate will be subject to reimbursement. Stays on some spousal activities during divorce proceedings will not include restraints on disposition of property.

Maintenance and support. Courts awarding maintenance must consider parties' obligations, earning impairments, income sources, ages, occupations, skills, liabilities, and needs (added to existing factors). If a marriage lasted 10 years or less, a court can enter a fixed-term maintenance award that bars further maintenance. Courts must make specific factual findings for changing maintenance. Education expense payments will end if a child has a cumulative GPA below “C”, turns 23 (unless extended to 25), gets a bachelor's degree, or marries. Courts awarding support to adult children with disabilities can consider the standard of living they would have if the marriage had continued, and government benefits to which they are entitled (added to existing factors).



Parental duties. The terms “child custody” and “visitation” are replaced with “parental responsibility” allocation. Courts can allocate responsibility for major decisions (such as education, health, religion, and extracurricular activities) and parenting time. After requesting allocation, parents (jointly or separately) are to provide the court a parenting plan, including detailed provisions on allocation. If they cannot agree, courts can make allocations based on a child's best interests.

Parental relocation. A divorced parent providing a child's primary residence can move, within specific mileage limits, without permission. A longer move will require prior notice to and consent by the other parent, or court approval. A court asked for approval must consider the reasons for a move and for any objections to it; locations of family members and school opportunities; wishes of the child; possible parental responsibility arrangements; and any factors relevant to the child's best interests.

Heart balm. Lawsuits such as for breach of promise to marry are abolished (S.B. 57, Mulroe — K. Burke).

Gender Identity of Human Remains. A person can issue directions for disposition of his or her remains specifying gender identity, including appearance, chosen name, and gender of pronoun, without any legal changes to name or gender and without medical treatment to change gender (H.B.

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CRIMINAL LAW

Legislators voted to decriminalize possession of small amounts of marijuana and create a legal limit for driving under the influence of the drug. A new law contains several police reforms, including requiring deaths related to police officers' actions to be reviewed by independent investigators and reported to the Department of State Police; prohibiting chokeholds unless deadly force is justified; and setting rules for using body-worn cameras. Juvenile justice reforms include eliminating mandatory minimum sentencing for juveniles and prohibiting sentence lengths longer than adult sentences for the same crimes. Several new laws will increase use of ignition interlock devices by DUI offenders, including one that will allow a repeat DUI offender to apply for a driver's license only after driving with such a device for 5 years.

Accelerated-Resolution Court. A 2-year pilot program in Cook County will allow defendants charged with retail theft of up to \$300 or criminal trespass, who cannot post bond or be electronically monitored and have not committed or been in prison for violent crimes in the past 10 years, to be referred by the Cook County Sheriff for "Accelerated Resolution" of their cases. Such a defendant who is not adjudicated within 30 days after assignment by the presiding judge (excluding delays due to the defendant) is to be released on recognizance or with electronic monitoring (S.B. 202, Cunningham-Collins-N.Harris—Zalewski-Mayfield-Guzzardi-Welch et al.).

Animal Cruelty. *Abuse.* Anyone who abuses a companion animal in the presence of a "child" (not defined) must, along with any other penalties, pay a fine of \$250 and do at least 100 hours of community service (H.B. 3231, D.Burke-Winger-Rita-Kifowit et al.—Connelly-Holmes-J.Morrison).

Exposure to extreme temperatures. An owner of a companion dog or cat who exposes the animal to extreme, prolonged heat or cold, causing injury or death, commits animal cruelty—a Class A misdemeanor if a first offense or a Class 4 felony if a repeat offense (S.B. 125, J.Cullerton-McCann et al.—Feigenholtz-Williams-D.Burke).

Assault. Peace officers, firefighters, emergency management workers, and emergency medical technicians performing duties are added to the persons against whom aggravated assault (whether or not a weapon is used) will be a Class 4 felony instead of a Class A misdemeanor (H.B. 3184, Hurley-Anthony-Welch-Willis-Sandack et al.—Mulroe-Harmon-Connelly et al.).

Arrest Records. At the request of a police chief, sheriff, or state's attorney, an arresting agency must delete the arrest record of a person arrested due to mistaken identity (H.B. 169, Dunkin-Flowers-Anthony-Ford-Mayfield et al.—Martinez-Collins-Delgado-Van Pelt).

Bail Bond Costs. The amount of bail bond money the Cook County Circuit Clerk can keep as costs if an arrestee is discharged cannot exceed \$100 (H.B. 1119, Ford-Sandack-Flowers-M.Davis-Lilly et al.—Raoul-Van Pelt-Collins et al.).

Certificates of Good Conduct. Eligibility for such a certificate is expanded to include persons who committed or attempted to commit some forcible and Class X felonies, including first-degree murder. Crimes still barring eligibility are arson, kidnapping, aggravated DUI, aggravated domestic battery, and any crime that would require registration as a sex offender, arsonist, or murderer and violent offender against youth (H.B.



3475, Mayfield-Welch-Ford-Ammons et al.—Lightford-Collins-Van Pelt et al.).

Child Prostitution. Knowing that a child prostitute was in Department of Children and Family Services custody becomes an aggravating factor in prosecutions for promoting or patronizing a juvenile prostitute (S.B. 201, Cunningham-J.Morrison-Connelly-Collins—Ford).

Cook County Jail Drug Tests. Under a pilot program, preliminary tests for cannabis, cocaine, and heroin will be done on Cook County Jail inmates arrested by Chicago police and held for drug tests. A committee will study whether such "field" testing reduces defendants' stays pending preliminary determination of probable cause, and reduces the jail's population (H.B. 356, Zalewski-Anthony-Sims-Andrade et al.—Harmon-Raoul-Connelly et al.).

Criminal Records Sealing. A convicted person who earns a high school diploma, GED, post-secondary degree, or career or vocational certificate while in prison or on supervised release can petition to have records of the crime sealed if it is one listed in this act (H.B. 3149, Cabello-Wallace-Stewart-Dunkin-Guzzardi et al.—Link-Collins-Van Pelt et al.).

Dogs in Court. Courts can allow an assistance dog when taking testimony from a child and/or disabled victim of a sex crime (S.B. 1389, S.Bennett-Van Pelt-Mulroe-Bertino-Tarrant-Collins et al.—Zalewski-B.Wheeler-P.Reaves-Harris-D.Harris et al.).

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CRIMINAL LAW

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Domestic Violence. Added to the list of facts to be considered against imposing a long prison sentence is that the defendant was a victim of domestic violence and that its effects tend to excuse or justify the defendant's actions. In limited situations, such facts can justify relief from a sentence already imposed (S.B. 209, Raoul-Hutchinson-Silverstein-Collins-J.Morrison et al. — C.Mitchell-Cassidy-Bellock et al.).

Drugs Banned. Various classes of "synthetic" and/or designer street drugs are added as Schedule I controlled substances. A counterfeit or analog controlled substance no longer must be "intended for human consumption" for its possession to be illegal (S.B. 1129, McCarter-Haine-Connelly-Raoul-Bivins et al. — Cassidy-Cabello-Kay-Anthony-Stewart et al.).

DUI. *Ignition interlock devices* will be required to drive with a restricted driving permit after a conviction of DUI causing death, great bodily harm, or permanent disability to another; or after two license suspensions or revocations for DUI or reckless homicide (formerly two within 10 years) (S.B. 627, Stadelman et al. — D'Amico-McAuliffe-Zalewski et al.).

Requirements to regain driver's license. After a repeat offense of DUI or reckless homicide, the offender can apply for a driver's license only after driving with a restricted driving permit and using an ignition interlock device for 5 years without suspension, cancellation, or revocation (H.B. 3533, B.Wheeler-Sandack-Anthony-D'Amico-Willis et al. — Althoff-Martinez-J.Morrison et al.).

Restricted driving permit. A person ineligible for a driver's license due to serious violations (including four DUI convictions) can seek a restricted driving permit 5 years after the later of license revocation or release from jail or prison, upon showing at least 3 years

of abstinence from alcohol and illegal drugs, and completion of a treatment program. Any such permit will authorize operation only with an ignition interlock device (H.B. 1446, Nekritz-Fortner — Mulroe et al.).

Early Release. The address of a prisoner released early will not be provided in an online "Community Notification of Inmate Early Release" (H.B. 2722, Anthony-Feigenholtz — Connelly-Van Pelt-Collins et al.).

Elderly Exploitation. A civil suit for financial exploitation of an elderly person or person with a disability no longer must be based on the filing of criminal charges for that crime, and is separate from any right to recover under other laws or common law (H.B. 1588, T.Bennett-Winger-Nekritz-Martwick-Sandack et al. — Barickman).

Firearms. A person with a "mild" developmental disability can appeal denial of a FOID card to the Director of State Police. A concealed-carry license can be used in lieu of a FOID card to show eligibility to buy and possess firearms and ammunition. A law enforcement officer or emergency worker can secure a firearm carried in a vehicle by a concealed-carry licensee until the officer or worker determines that the licensee is not a threat (S.B. 836, J.Sullivan-Bivins-Forby et al. — Phelps-E.Sullivan-Anthony-Verschoore-Cavaletto et al.).

Foreign Nationals. Consistent with the Vienna Convention on Consular Relations, an arrested foreign national must be told within 48 hours of the right to have consular officials of the arrestee's nation notified. Jail officials must ensure that foreign nationals can communicate with their consular officials. At an arrestee's first court appearance, the court is to give such notice and grant a reasonable request for a continuance for consular contact (H.B. 1337, Drury — Raoul-Connelly-Collins-Van Pelt).

Hate Crimes. The hate crime section of the Criminal Code is expanded by penalizing actions motivated by a broader list of reasons, including gender-related identity. The institutional vandalism section is expanded to include damage to a protected structure motivated by the ancestry, gender, sexual orientation, or disability of any person or group (H.B. 3930, Yingling-Cassidy et al. — Biss-Delgado et al.).

Hearsay Exceptions. Sections making exceptions to the hearsay rule if a criminal defendant, by murder or other means, prevented the testimony of a person whose out-of-court statements are sought to be admitted, are repealed. (In a murder trial of Drew Peterson, a trial judge held that one of those sections narrowed an existing common-law hearsay exception — but an Illinois Appellate Court panel held that a statute could not do that.) (H.B. 3977, Durkin-Sandack-Franks-Bellock — Mulroe).

Homicide—DNA Test. DNA samples taken by coroners and medical examiners from bodies of homicide victims must be frozen and/or dried if possible. The police agency receiving a sample must forward it to a laboratory participating in the National DNA Index System within 30 days. Results of its DNA analysis are to go to the State Police (H.B. 233, D.Brady-Bellock et al. — Bivins-McConnaughay-McCann).

Juvenile Justice. *Detention.* Authorities are to notify a local youth services provider before keeping anyone under 13 in a juvenile detention center, and do that only if a service provider cannot enroll the juvenile (H.B. 2567, Gabel-Thapedi-Dunkin — Steans-Silverstein-Collins-Van Pelt et al.).

Length of sentences. A juvenile found guilty of a crime cannot be kept in the Department of Juvenile Justice longer than an adult could be for the same crime. The time a juvenile must be in aftercare release (a type of parole)

is to be less than, but in proportion to, how long adult parole would be for a similar crime. If a juvenile on aftercare release is charged with another crime that could bring a Department of Corrections sentence, aftercare release will be suspended until the charge is adjudicated (S.B. 1560, Raoul-Righter-Althoff-Collins et al. —Nekritz-Tryon-Guzzardi-Gabel-Turner et al.).

Mandatory minimum sentences eliminated. Mandatory life in prison without parole, and other mandatory minimum sentences, are eliminated for those who were under 18 when committing crimes. Judges are to consider several factors in sentencing them, including age, home environment, past abuse, and rehabilitation potential (H.B. 2471, Currie-Drury-Sandack-E.Sullivan et al. —Harmon-Raoul-Collins-Trotter-Connelly et al.).

Reports. The Department of Juvenile Justice is to report annually and quarterly to the Governor and General Assembly on residents of its facilities (in place of joint reports by the Departments of Corrections and of Juvenile Justice) (H.B. 3141, Hays-Guzzardi —Righter et al.).

License Revocation Notice. The Secretary of State is to mail notice 90 days before revoking a driver's license for an accident causing death (H.B. 3670, Davidsmeyer —Noland).

Marijuana. *Decriminalization of small amounts.* Starting next January 1 if the bill became law, possessing up to 15 grams of marijuana would bring a civil fine of \$55-\$125. (Possessing over 2½ grams is now a Class C misdemeanor or more serious crime.) Starting 180 days after next January 1, records of such possession would be automatically expunged every 6 months. Minimum amounts of marijuana whose possession can bring criminal penalties would also be increased. These changes would not affect fines for possession under local

ordinances. The ban on medical cannabis registrations for persons with felony marijuana convictions would no longer apply to applicants whose felony convictions would be civil violations under the new law. A legal limit for operating a vehicle, snowmobile, or watercraft under the influence of marijuana would be set at 15 nanograms of delta-9-THC in the blood or 25 nanograms in another bodily substance (such as saliva) within 2 hours after operating it. Use of cannabis-based manufacturing equipment (except by a licensed cannabis cultivation center) would be prohibited as a Class 2 felony (H.B. 218, Cassidy-Sandack-Zalewski-E.Sullivan-P.Reaves-Harris et al. —Noland-Collins-Hunter-N.Harris-Raoul et al.), **amendatorily vetoed, not overridden.**

Followup bill. If H.B. 218 were approved, circuit clerks would expunge civil cannabis violation records either by court order or by each January and July; civil cannabis fines would be distributed by circuit clerks, not county treasurers; and a ban on supervising a student driver with an instruction permit, whose system contains any amount of cannabis used unlawfully, would be restored (H.B. 3215, Cassidy et al. —Harmon), **vetoed, not overridden.**

Prisoner use. Law enforcement and corrections officers are authorized to prevent possession and use of cannabis by registered medical cannabis cardholders in prisons, jails, or while on parole (H.B. 341, B.Wheeler et al. —Althoff).

Policing Restrictions; Crime Data; Body Cameras; Pedestrian Stops; State's Attorney Replacements; DNA Processing. Deaths related to police officers' actions or intentional omissions must be reviewed by two independent investigators, one of them certified as a Lead Homicide Investigator. They must make a prompt report

to the state's attorney, and if no officer is charged, release it to the public.

All law enforcement agencies are directed to report monthly to the Department of State Police on crimes of types designated by the Department, and information on arrest-related deaths, hate crimes, domestic crimes, and offenses reported by schools to police. A new database will store information on police officers who are fired or resign while under investigation.

Probationary and in-service police training must address topics including procedural justice and proper use of force. Each police officer must get in-service training every 3 years. A Commission on Professionalism will review police officer training and certification, and report to the Governor and General Assembly by January 31, 2016. Police may use chokeholds only if deadly force is justified under standards in the Criminal Code.

A new fund supported by criminal fines will help police departments buy in-vehicle and body-worn cameras. Officers with body cameras must keep them working during all law enforcement-related activities unless talking with confidential informants, or asked by victims or witnesses not to be recorded. Officers entering a home must disclose camera use. Video recordings are to be kept 90 days unless "flagged" for specific reasons. Those not flagged are ordinarily exempt from disclosure under the Freedom of Information Act; but they may be used as evidence in official proceedings. No officer may stop a person from recording the officer's performance of duties in a public place.

Police stops of pedestrians must be recorded similarly to the required recording of vehicle stops. A pedestrian who is stopped, and frisked or searched, must be given a "stop receipt" having the officer's name and badge number.

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CRIMINAL LAW

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Procedures are created for temporarily replacing a state's attorney who is ill or unavailable, or allegedly has a conflict.

The Department of State Police must report quarterly to the Governor and General Assembly on its progress in reducing its backlog of DNA samples for use as evidence, and use an electronic system to track all evidence getting forensic testing (S.B. 1304, Raoul-Collins-Van Pelt-Hunter-Noland et al. — Sims-Gordon-Booth-Anthony-Flowers-Cabello et al.).

Powdered Alcohol. Selling or offering any powdered or crystalline substance containing ethyl alcohol for human consumption becomes a Class A misdemeanor if a first offense or a Class 4 felony if a repeat offense (S.B. 67, Silverstein-Hunter-Van Pelt-Collins et al. — Fine).

Powdered Caffeine. Selling powdered caffeine to one under 18 becomes a Class A misdemeanor if a first violation or a Class 4 felony if a repeat offense (S.B. 9, Bertino-Tarrant-Landek et al. — Kifowit-Hernandez-Manley-Sente et al.).

Prostitution. An affirmative defense to a prostitution charge is that it was committed because the defendant was a victim of involuntary servitude or trafficking in persons. A defendant who plans to raise such a defense, and fears that doing so will jeopardize the defendant or anyone else, may seek a closed hearing on those safety concerns. Protective measures may be taken at the trial if the judge finds the concerns likely to be justified (S.B. 1588, Mulroe-Hutchinson-J.Morrison-Connelly-Collins et al. — Sims-Williams-Sandack-Hernandez-Turner et al.).

Recyclable Metals Task Force. A task force with members from law enforcement, public utilities, metal recyclers, and insurers, along with legislators and

state agency representatives, will discuss solutions to recyclable metal theft (H.B. 330, Hoffman-Mautino-M.Davis-Jackson et al. — Haine).

Sentence Credit. The Department of Corrections may award 90 (now 60) days' sentence credit to a prisoner who passes a GED test while in pretrial detention or prison (H.B. 3884, Anthony-Dunkin-Guzzardi-Soto-Stewart — Connelly-Van Pelt-Collins).

Sex Crimes. An added aggravating factor for sentencing is that sexual assault or abuse of a victim with an intellectual disability was committed by a defendant in a position of trust, authority, or supervision over the victim (S.B. 207, J.Morrison-Hunter-Martinez-Collins — Evans-Anthony-Sims-Cabello et al.).

Sexual Assault. Limitations periods. The statute of limitations for prosecuting a sexual assault will not start to run until the State Police analyzes DNA evidence of it (H.B. 369, Conroy-Mautino-McSweeney-Costello-Cloonen et al. — Noland-T.Cullerton-Van Pelt-Collins et al.).

Limitations periods for related crimes. The limitations period for armed robbery, home invasion, kidnapping, or aggravated kidnapping will be extended from 3 years to 10 years if it is part of the same course of conduct as a sexual assault or aggravated sexual abuse that the victim reports to law enforcement within 3 years. If one of those crimes is part of the same course of conduct as a sexual assault or felony sexual abuse; the victim was under 18; and corroborating physical evidence is available (or a required reporter failed to report), there will be no limit on when prosecution can begin (H.B. 1418, Williams-B.Wheeler-Cassidy-Cabello-Sims et al. — Hastings-Connelly et al.).

Sexually Violent Person Notification. The Department of Human Services must send notice within 1 business day after a court order for conditional release, discharge, or change in custody status of a detained sexually violent

person—or immediately if a detainee escapes or dies—to the Department of Corrections or Juvenile Justice and to the victim(s) (instead of one notice at least 60 days before release or change in custody) (H.B. 3896, Hammond-Wallace-Golar et al. — J.Sullivan-Martinez).

Smartphone Theft. Businesses buying or selling used smartphones (other than cellphone makers, and large cellphone retailers that allow trade-ins) join the class of businesses governed by regulations meant to prevent sales of stolen goods through resale dealers (S.B. 66, Silverstein — Ford-Hurley et al.).

Speeding at least 26 m.p.h. over the limit in a school zone, highway construction zone, or maintenance speed zone becomes a Class B misdemeanor; driving at least 35 m.p.h. over the limit becomes a Class A misdemeanor. Violators cannot get court supervision (H.B. 1453, Walsh — Mulroe).

Trucking Accidents. A truck driver who willfully violates federal motor carrier rules (such as driving excessive hours), resulting in an accident causing great bodily harm, permanent disability, disfigurement, or death, commits a Class 3 (was Class 4) felony. If a person other than a driver commits such a violation, resulting in such an accident, it is a Class 2 (was Class 3) felony (H.B. 1516, Cabello-K.Burke-Anthony-Stewart-Acevedo et al. — Muñoz-Kotowski et al.).

Victim Rights. The rights of crime victims added to the Illinois Constitution by voter approval in November 2014 are implemented and enforced. Statutory additions to that constitutional amendment include directing the Attorney General to prepare a form that crime victims can complete to notify the judge and prosecutor of rights they intend to assert; allowing a lawyer acting as the victim's attorney to receive copies of all notices, motions, and court orders; prescribing detailed

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EDUCATION

Elementary & Secondary

The General Assembly acted to offer further protection of athletes from head trauma and make it easier for students with asthma attacks or anaphylactic shock to receive the medicines they need. State testing will be revamped and studied further. Other bills that passed both houses address bullying, charter schools, and student disciplinary measures.

Bullying Prevention. *Cyberbullying.* Bullying of students through electronic technology or communications is stated to be “prohibited” in schools—and elsewhere if it causes a negative school environment. Schools must develop processes to determine whether a reported act of bullying is within their jurisdiction, and provide bullying victims information on available counseling and support services (H.B. 4207, Fine-Smidly-Wheeler-Costello et al.—Silverstein-Bush-Lightford et al.).

General. Charter schools are added to those where bullying is “prohibited.” Public and nonreligious private schools are directed to develop anti-bullying

policies, including reporting and investigation procedures, and revisit them every 2 years (H.B. 5707, Cassidy-Jakobsson-G.Harris-Smidly et al.—Steans-Van Pelt-Silverstein-Hunter-Lightford et al.).

Charter Schools. *Bilingual students.* Charter schools must follow all federal or state laws and rules on special education and educating children with limited English-speaking ability (H.B. 4527, Chapa LaVia-Pritchard-Flowers et al.—Lightford-Bertino-Tarrant-Bush-Holmes-Collins et al.).

Virtual-school moratorium. The moratorium on new virtual charter schools



outside the Chicago school district is extended until December 31, 2016 (H.B. 3937, Chapa LaVia—Bertino-Tarrant-Holmes).

Charter School Approvals; State Board Duties. Most responsibility for approving applications for new charter schools is moved from the State Board of Education to the State Charter School Commission; but any proposal approved by the Commission still needs State Board approval. The requirement for the State Board to write a Comprehensive Education Plan is replaced with a duty to make annual budget recommendations (H.B. 5588, Mautino—Biss).

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CRIMINAL LAW

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procedures for victims to object to continuances and other delays, and to seek restitution from convicted defendants; allowing a victim to see a redacted copy of the presentence report; and allowing a victim or the prosecutor to appeal a denial of a right of a victim (H.B. 1121, Lang-Bellock-Kifowit-Jackson-D.Harris—J.Cullerton-Collins-Stears-Hunter et al.).

2014 Fall Veto Session

Eavesdropping. Changes to Criminal Code sections on eavesdropping include these: (1) They now apply only to “private” conversations, defined as those that at least one party reasonably

expected to be private; (2) eavesdropping now consists of using an eavesdropping device *in a surreptitious manner* to intercept, record, or transmit a *private conversation* without all parties’ consent (with details varying based on whether the eavesdropper is a party); (3) using or disclosing information from eavesdropping is now illegal only if it is from a private communication and was obtained in violation of these sections, and not all parties consent to use or disclosure. Exceptions allowing eavesdropping with a state’s attorney’s approval to investigate some types of crimes are consolidated by listing types of crimes (called “qualified” offenses) that can be so investigated. Requests to a state’s attorney for such approval must be recorded in writing. Approvals

(at least if in writing) must be available for review by the chief judge of the circuit; each state’s attorney must report annually to the General Assembly on such requests and approvals. Eavesdropping on police, prosecutors, or judicial officers is lowered from a Class 1 to a Class 3 felony if a first offense, or a Class 2 felony if a repeat offense (S.B. 1342, Raoul—Nekritz-Reboletti).

Revenge Porn. Disseminating private sexual images without consent becomes a Class 4 felony. A violator will also forfeit any proceeds of the violation (S.B. 1009, Hastings—Drury et al.). □

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ENVIRONMENT & CONSERVATION

The General Assembly voted to require more protection of the land on which large windmill developments will be placed; improve recycling of used electronic devices; and allow more hunting by minors. Other new laws address care of abused or stray animals, and cleanup of locations formerly used to produce gas from coal.

Air Pollution Control. The Pollution Control Board must adopt regulations creating Nonattainment New Source Review (NA NSR) and Prevention of Significant Deterioration (PSD) permit programs for air pollution control under federal Clean Air Act requirements. The EPA must grant or deny a completed PSD permit application within 1 year after filing. Its decisions on PSD permits can be reviewed by the Board (S.B. 1672, Rezin-McCarter-McGuire-Koehler-Righter et al. — Nekritz-Mautino-Davidsmeyer-Phelps-K.Wheeler et al.).

Animals. Abused. If an animal control facility or shelter cannot house companion animals that were abused, they may be impounded by court order at the site of the violation if the person charged is an owner of it. Animal control or shelter personnel, or police, can enter to provide treatment and ensure animal safety and well-being (S.B. 1735, Althoff et al. — Franks).

Stray. Animal shelters accepting stray dogs or cats must report them to animal control officials or law enforcement by the next business day. Accepted strays must be checked for microchips and other identification, and the shelter must attempt to contact any owners. If none can be identified, a shelter must hold an animal for the time specified by local ordinance before adoption, transfer, or euthanasia. An owner may retrieve an animal after paying for board and veterinary care (H.B. 4029, Conroy-Kifowit et al. — T.Cullerton-Connelly et al.).

Electronics Recycling. For 2015 through 2017, electronic device makers' recycling goals are to be percentages of amounts stated in this act that are in proportion to their market shares in Illinois in the 2 calendar years before each applicable program year. Starting in 2018, makers must recycle amounts equal to at least 50% of the total weight of the electronic devices they sold in Illinois in the 2 calendar years before the program year. Electronic device recyclers must register with the Illinois EPA. Starting in 2016, waste haulers can work with registered recyclers only. Haulers may make agreements with local governments for electronic device collection programs (H.B. 1455, McAsey-Wehrli-Leitch-D.Brady-Sente et al. — Althoff-Holmes-T.Cullerton et al.).

Gas House Waste Disposal. Waste from remediation of a former manufactured gas plant site may be disposed of only in a permitted hazardous waste disposal site, unless testing shows that the waste does not exceed federal regulatory levels for specified contaminants (H.B. 1326, Ammons-W.Davis-Hays-B.Mitchell-Brown et al. — S.Bennett-Manar-Rose et al.).

Hunting. Bobcat hunting will be allowed annually from November 1 to February 15. A Department of Natural Resources (DNR) permit will authorize taking one bobcat per season; the Department may limit the number of such permits issued. Bobcat pelts must be tagged under federal wildlife regulations (H.B. 352, Verschoore-Kay-Davidsmeyer-Costello-Phelps et al. — McCann).

Youth licenses. Youth Hunting Licenses will be available to persons through age 18 (was 16). A youth who hunts alone, or is at least age 19 (was 17), must have passed an approved safety course for a full hunting license (H.B. 3234, Costello—Rose).

Youths with crossbows. A youth hunting licensee, after getting a "Deer Hunting Permit" from DNR, may use a crossbow in the first half of the deer archery season if supervised by an adult having an archery deer permit (H.B. 3674, Smiddy—Rose-Holmes).

Waste Spread on Fields. "Exceptional Quality" biosolids (as defined) from wastewater treatment will not be regulated as sludge or other waste if requirements in this act are met. Unbagged biosolids may be used on agricultural land to improve soil if not applied on snow-covered or frozen ground and if used in a way that follows recommended application rates and protects water quality (H.B. 1445, Nekritz-D.Harris-Fortner-Leitch et al. — Koehler et al.).

Weed Control. Numerous species are added to Illinois' list of exotic weeds that, with some exceptions, may not be bought or sold in the state. DNR may issue permits for use of exotic olive berries to make value-added products; but any seeds left must be sterile or otherwise unviable (S.B. 681, Biss-Holmes-Koehler et al. — Phelps-Fortner et al.).

Windmills and Farmland. A company seeking to install a large wind generation facility on farmland must have an "agricultural impact mitigation agreement" with the Illinois Department of Agriculture to preserve the land, before any future county or municipal public hearing on issuing a construction permit (H.B. 3523, Brown—J.Sullivan-McCarter). □

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EDUCATION

(continued from p. 9)

Computer Science as Math. Advanced placement computer science will count toward graduation requirements as a math course if the student also completes Algebra II. The school must note on a student's transcript if a computer science course counts toward the math requirement (H.B. 3695, Dunkin-Hammond-Chapa LaVia-Fortner-Smith et al. — Link et al.).

Concussion and Head Trauma. The Illinois High School Association is directed to develop and offer online concussion awareness certification, which all coaches and athletic directors must obtain. Coaches are to show students a video from the program annually (H.B. 5431, Sente-D'Amico-Chapa LaVia-Pihos-Evans et al. — Kotowski-Bush-Collins).

CPR and AED Training. The State Board of Education must include CPR and automated external defibrillator training in its curriculum for high schools starting this fall. Parents can exempt their children (H.B. 3724, D.Burke-Mayfield-Osmond-Jackson et al. — Mulroe-McConaughay-Noland-Oberweis-Collins et al.).

Early Childhood Education Grants. Districts getting these block grants must use at least 14% (was 11%) for children aged 0-3, rising to 20% by fiscal year 2016 (was 2015) (H.B. 4440, Chapa LaVia-Dunkin-Moffitt-Pritchard-Crespo et al. — Lightford-Delgado-Rose-Collins-Morrison et al.).

Education Surrogates. A juvenile court judge who has issued an order for temporary child custody due to abuse or neglect can appoint a parent or guardian as "educational surrogate parent" or "early intervention program surrogate parent" (S.B. 2782, Koehler — Golar).

Epinephrine Injectors. Starting this August, students can carry and self-administer asthma medicine with written

parental authorization, and epinephrine auto-injectors with written medical authorization. Schools' epinephrine auto-injectors no longer must be kept in locked enclosures. Anyone not a registered nurse who may inject epinephrine into students must have annual training on anaphylaxis response. Each use of an injector must be reported to the local EMS system; each use of a school-owned injector must also be reported to the student's parents, the prescriber, and the State Board of Education. The State Board must report data on epinephrine injector use in schools annually, starting in October 2015 (H.B. 5892, Mussman-Zalewski et al. — Manar et al.).

Hard-to-Staff Schools. Each consortium getting a Grow Your Own Teacher grant must consider the following added criteria in selecting candidates: has a desire to teach in a hard-to-staff school; is a parent, "para educator," community leader, or other resident of a hard-to-staff school community; has an interest in post-secondary education; and commits to completing all state standards for teacher licensing. A candidate must maintain a 2.5 GPA, attend monthly meetings, and apply for all other financial aid before applying to the program (H.B. 3948, Golar-Jackson-Jefferson-M.Davis-Chapa LaVia et al. — Martinez-Van Pelt-Delgado-Lightford-Collins et al.).

Security Grants. The Illinois Emergency Management Agency is authorized to make grants to public and private schools and other local educational institutions for safety and security improvements (S.B. 2934, Stadelman-Delgado-Harmon — Walsh-Sente-McAsey-Cloonen-DeLuca et al.).

Student Discipline Report. Starting this fall, the State Board of Education must collect data on school suspensions, expulsions, and removals to other settings, and report annually to the General Assembly. Starting in 2017-18, any school in the top 20% for suspensions, expulsions, and/or racial differences in those sanctions must submit plans and

progress reports for 3 years (S.B. 2793, Hutchinson-Lightford-Martinez-Delgado-Collins et al. — W.Davis-G.Harris et al.).

Testing. Starting this fall, students in grades 3-8 are to be tested annually in English and math. Starting by 2017-18, students must be tested in science in one year each in elementary, middle/junior high, and high school. The State Board may administer no more than three English and math tests, including one on college or career readiness, to each high school student. Parents can get results of tests. Schools can receive funds for testing and related resources if available. The State Superintendent is to name a committee to review tests and procedures (S.B. 3412, Steans-Lightford-Bush et al. — W.Davis-Currie-Wheeler-Sosnowski-Pritchard et al.).

Higher Education

Legislators voted to increase scholarship aid for students in foster care or guardianship, and to give special consideration for scholarships to workers in transition. Distance learning will be regulated primarily by providers' home states. State college and university administrations are to prevent smoking anywhere on their campuses.

DCFS Scholarships and Fee Waivers. Each year the Department of Children and Family Services (DCFS) must provide college scholarships and fee waivers for at least 53 of its wards or minors under private guardianship. DCFS is to collect data on the results and report to the General Assembly yearly (H.B. 4652, Feigenholtz-Bellock et al. — Hunter et al.).

Distance Learning. The Illinois Board of Higher Education can join an agreement with other states, under which each distance learning provider in a participating state will be regulated primarily by its home state, which will

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HEALTH & SAFETY

The General Assembly voted to require health insurers to cover screening MRIs for breast cancer for medically eligible women. New vaccines are required for child-care workers in facilities providing care to very young children. Legislators also addressed drug addiction by voting to allow pharmacists to dispense drugs to negate opioid overdoses; give immunity to pharmacists and first responders who provide such drugs; and require the Illinois EPA to start a program to collect unused medications.

Other new laws will allow terminally ill patients to use experimental treatments not yet approved for the general public; require airports to provide areas for nursing mothers; and prohibit sexual orientation conversion therapy on persons under 18.

Advanced Practice Nurses and Physician Assistants. These “mid-level practitioners” get more independence in their practices. They can provide services under a physician’s general supervision, whether or not those specific functions are mentioned in a collaborative or supervisory agreement with the physician. Advanced practice nurses in three specialties can be authorized by a hospital affiliate’s medical staff to prescribe Schedule II to V controlled substances with some limitations (H.B. 421, Feigenholtz et al.—Steans-Kotowski-Link-Althoff-Martinez et al.).

Advisory Bodies. An advisory council on pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections and pediatric acute neuropsychiatric syndrome (PANDAS/PANS) will advise the Director of the Illinois Department of Public Health (IDPH) on those conditions and report to the General Assembly by January 1, 2017 and annually thereafter.

A Neonatal Abstinence Syndrome (NAS) Advisory Committee will advise and assist IDPH regarding NAS (various adverse conditions seen in newborns exposed to drugs before birth). The Committee will report to the Director, General Assembly, and Governor by March 31 each year

through 2019 (S.B. 1684, T.Cullerton-Althoff-Bertino-Tarrant-J.Morrison-Manar et al.—Conroy-Fine-Wallace et al.).

AEDs in Police Stations. Sheriffs’ offices and local police departments with at least 100 officers are added to the entities required to have automated external defibrillators (AEDs) and sufficient staff trained to use them. They also become eligible for grants to help in buying AEDs (S.B. 764, Mulroe—D.Burke-Hurley-Martwick-Williams-D’Amico).

Breast Cancer Prevention. Medicaid and health insurers must cover screening MRIs for breast cancer for eligible women if medically necessary. By January 2016, the Department of Healthcare and Family Services must ensure that networks of care for adult clients include access to at least one breast imaging Center of Imaging Excellence. If funds are available, the Department must offer grants to build public infrastructure for breast cancer imaging and diagnostic services, particularly in rural, medically underserved areas and areas with high breast cancer mortality, to increase low-income and Medicaid clients’ access to high-quality breast cancer screening and diagnosis (H.B. 3673, Smiddy-Turner et al.—Holmes-Mulroe-Biss-Hunter et al.).



Cannabis Pilot Program Extension. Registrations of the first group of medical cannabis users would last until 1 year after the first cannabis dispensary is registered. The medical cannabis act’s expiration would be delayed to 4 years after that first registration (H.B. 3299, Lang-Cassidy et al.—Haine-Martinez et al.), **amendatorily vetoed, not overridden.**

Child-Care Worker Vaccination. Anyone employed by a facility that cares for children up to age 6 must have received one dose of TDAP (tetanus, diphtheria, and pertussis) vaccine, and either have two doses of measles, mumps, and rubella (MMR) vaccine or be immune to those diseases (S.B. 986, Radogno-Mulroe—Gabel-Zalowski-Andrade-Nekritz-Ford et al.).

Dental Care Coverage. Accident and health insurance policies must cover services by a dentist for care of a patient who is under 19 and has been diagnosed with an autism-spectrum disorder or a developmental disability (H.B. 235, Fine et al.—T.Cullerton-Kotowski-Link-J.Morrison et al.).

Down Syndrome Information. IDPH must compile information on Down syndrome for persons providing care and counseling of parents getting pre- or postnatal diagnoses of Down syndrome and for anyone who receives

a positive result from a test for Down syndrome. Pre- or postnatal care providers and persons providing genetic counseling may give the IDPH-prepared information to expectant or new parents getting positive results of Down syndrome tests (H.B. 3158, Gabel-Stewart-Beiser et al.—Kotowski-Hunter et al.).

Drug Addiction. Pharmacists trained for this purpose may dispense opioid antagonists to negate opioid overdoses. Pharmacists and first responders who provide opioid antagonists without charge are protected from liability. Trained school personnel may administer opioid antagonists to anyone they believe has an opioid overdose. Accident and health insurance policies for prescription drugs must cover at least one opioid antagonist, including medication, administration devices, and administration fees related to dispensing it, and refills for expired or used doses; they must also cover acute treatment and stabilization for addiction. Group and (added) individual health insurance, and Medicaid, must cover drugs for substance abuse treatment on at least as favorable terms as other drugs, with no limits except those approved by the American Society of Addiction Medicine. Proceeds of forfeitures due to money laundering can be used to buy opioid antagonists.

If a drug overdose is found to be a cause or factor in a death, the coroner or medical examiner must report to IDPH, stating the cause of the overdose if possible. IDPH must semiannually summarize such reports for the General Assembly, and report overdose deaths monthly by place, age, and other factors on its website.

The Department of Human Services must create a project to increase integration of hospitals' electronic health records with the Prescription Monitoring Program, which is meant to catch overuse of addictive drugs. An advisory committee and peer review

committee will oversee prescriptions for such drugs. The peer review committee will contact a prescriber or dispenser who seems to exceed accepted practices for providing addictive drugs, and make referrals to the Department of Financial and Professional Regulation if necessary.

The Illinois EPA must begin a program to collect unused medications, including controlled substances, statewide. The \$20 assessment on anyone convicted of illegal drug possession is doubled to increase funding for prescription drug disposal. The Department of Human Services must issue educational materials for opiate prescription holders on dangers of such medications to young people; its Division of Alcoholism and Substance Abuse must report annually on statewide drug overdose trends, including efforts to educate the public on unused medication dangers. The Department and the State Board of Education must have a 3-year heroin and opioid drug prevention pilot program for schools, with educational materials and instruction on heroin and opioid abuse (H.B. 1, Lang-Anthony-Wallace-Yingling et al.—Kotowski-McGuire-T.Cullerton-Bertino-Tarrant-Noland et al.), **amendatory veto overridden**.

Elevator Safety. The State Fire Marshal will assume the responsibilities of the Elevator Safety Review Board for licensing elevator contractors, mechanics, and inspectors. The Board will create a universal inspection form to be used by all licensed elevator safety inspectors, including any cities or counties with elevator inspection programs. Any injury due to elevator malfunction must be reported to the State Fire Marshal within 2 business days (S.B. 718, Harmon-Althoff—Rita).

Experimental Treatments. A Right to Try Act will allow a terminally ill patient who has considered all available treatment options and has a physician's

recommendation to use any investigational medical treatment not approved for the general public. Product makers and insurers can, but need not, provide and pay for such treatments. Investigational treatments for eligible patients will not be subject to approval by a nursing home's review board, and physicians cannot be disciplined solely for recommending, prescribing, or giving such treatments (H.B. 1335, G.Harris-Beiser-D.Harris-Anthony-Golar et al.—Connelly-Harmon-Holmes).

Eye Medications. Individual and group accident and health insurers covering topical eye medication cannot deny coverage of a refill of such medication if: (1) it is for a chronic condition; (2) at least 75% of the predicted days of use have elapsed; and (3) the prescription allowed refills and a refill would not exceed the number allowed (H.B. 3137, D.Brady-Sandack-Fine-Flowers-M.Davis et al.—Link).

Hepatitis C Screening. Each primary health-care provider would be required to offer one-time "screening" for hepatitis C to patients born between 1945 and 1965 during physical exams; for all new patients born in those years; and in any comprehensive physical exam in which blood is drawn for tests. Medicaid, health insurers, and other health coverage providers would be required to cover such screening and confirmatory testing (S.B. 661, Mulroe-Trotter-Althoff-Bertino-Tarrant-Collins et al.—McAuliffe-Gabel-Cabello-Mayfield-Stewart et al.), **vetoed**.

Home Kitchens; Cottage Foods. Persons baking goods, not deemed potentially hazardous under the law, for fundraising sales by religious, charitable, or nonprofit organizations are not subject to regulation as home kitchens. A home kitchen operator must attach a label or other written notice to each

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HEALTH & SAFETY

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package giving the product's common name and possible allergens, and saying that it is sold directly to consumers and stored in the home where it is made or packaged. Regulated cottage foods whose "main ingredient" (as defined) is a locally grown farm product may be sold on the farm where that ingredient is grown, or delivered directly to consumers (H.B. 2486, Tryon-Phillips-Meier-Cassidy-Gabel et al. — Koehler-McCann-Steans-Righter et al.).

Hospitals. After-care. A hospital must allow each inpatient to designate an after-care caregiver. The caregiver must be told of a patient's discharge or transfer between hospitals. As early as possible in anticipation of discharge, a hospital must consult with the caregiver and issue a discharge plan describing the patient's post-discharge needs. The hospital must attempt to provide after-care instructions to the designated caregiver (S.B. 1298, Rose-Biss-Collins-Hunter-Mulroe et al. — Costello et al.).

Patients on observation. Within 24 hours after a hospital patient's placement into observation status, the hospital must provide the patient oral and written notice that the patient has not been admitted but is in observation status, to be signed by the patient or the patient's legal representative (H.B. 3616, Lang-Gabel-Franks-Ammons-Sente — Syverson-Van Pelt-Collins).

Infertility Coverage. Required insurance coverage for listed infertility treatments is extended to inability to attain or maintain a viable pregnancy. For such coverage, the definition of infertility is expanded to include inability to conceive after 1 year of attempts, and inability to conceive after being diagnosed with a condition affecting fertility (S.B. 1764, Harmon — Lilly-Feigenholtz et al.).

Medicine Prescribed by Nurses.

An advanced practice nurse, practical nurse, or registered nurse, who provides hospice services or provides home health services to a patient, can pick up prescription orders and deliver prescription medications to a patient. Persons possessing a controlled substance under a lawful practitioner prescription, including an advanced practice nurse, practical nurse, registered nurse, or licensed physician assistant who provides hospice services or home health services to a person, need not register with the Department of Financial and Professional Regulation to possess such substances (S.B. 689, Murphy-Althoff et al. — Wehrli-Hurley).

Mercury Thermostats and Ampoules.

Thermostat makers must establish a system to collect and manage mercury ampoules (formerly only whole thermostats containing mercury) from designated collection sites, and annually report numbers of ampoules and amounts of mercury collected. Starting in 2016, no one may demolish a commercial building until all the mercury thermostats are removed. A person removing such thermostats must arrange for delivery to a collection site (S.B. 679, Steans — Williams-Sandack-Verschoore-Phelps-Tryon et al.).

Newborn Screening. The base fee for newborn screening by IDPH becomes \$118. Within 18 months after specified conditions are met, IDPH is to add screening of all newborns for adrenoleukodystrophy (ALD, an inherited disorder causing some fatty acids to accumulate in bodily tissues). IDPH may add a fee for ALD screening up to 6 months before beginning the program to accumulate startup costs for it (H.B. 2790, Fine et al. — Righter-Steans-J.Morrison-Martinez et al.).

Nursing Mothers in Airports. By 2017, each airport with over 1 million commercial passengers departing

annually must have a private room or other location beyond security, not in a public restroom, with a chair and electricity, for women to express breast milk. Those requirements must be met when smaller airports build new terminals or make major renovations to existing ones (S.B. 344, Lightford-Collins-Hutchinson — Lilly-Welch-Sims-Gordon-Booth et al.).

Sexual Orientation Conversion.

Mental health providers may not try sexual orientation conversion therapy on persons under 18. Using deception or other concealment of fact in advertising or offering such conversion therapy will violate the Consumer Fraud and Deceptive Business Practices Act (H.B. 217, Cassidy-Feigenholtz-Smidly-Yingling-Currie et al. — Biss-Manar-Martinez-Hutchinson-Harmon et al.). □

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*“In the end, it’s
not the years in your
life that count. It’s
the life in your years.”*

http://www.brainyquote.com/quotes/authors/a/abraham_lincoln

LOCAL GOVERNMENT

The General Assembly voted to allow counties to charge higher court filing fees if needed to pay for security. Legislators voted to increase the age limit for former military personnel to take the firefighter exam. They also agreed to enact no laws in 2016 through 2019 creating new local governments.

Special District Contracts. The requirement of competitive bidding for park, conservation, and downstate forest preserve district contracts would apply only to those for over \$25,000 (now \$20,000) (S.B. 1271, McGuire—Walsh), **vetoed**.

Court Service Fees. A county can exceed the \$25 limit on court services filing fees if a cost study shows that current fees do not cover court security costs (S.B. 804, Haine-Holmes et al.—Moffitt-Phelps-Pritchard-Bradley-Anthony et al.).

Fire Protection Charges. Municipalities could charge nonresidents for fire protection services by volunteer firefighters or volunteer municipal fire departments up to \$250 per hour per vehicle and \$70 per hour per firefighter. Territory in a fire protection district could not be disconnected if that would disconnect at least 10% of its property tax revenue (S.B. 650, Haine-Delgado—Hoffman-Moffitt-DeLuca et al.), **amendatorily vetoed, not overridden**.

Fire Protection Districts—Rescue Tax. A fire protection district can ask voters to approve a tax for emergency and rescue crews and equipment at

0.10% (the limit was 0.05%) on all taxable property in the district (H.B. 220, Moffitt-Leitch-Jackson-Cabello-Walsh et al.—J.Sullivan et al.).

Firefighter Age Limit Exception. Firefighter applicants who turned 35 while serving as active or reserve members of the armed forces or National Guard, and whose service was deemed “honorable” or “under honorable” (general), can take the firefighter exam until age 40 (H.B. 3203, Moffitt-Costello-Butler-Sente-Bourne et al.—J.Sullivan et al.).

Home Improvement Loans. The governing commission of a Guaranteed Home Equity Program with at least \$4 million in its fund can create a Low Interest Home Improvement Loan Program by two-thirds vote of its commissioners (formerly only by referendum) (H.B. 3193, Martwick-Guzzardi-Andrade-W.Davis-Williams et al.—Mulroe).

Library System Grants. The “area served” for calculating a state grant to a public library can include areas outside its boundaries, if serving those areas is in its service plan approved by the Secretary of State. If state appropriations to libraries are below or



By Brett Gustafson

above the amounts per capita set by law, funding is to fall or rise in proportion so all libraries get the same amount per capita (S.B. 1523, McGuire—Turner).

Moratorium on New Local Governments. The General Assembly declares that in 2016 through 2019 it will enact no law creating a new unit of local government, except by consolidating existing ones (H.B. 228, Franks-McSweeney-Sandack-E.Sullivan et al.—Connelly-Duffy-Althoff-Bush et al.).

Wind Farm Regulation. The existing authority of counties and municipalities to regulate wind farms and windmills is stated to exist notwithstanding any other law (S.B. 920, Barickman-McCarter et al.—T.Bennett-Moffitt-Jackson-Yingling-Cavaletto et al.). □

*Jennifer Hebel
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PROFESSIONS & OCCUPATIONS

Legislators voted to ease restrictions on the licensing of persons in cosmetology and related fields, and on persons who have legitimate uses for controlled substances for research, training, or therapy. Restrictions are added to those on pawnbrokers to reduce selling of stolen goods.

Barbers and Cosmetologists. The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 is extended 10 years to 2026. The Department of Financial and Professional Regulation (DFPR) may grant a license without examination to a person licensed in the same field by another state or country. Licensees wanting to change among fields under the Act can transfer relevant educational credits needed to meet licensing requirements. Barbers, hair braiders, and nail technicians are added to those exempt from renewal fees if their licenses expire during military leave and they seek renewal within 2 years after discharge. Department of Corrections residents will not need licenses to do barbering or cosmetology in prisons. DFPR will adopt rules allowing citations for unlicensed practice and other violations of licensing requirements (H.B. 1424, Rita—Martinez).

Controlled Substance Registration. Persons training or proposing to train drug-sniffing dogs, and researchers using or proposing to use controlled substances in research, can possess such substances with DFPR registration. Temporarily licensed physicians can possess and prescribe controlled substances, within the scope of their licenses, without registering with DFPR to have them (S.B. 1062, Barickman—Zalewski).

Dental Licensing. Dental license applicants who graduated from dental schools outside the U.S. and Canada no longer can substitute other forms of training for the requirement of at least 2 years' dental clinical training at a U.S. or Canadian dental college or school (H.B. 1496, McAuliffe—LaHood).

Health Care License Suspension. A health care worker convicted of or pleading guilty to health care- or insurance-related crime, including Medicare or Medicaid fraud, will get an indefinite license suspension. Any hearing on the suspension can address only its length (H.B. 1359, Gabel-Ammons-Cassidy—Biss-Collins-Trotter-Van Pelt).

Music Therapy. A Music Therapy Advisory Board will be created within DFPR, to report to the Governor and legislative leaders on possible education and certification of music

therapists (S.B. 1595, Kotowski-Harmon-Delgado et al.—McAuliffe-Yingling-Manley-Kifowit et al.).

Pawnbrokers—Records and Sales. Pawnbrokers cannot buy items whose manufacturers' identification numbers are removed or altered except by ordinary wear. If an item's identifying marks are worn, it cannot be sold or transferred to another shop for at least 15 days after reporting it to police. No personal property bought by a pawnbroker can be sold for at least 10 days after reporting it to police; local governments can lengthen that waiting period (S.B. 1820, Harmon-Althoff et al.—Lilly). □

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REVENUE

The General Assembly voted to create new income tax checkoffs; not count the value of accessibility improvements made to a home toward its assessed value for 7 years; and offer more generous property tax exemptions for disabled veterans.

Income Tax Checkoffs are created for the Special Olympics Illinois and Special Children's Charities Checkoff Fund (75% to go to Special Olympics Illinois and 25% to Special Children's Charities); the U.S.S. Illinois Commissioning Fund (for grants to the U.S.S. Illinois Commissioning Committee); and the Autism Care Fund (for grants to the Autism Society of Illinois). The U.S.S. Illinois Commissioning Fund checkoff will end after 2016 (S.B. 1906, Harmon-N.Harris et al. — Hurley-Walsh-Currie-Hernandez-D.Brady et al.).

Property Tax. Improvements in accessibility of residential property, made for disabled or elderly people, may not increase the property's assessed value for 7 years after completion. Veterans with service-connected disability of 30% to 49% get a new

\$2,500 annual property tax exemption on a qualified residence. For a disability of 50% to 69%, the exemption is raised from \$2,500 to \$5,000. For a disability of 70% or more, the entire residence (formerly only \$5,000) is exempted (S.B. 107, Link-N.Harris-Hastings et al. — Conroy-Mayfield-Tabares-Kifowit-Ford et al.).

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Veterans' Property Tax Exemptions. Qualified, specially adapted property of a disabled veteran is exempt from property taxation up to an assessed value of \$100,000 (was \$70,000). In addition to types of housing included already, the exemption now applies to housing or adaptations donated by a charitable organization, if the veteran has been approved to receive federal funds for adaptive



By Mass Communication Specialist 3rd Class Brian Goodwin

housing and the home meets federal standards for design of such housing. Such housing is also exempt from the Mobile Home Local Services Tax.

A survivor of a veteran killed on duty can qualify for the \$5,000 disabled veteran's homestead exemption even though the veteran did not obtain such an exemption before death (S.B. 2905, Hastings-Althoff-Collins et al. — Kifowit-Mayfield-Hoffman-Rita-Welch et al.). □

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CIVIL LAW

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3552, Guzzardi et al. — Delgado-Martinez).

Law License for Noncitizen. Law licenses cannot be denied solely because applicants are not U.S. citizens. The Illinois Supreme Court can grant a license to any person having valid employment documents (S.B. 23, J.Cullerton-Muñoz-Martinez et al. — Currie et al.).

"Lemon" Vehicles. Used car dealers, and companies auctioning vehicles to the general public, could not exclude, modify, or disclaim a warranty of merchantability for the earlier of 15 days of ownership or 500 miles driven. Required repairs would not be limited to power train components, nor the share of

repair costs payable by the seller based on vehicle age as under current law. A buyer could waive the implied warranty as to a particular defect if it was disclosed. A seller need not provide any further warranty (H.B. 3746, Mayfield et al. — Link-Van Pelt-Collins et al.), **vetoed, not overridden.**

Parentage. The Illinois Parentage Act of 2015 replaces the Illinois Parentage Act of 1984 on January 1, 2016. Highlights: Children have a right to physical, mental, and emotional support (in addition to financial support as under current law) regardless of any legal relationship of the parents and whether a parent is a minor. Parentage can be presumed if a child is born before, during, or within 300 days after the end of a marriage, civil union, or similar legal

relationship between a person and the child's mother. Parentage can also be established by adjudication, adoption, a surrogate motherhood contract, or a voluntary acknowledgment filed with the Department of Healthcare and Family Services. A child born after a parent dies can share in the parent's estate without a will only if conceived before the death. An action to determine parentage can begin (but not end) before the child's birth. A court can deny a motion for genetic testing of a presumed parent, and declare that person a parent, if: the person's conduct estops him or her from denying parentage; it would be inequitable to disprove the parent-child relationship; and it is in the child's best interest. Proof under the act is by a preponderance of the

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SOCIAL SERVICES

The General Assembly passed measures to protect foster children and residents of nursing homes from abuse; improve supervision of child-care facilities and investigation of abuse allegations; and ensure that victims are not billed for outpatient treatment after sexual assault. Legislators also voted to expand eligibility for SNAP benefits with federal approval, and more promptly end public assistance for a deceased recipient.



Child Welfare Training Academy. If money is appropriated, the Department of Children and Family Services (DCFS) will open a child welfare training academy for its child protective investigators and supervisors. Training is to include responding to child abuse; cultural competency; using pretend homes and courtrooms to simulate cases; and setting standards needed for DCFS certification (S.B. 653, Kotowski-Collins-Trotter et al.—Mussman-Evans-Wallace et al.).

DCFS Advisory Council. The Department of Children and Family Services' Children and Family Services Advisory Council is expanded from 17 to 21 members, to include at least one youth from each DCFS regional youth advisory board and two adult former DCFS wards. Its duties will include reviewing and making recommendations on monitoring of DCFS-licensed child-care facilities; recommending improvements in child abuse investigations; reviewing samples of data on calls to the abuse hotline; and reviewing "indicated" and "unfounded" abuse reports. It is to make initial legislative recommendations by March 1, 2017 (S.B. 13, J.Morrison et al.—Kifowit-M.Davis-Ford et al.).

DCFS Wards. Missing. A ward in a DCFS residential facility must be reported to police as missing if absent without permission from the facility and without contacting an employee for 12 hours. The statewide law enforcement database must be informed that the missing person is a DCFS ward and may be released only to

DCFS, regardless of age. A residential facility operator must record a plan of care for any ward leaving more than 24 hours, including place visited; host's contact information; length of stay; and planned return time. DCFS must train personnel on reporting persons missing from its custody (S.B. 1775, Cunningham-Collins et al.—Flowers-Hurley-Ford-M.Davis-Stewart et al.).

Notifying relatives. When taking custody of a child for placement, the Department of Children and Family Services must try to find and notify all grandparents and other adult relatives who could care for the child (formerly only one such relative) (H.B. 2543, M.Davis-Gabel-Hammond-Wallace-Flowers—Steans-Trotter-Martinez-Van Pelt).

Deceased Assistance Recipients. The Department of Human Services must compare its roster of public aid recipients with death records from the Illinois Department of Public Health at least monthly, and immediately end benefits for a deceased recipient if no one else in the household was getting them (H.B. 3311, Kay-Franks-Sente-Ammons-Chapa LaVia et al.—McCarter).

Food Stamps Eligibility Limits. If any needed federal consent is obtained, a household will be eligible for Supplemental Nutrition Assistance Program (SNAP—formerly Food Stamps) benefits if its gross income does not exceed 165% of the federal nonfarm income poverty guideline, or

200% if it includes an elderly, blind, or disabled person (S.B. 1847, Biss-Collins-Steans-Delgado-Bush et al.—Gabel-Hernandez-D'Amico-Ammons-B.Wheeler et al.).

Foster Children. Bill of rights. A new act declares that children in foster care have 28 rights, including healthy food; safe, comfortable homes; freedom from abuse, discrimination, or harassment; access to medical care; attendance at court hearings and being heard by the judge; and review of case plans (H.B. 3684, Wallace-Flowers-M.Davis-Moeller-Feigenholtz et al.—Stadelman-J.Morrison-Van Pelt-Collins-Noland et al.).

Internships. If money is appropriated, DCFS will operate a 2-year pilot program starting in 2016 to offer current or former foster youth, at least 15 years old, summer internships to get training and experience. DCFS must report to the General Assembly after 2 years and say whether it plans to continue the program (S.B. 1255, Hunter-Collins-Van Pelt-Clayborne et al.—Ford-Mayfield-Flowers-Welch-M.Davis et al.).

Nursing Home "Granny Cams". Starting next January, in any facility for long-term care or for persons with disabilities, residents can have audio and/or video monitoring of their rooms, at their expense, with notice to the facility and signed consent from any roommates. A resident can order a monitoring device temporarily turned off at any time. Buildings with such monitoring must have signs to notify

visitors. If funding is provided, the Illinois Department of Public Health will distribute up to \$50,000 per year to Medicaid recipients in such homes to pay for monitoring. Unauthorized tampering with monitoring devices or recordings will be a Class B misdemeanor; doing so in connection with another crime will be a more serious offense. Recordings may be evidence in judicial or administrative proceedings, but will otherwise be under control of the resident or the resident's authorized representative (H.B. 2462, G.Harris-D.Harris-Lilly-Willis-Dunkin et al.—Link-Collins-Van Pelt-J.Morrison et al.).

Seniors and Mental Health. If funds are appropriated, the Department on Aging can make grants to promote mental health services for older adults in primary health care settings (H.B. 3753, Leitch-Bellock-Cassidy-Gabel-Unes—J.Morrison-Koehler et al.).

Sex Trafficking; Foster Care; Abuse in DCFS Care. DCFS is to name a 13-member multidisciplinary group to make recommendations for treating young victims of sex trafficking in its care. It is to report to the General Assembly by January 1, 2017; DCFS is to implement any feasible recommendations by March 1, 2017. The Department of Human Services is to cooperate with the Department of Transportation to inform the public about the national human trafficking hotline.

If funding is provided, by June 2016 DCFS is to start a 5-year pilot program of “multi-dimensional treatment foster care” in the least restrictive appropriate settings for children (1) suffering severe trauma; (2) needing foster care after residential treatment; or (3) who, with higher intervention levels, could be in foster homes instead of group homes or residential care.

DCFS is to develop rules on failure of workers at its institutions to report suspected abuse or neglect, and set standards for investigating reports of abuse or neglect by DCFS facilities or employees (S.B. 1763, J.Morrison-Stears-Althoff-Collins—Moeller-Feigenholtz-Tabares-Franks-Chapa LaVia et al.).

“Sexting” by DHS Workers. The Department of Human Services' Inspector General may investigate and act on allegations that DHS employees sent or posted sexually explicit images (as defined) of facility residents (S.B. 1947, Hunter-Collins—Manley-Tryon-Anthony-Hurley-Moylan et al.).

Sexual Assault Services Billing. Providers of emergency health services to sexual assault victims may not directly bill them for ambulances, outpatient care, or eligible followup care—including co-pays and deductibles. Providers may instead seek payment from Medicaid, private health insurers, or the Illinois Sexual Assault Emergency Treatment Program. Providers may not contact victims for payment, refer them to collection agencies, or take other action affecting their credit. (These provisions do not apply to inpatient services.) Health care professionals (unless employed by hospitals) who bill separately for hospital emergency or forensic services must develop billing protocols ensuring that no sexual assault victim will be billed, and get approval from the Illinois Attorney General's Crime Victim Services Division. Violations can bring fines up to \$500 per day (H.B. 3848, Mussman-Wallace-Zalewski-Soto-Tabares et al.—Bush-S.Bennett-Collins-Van Pelt-J.Morrison et al.). □

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EDUCATION

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monitor it and investigate complaints from all states where it offers distance learning as if they came from its home state (S.B. 3441, McGuire-Kotowski—Pritchard-Jakobsson-Martwick-Dunkin).

MAP Grants. In 2015-16 and 2016-17, special consideration for Monetary Award Program grants is to go to terminated, laid off, or dislocated workers, including those applying after the usual deadline (S.B. 3306, Rose-Manar-McCann-Van Pelt-Lightford et al.—Scherer-Hernandez-Costello-C.Mitchell-Welch et al.).

“Pay It Forward, Pay It Back” Study. The Illinois Student Assistance Commission is to study the feasibility in Illinois of adopting Pennsylvania's “Pay It Forward, Pay It Back” program to help students pay for college; survey similar programs in other states; and report to the General Assembly by December 2014 (H.B. 5323, Franks-Hoffman-Pritchard-Chapa LaVia-Scherer et al.—Frerichs-Althoff-Holmes et al.).

Smoking on Campus. Starting July 1, 2015, smoking (including “e-cigarette” use) is banned everywhere on state college and university campuses except in privately owned vehicles passing through them. Each institution's board is to implement this act and set penalties. But the smoke-free Illinois law (410 ILCS 82/1 ff.) will govern to the extent of conflict with this new law (S.B. 2202, Link-Bush-Silverstein-Collins-Hunter et al.—Williams-Gabel-Currie-Hernandez-Welch et al.).

Teaching Excellence Program funding priorities are changed, to include up to \$1,000 for National Board for Professional Teaching Standards renewal fees per teacher assisted and funds for training on Illinois Learning standards and/or the State Board of Education's learning priorities (H.B. 5393, McAsey-Pritchard-Golar—Bush et al.). □

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STATE GOVERNMENT & PENSIONS

Legislators addressed many issues in this category during the spring session, including improving 911 call systems; expanding requirements to report independent expenditures related to an election; and limiting how long late-term appointees under an outgoing Governor can serve. Other new laws will make it easier to get applications for many state licenses; ease civilian re-entry by National Guard members who were called to active duty; and restrict payment of per diems to board and commission members.

Laws enacted late in 2014 will require small employers to offer a state-created Roth IRA option for employees with a default contribution rate, and make voter registration and early voting easier.

Accounts for Persons With Disabilities. The State Treasurer will allow people to set up and fund accounts for their family members who have blindness or another severe disability manifested before age 26. (Under a new federal law, such state “ABLE” accounts are not federally taxed, nor will distributions be taxed if used for expenses related to the beneficiary’s disability.) No such account may be opened unless final federal regulations are issued. No beneficiary may have more than one ABLE account, and no account may receive more per year than the federal gift tax exclusion (\$14,000 in 2015). The sum of all contributions to an account cannot exceed the limit on a 529 college savings account. Funds in ABLE accounts may be placed with Illinois financial institutions, or apparently in mutual funds. ABLE plan assets will generally be disregarded in determining eligibility for public benefits. If a beneficiary dies, the state will get any remainder after disability-related expenses (S.B. 1383, S.Bennett-J.Morrison-Van Pelt-Rezin-Noland et al. — K.Burke-Pritchard-Bellock-Fine-Anthony et al.).

Alternative-Fueled State Vehicles. The requirement that 25% of state-purchased vehicles be alternative-fueled starting in 2016 is reduced to 15%, and some kinds of alternative-fueled vehicles (such as hybrid vehicles) are added (H.B. 3667, Batinick-Davidsmeyer-D.Harris-Sente — Kotowski).

Appointees Late in Governor’s Term. No one selected in the last 90 days of an outgoing Governor’s term, for a high-level position with a public body to which the Governor appoints at least one member, may serve more than 60 days into the next Governor’s term unless reselected at an open meeting of the body (H.B. 4078, Kifowit-Franks-Pritchard-Andrade-Sandack et al. — J.Morrison-Bush).

Boards and Commissions. *Meeting notices.* The Governor’s Office of Boards and Commissions is to allow people to add their e-mail addresses to a listserv (address list) and get notice of meetings and agendas of boards and commissions to which the Governor has appointing authority (S.B. 564, Biss-J.Morrison — Jackson-Ammons-Golar-Wallace).

Per diems. A member of a board, commission, or similar body to which the Governor makes an appointment with Senate confirmation may not be paid to attend more than one meeting per week unless it lasts over 4 hours or there is an “emergency” (S.B. 1444, Bush et al. — Kifowit-Sente-Conroy-Tabares et al.).

Comptroller’s Online Records. The past practices of the Comptroller in providing an online data “Warehouse” of reports from local governments, and an “Online Ledger” of financial transactions, are codified into law



(S.B. 903, McConnaughay-Holmes — Sandack).

Coroner Training. A Coroner Training Board, appointed by the Governor, will prescribe training standards, approve curricula, and select schools for coroner training. Only those successfully taking the training, and coroners exempted by the Board due to experience, can be lead investigators in coroners’ investigations (S.B. 663, Muñoz-Haine-McConnaughay et al. — D.Brady-Wehrli-Walsh-Batinick-Hoffman et al.).

Elections. *Congressional vacancies.* A special election for the U.S. House will be held only if a vacancy occurs more than 240 days (formerly 180) before the next regular general election. Nominating petitions for that election must be filed at least 82 days (was 50) before the primary election (S.B. 1265, Biss-Collins et al. — Nekritz-Jackson-Ford-Dunkin-Gabel et al.).

Reporting contributions. A political committee making independent expenditures of at least \$1,000 must report them electronically to the State Board of Elections within no more than 5 business days (within 2 business days if made in the last 60 days before an election) (S.B. 248, J.Morrison-Murphy — Currie).

Flag Display After Training Death. Flags are to be at half-staff after the death of an Illinois resident in on-duty military training (added to deaths in

other situations) (H.B. 2932, Sommer-McAuliffe-Chapa LaVia-Costello-Butler et al. —LaHood-B.Brady-Hastings-McCann et al.).

License Forms Online. By January 2017, agencies in the state’s executive branch are to post applications for licenses online—except applications for drivers’ licenses, state ID cards, vehicle registrations, and licenses issued by the State Board of Elections (S.B. 1921, J.Morrison-Hutchinson et al.—Sente-Cloonen-McSweeney-Franks-Batinick et al.).

Missing Adults. The State Police and a new Silver Search Task Force will develop procedures and programs to notify the public and search for missing adults with Alzheimer’s or similar conditions (S.B. 1846, Biss-Bertino-Tarrant-Kotowski-Koehler-Bush et al.—Manley-Cabello-Turner-Tabares-Costello et al.).

National Guard Support. National Guard members, if called to active duty by the President or Governor, are added to the list of persons protected by an act that usually requires employers to re-employ military members, and educational institutions to let them make up requirements or get refunds (H.B. 3721, Bryant-Pritchard-Chapa LaVia-McAuliffe-Franks et al.—Hastings).

911 Upgrade; Cable Regulation. By July 2017, each unit of local government that provides any emergency service(s) must be within a 911 system. By July 2016, the Department of State Police will create an office to regulate 911 service statewide except in Chicago, taking over such regulation from the Illinois Commerce Commission. Working with a statewide advisory board, the Department will issue uniform standards for all 911 systems in Illinois. Over the next 2 years, local phone surcharges to fund 911 systems will be limited or ended, and state surcharges imposed or increased (including a new 87¢ monthly charge per number). Also in the next 2 years, local governments must reduce their numbers of 911 call centers by consolidation, under plans to be considered

by the statewide advisory board and approved by the Administrator of the State Police office. The Administrator can make grants for consolidation to localities except Chicago. The Administrator will also solicit proposals for statewide “Next Generation” 911 service (using Internet protocol software, and capable of transferring messages—with pictures and other data—to other 911 centers). Each 911 system must have Next Generation 911 service by July 2020.

The Attorney General’s Consumer Utilities Unit’s duties will expand to include representing the public regarding cable and video services. Provisions for auditing of cable service providers are strengthened (S.B. 96, J.Sullivan—Phelps-Bradley-Currie-Thapedi-E.Sullivan et al.).

Open Meetings Act. If facts suggesting a violation of the Act were not found using reasonable diligence within 60 days, a request to the Attorney General’s Public Access Counselor for review can be made for 60 days after discovery—up to a maximum of 2 years and 60 days after the claimed violation (H.B. 175, McSweeney-Kay-Franks-Sente—Duffy-Althoff-Connelly).

Pension Systems. Divestment. An Illinois Investment Policy Board is created. It will attempt to identify companies significantly involved in Iran or Sudan, or boycotting Israel. If such a company, after notice that it meets those criteria, continues to do so, the five pension systems for state officers and employees or teachers are to sell any direct investments in those companies during the next year, and not make any new investments in them while they meet those criteria (S.B. 1761, Silverstein-Connelly-LaHood-Althoff-J.Morrison et al.—Feigenholtz-McSweeney-Lang-Sente-Drury et al.).

Examinations. Actuaries for the General Assembly, State Employees’, State Universities, Teachers’, and Judges

Retirement Systems are to investigate those systems’ experience and other data every 3 (formerly 5) years (H.B. 422, T.Morrison et al.—Connelly).

Public Employee Bargaining. From July 2015 through June 2019, if a state employee union contract expired with no replacement, mediation would begin within 30 days. If it was unsuccessful, either party could require arbitration. The effective date of an arbitration order would not be delayed by the start of a new fiscal year. The previous contract would be extended until a successor was made (S.B. 1229, Harmon-Kotowski-Koehler-Collins-Martinez et al.—Smiddy-Kifowit-T.Jones-Hoffman-Scherer et al.), **vetoed, override failed.**

Youth Employment Commission. A 17-member Commission on Youth Employment, appointed almost entirely by legislative leaders, will study issues facing young adults seeking employment after formal education, and report to the General Assembly by November 30 each year until 2019 (H.B. 1490, Ford-Kifowit-Conroy-Flowers-Welch et al.—Martinez-Van Pelt-Collins).

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Executive Office Vacancies. If a vacancy in the office of Attorney General, Secretary of State, Comptroller, or Treasurer occurs and over 28 months remain in the term, the Governor’s appointee for the vacancy will serve only until it can be filled at the next general election, and the person elected will serve the last 2 years (H.B. 4576, Currie—J.Cullerton-Harmon et al.).

Retirement Saving Plan. The state will set up, outside the state treasury, a plan to receive contributions from workers and hold them as Roth IRAs for their retirement. Persons aged at least 18 who work for a private employer that has operated at least 2 years; has employed at least 25 people in Illinois for the last year; and offers

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TRANSPORTATION

Legislators voted for measures to reduce noise problems around O'Hare Airport; reduce the risk of crashes while "Stop" signs are removed during construction on intersections; and ban passing of buses stopped to load or unload students on driveways on school grounds.

Airport Noise. The number of runways that O'Hare Airport can use without a new state permit is increased from 8 to 10, to allow continued use of two runways to help spread out air traffic and noise. A new method for airport noise monitoring is prescribed, adding a measure of noise from 7 to 10 p.m. (currently only from 10 p.m. to 7 a.m.) (S.B. 636, Mulroe-Kotowski-T.Cullerton-Harmon-Collins et al.—Moylan-Martwick-McAuliffe-D'Amico-Guzzardi et al.).

License Plate Fees. Circuit Breaker discounts. Starting in 2016, the \$24 registration fees for persons eligible for "Circuit Breaker" tax relief will be extended to special license plates (but not to extra charges for personalized, vanity, or special plates) (H.B. 2811, Tabares-Ford-Flowers et al.—Martinez et al.).

Veteran fee waiver. Starting in 2016, registration fees (except added fees for personalized, vanity, or specialty plates) will be waived for returning combat veterans during the year after their return (S.B. 1603, N.Anderson-Althoff-Hastings et al.—D.Harris-D'Amico-Costello-Riley-Ives et al.).

Lighting. Emergency vehicles. Vehicles used occasionally for emergency rescue by a nonprofit Chicago EMS provider can have red or white oscillating or flashing lights if used only in emergencies (S.B. 621, Silverstein—Lang).

Motorcycles. A motorcycle may use incandescent or LED lights for safety if they are not red or blue; do not go on and off, rotate, or change direction; and are aimed toward the roadway, and no single light exceeds 25 candlepower (H.B. 3944, T.Bennett-B. Mitchell-DeLuca-Butler-Cabello et al.—Koehler-Forby-McCann-Holmes-Trotter et al.).

Stop Signs (Temporary). The Department of Transportation is to place temporary Stop signs on state highways, and local authorities are to place them on local roadways, while permanent stop signs are missing or damaged. Temporary signs must be visible and legible (S.B. 1388, McCann-Radogno-Manar—Fortner-Davidsmeyer).

Title Transfer to Surviving Spouse. If a deceased spouse's ownership of a vehicle passes to the surviving spouse, the survivor can send the Secretary of State proof of the facts and get a "special corrected" certificate of title for only \$15 (H.B. 3797, Bryant et al.—Luechtefeld).

Tractors on Roads; Passing School Buses. The exemption of farm tractor drivers from the requirement to have drivers' licenses is expanded to apply to all driving of such tractors on roads (formerly only between "home farm buildings" and nearby farmland). The requirement that drivers stop if students are boarding or exiting school buses is extended to apply to roadways



on public school property (S.B. 1885, Manar—Hoffman et al.).

Vehicle Event Recorders. A contract carrier vehicle may use a device that records audio, video, and G forces (with the video portion saved only around the time of an unusual motion or crash). A posted notice must warn any passengers that conversations may be recorded. Any recording will belong solely to the vehicle's owner or lessee (S.B. 1834, Biss-Haine-McCann-Nybo et al.—D'Amico-Beiser-Kifowit-Moffitt et al.), **amendatorily vetoed.**

Weight Limits. Permanent. A highway commissioner may not permanently lower a road's weight limit without public notice and a public hearing (H.B. 2580, Costello-Stewart-Franks—J.Sullivan-Sandoval).

Temporary. The 90 days per year in which local authorities can restrict vehicle weights on a highway to avoid damage due to weather conditions need not be consecutive (S.B. 1704, J.Sullivan—Hammond-Beiser). □

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CIVIL LAW (continued from p. 17)
evidence unless otherwise specified (H.B. 1531, K.Burke—Mulroe).

Privacy of Electronic Information. The Personal Information Protection Act is to be expanded by (1) making some provisions apply to marketing and geolocation information acquired by websites, and to e-mail log-in information; (2) requiring notice to the Illinois Attorney General if a private business, or a state agency, suffers a breach of data on over 250 state residents; and (3) requiring any data collector that has personal information on an Illinois resident to use “reasonable” security measures, and to have a privacy policy and make it readily available to users. Compliance with standards established under two federal laws will normally constitute compliance with the state act (S.B. 1833, Biss-Hastings-J.Morrison-Collins-Harmon et al.—Williams-Zalewski-Andrade-Yingling-Guzzardi et al.), **amendatorily vetoed**.

Structured Settlement Transfers. The Structured Settlement Protection Act—which seeks to protect injury victims who agree to accept periodic compensation, and who then sell those rights for lump sums—is amended by (1) excluding workers’ compensation payments from its purview; (2) deleting mentions of a “responsible administrative authority” having jurisdiction over such settlements, leaving trial courts as

the only bodies able to approve them; (3) requiring the implicit interest rate in any agreement to pay a lump sum for such a settlement—along with all information already required to be disclosed—to be stated to the injured person at least 10 days (was 3) before signing the agreement; and (4) requiring a hearing in court, with detailed procedures, before any transfer can be approved (S.B. 1268, Haine—Zalewski-Breen et al.).

Support. Foreign orders. Procedures for registering and enforcing family support orders (and orders determining parentage) from a foreign country must comply with the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance as to all countries adhering to it. The Department of Healthcare and Family Services (DHFS) is the agency designated for functions required by the Convention. These functions include starting proceedings for any party to recognize, enforce, or modify foreign orders, or establish new orders to be recognized in other countries. A party can also petition an Illinois court directly. Agencies enforcing orders must serve any nonresidents seeking services through their country’s central authority. Courts can refuse to enforce an order, or agreement, on stated grounds, including that they are unenforceable in the issuing country (due to fraud or lack of jurisdiction); pending Illinois proceedings or later orders have precedence; or orders are incompatible with public policy.

Orders from countries not following the Convention can be registered using procedures in current law. A court can modify the child support order of a payor living in the country that issued the order only if that person submits to the court’s jurisdiction or the issuing country does not exercise jurisdiction (H.B. 3512, Martwick-Bellock-Hurley-W.Davis-Welch et al.—Mulroe et al.).

Withholding—fines. A payor of income to a person who owes child support, who willfully fails to withhold or pay out income for child support after receiving two reminders from DHFS, can be fined up to \$1,000. DHFS can collect the fines using liens on the payor’s real or personal property. After collection costs are deducted, DHFS must distribute any remaining money to counties based on population (H.B. 3683, Wallace-Martwick-Evans-Lilly et al.—Lightford).

Fall Veto Session Law

Jury Size and Fees. Every jury in a trial civil will have only six persons. If parties request alternate jurors, a county can charge a fee for each one requested. Amounts paid to jurors in all counties were raised to \$25 for the first day and \$50 per later day, but without travel expenses (S.B. 3075, Mulroe—K.Burke). □

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STATE GOVERNMENT & PENSIONS

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no tax-sheltered retirement plan will be automatically enrolled unless they opt out. (Other employers can choose to offer the plan to their workers.) A default amount of 3% of pay will go into the plan; any employee not opting out can choose a smaller or larger amount (within IRA contribution limits). The plan must initially offer a life-cycle fund based on worker age, and may offer up to four other funds (S.B. 2758,

Biss-Harmon-Martinez-Collins et al.—Currie-Cassidy-Feigenholtz-Drury-McSweeney et al.).

Voting and Registration. By next year, the State Board of Elections must allow voter registration using mobile devices. The State Board must also agree with the private Electronic Registration Information Center to share information on locations of potential voters who interact with Illinois driver and vehicle services offices and social-service agencies. The “grace period” for unregistered persons to register will last through election day (formerly until 3 days before the election), as

will the period for “early voting by personal appearance.” Local elections authorities must automatically register any voter reported as having moved into the jurisdiction from elsewhere in Illinois, and that voter’s current registration must be cancelled (but an opt-out form will be mailed to the reported *new* address). Detailed new procedures for casting of provisional ballots were added. Absentee voting was replaced by voting by mail (S.B. 172, Harmon-Raoul-Link-Collins-Frerichs et al.—Madigan-Currie et al.). □

David R. Miller
Deputy Director for Research

BOOK REVIEW

Fixing Illinois: Politics and Policy in the Prairie State by James D. Nowlan and J. Thomas Johnson (University of Illinois Press, 2014)

A new book offers a number of suggestions for how to solve some of Illinois' thorniest problems. Each author of the book has over four decades of experience in Illinois policymaking. James Nowlan served two terms in the Illinois House of Representatives, worked under three Governors, and co-authored *Illinois Politics: A Citizen's Guide*. J. Thomas Johnson was director of the Illinois Department of Revenue and is President Emeritus of the Taxpayers' Federation of Illinois. The book's preface says its purpose is to "contribute to a rebuilding of public confidence and trust in Illinois governments, in particular, its state government."

The book provides a history of Illinois' economic development, offering some valuable perspective on how some of the state's present-day problems came to be. The state's combination of agriculture and industry led to a strong economy and commercial success through much of the 20th century. But in recent years its population and economy have grown more slowly than the nation's. Sadly, the authors report that opinion polls show that many residents are not proud of their state.

The problem for which Illinois is perhaps best known is its finances. Since 2000, Illinois budgets have relied on what the authors describe as the "cardinal sins of public finance": borrowing for operations and selling long-term assets for short-term operating expenses. They also say that Illinois has underfunded its five state pension systems since at least the 1950s, even while increasing benefits. The authors make a number of suggestions, including (1) requiring that all current-year liabilities be paid from current-year appropriations; (2) depositing all state tax revenues into the General Revenue Fund to avoid distortion of the budget; and (3) implementing more agency performance measures to help decide which programs deserve funding. They also discuss options for broadening the tax base, such as taxing food and retirement income, but acknowledge the political difficulty of such changes.

Accompanying Illinois' fiscal problems are perceptions that it is a bad state for doing business. The authors urge more workers' compensation reforms, and suggest reducing the corporate income tax rate to 7.3% (its rate before tax increases in 2011). They also want to limit the power of state employee unions by excluding senior management and supervisory personnel from union membership, and making compensation plans for non-union employees more attractive.

In a discussion on the need for change, the authors say "we need to rethink how we do what we need to do." They particularly apply that maxim to education and health care. For instance, they want to issue bonds to upgrade the state's human service agencies' computer systems, which are antiquated and often unable to communicate among themselves, causing long delays and inefficiencies. The authors see benefits in increasing people's choices—such as offering vouchers for K-12 and higher education, and even testing a Medicaid voucher program in which recipients could buy their own insurance policies.

Besides changing what does not work, Nowlan and Johnson say Illinois must improve on what does. They consider transportation one of Illinois' greatest strengths, but say it needs investment to keep it that way. They want to stop diverting transportation revenues to general government purposes, and implement a new, multiyear transportation capital program. Funding for such a program could come from basing motor vehicle registration fees on each vehicle's value in lieu of the current flat rate per private passenger vehicle, and replacing the motor fuel tax with a tax based on miles traveled.

The last chapter addresses an issue that seems to haunt Illinois—political corruption. Since 1980, a total of 30 Chicago aldermen have been convicted of federal crimes; and federal courts have found four of the last seven Governors guilty of wrongdoing (though not all for service in that office). Despite the deep roots of political corruption in Illinois, the authors assert that "[c]ultural attitudes and behavior can change." They suggest making violations of the Illinois General Assembly's Code of Conduct punishable by fines, public reporting, and censure. They also want public financing of campaigns, and an independent redistricting commission.

This book is an interesting read for any follower of state government and any citizen concerned about Illinois' future. Both liberal and conservative thinkers will find some ideas to agree with; even those they do not like may lead to fruitful discussion. The authors honestly admit that some of their suggestions would be difficult to implement in today's highly polarized political environment. They characterize them as "starting point" ideas—ways to provoke thought and perhaps result in change. Despite the myriad of problems that seem to dog Illinois at every turn, the state still has great strengths. The authors hold out hope that it can have a still better future. ▣

Sarah E. Barlow
Senior Research Associate

ABSTRACTS OF REPORTS REQUIRED TO BE FILED WITH GENERAL ASSEMBLY

The Legislative Research Unit staff is required to prepare abstracts of reports required to be filed with the General Assembly. Legislators may receive copies of entire reports by sending the enclosed form to the State Government Report Distribution Center at the Illinois State Library. Abstracts are published quarterly. Legislators who wish to receive them more often may contact the executive director.

Attorney General

Lead poisoning cases, 2012

Attorney General is required to report lead poisoning cases referred by Illinois Department of Public Health. None were referred in 2012. (410 ILCS 45/12.1; Jan. 2013, rec'd Jan. 2015, 1 p.)

Central Management Services Dept.

State-owned & real surplus property, 2014

Rockford intends to buy a parking lot for \$115,267. Jacksonville Developmental Center and two parcels in Schuyler County will be offered to municipalities in those counties after appraisal. No new installment or lease/purchase agreements were reported for 2014. (30 ILCS 605/7; Jan. 2015, rec'd Feb. 2015, 2 pp.)

State printing report summary, 2014

Lists annual reports printed by state agencies or outside printers through the Printing Unit, Bureau of Strategic Sourcing, CMS, or reporting agencies. The 3,645 copies of reports printed cost \$20,033. Fewer agencies get reports printed through CMS because CMS recommends printing digitally in-house or through other state agencies. (30 ILCS 500/25-55; Jan. 2015, rec'd Feb. 2015, 2 pp.)

Commerce Commission

Accidents and incidents with hazardous materials on Illinois railroads, 2014

Commission checked 10,186 railroad cars carrying hazardous materials, finding violations in 2%. Among 122 railway accidents involving hazardous materials, 2 derailments released hazardous materials, 36 did not, and 84 such releases occurred without derailment. Tables show location, railroad, material,

suspected causes, amounts involved and released, and incident dates. (625 ILCS 5/18c-1204(3); issued & rec'd March 2015, 12 pp. + attachments)

Communications Markets in Illinois, 2014

Illinois had 5.1 million landline subscribers and 12.8 million wireless accounts; 38% of adults lived in homes with only wireless service. (220 ILCS 5/13-407; July 2013, rec'd Aug. 2014, 46 pp., 1 figure, 2 appendices, 4 tables)

Crossing Safety Improvement Program, FYs 2016-2020

Preliminary data showed 107 collisions and 22 deaths at public RR crossings in 2014. Plan calls for \$39.5 million in improvements for FY 2016. Also lists \$157 million in proposed safety improvements for FYs 2017-2020 to be funded by Grade Crossing Protection Fund — including 17 bridge projects, 180 grade crossing improvements, and 443 low-cost emergency projects. Commission plans to set aside \$20 million in contingency fund in FYs 2017-2020. Lists plans by county. (35 ILCS 505/8(c); issued & rec'd March 2015, 9 pp. + 4 appendices)

Electric, gas, water, and sewer utilities annual report, 2014

Major electric utilities' 2013 average prices per kilowatt-hour: Commonwealth Edison, 10.27¢; AmerenIL, 8.06¢; MidAmerican Energy, 6.83¢. Major gas utilities' average prices per therm: MidAmerican, 77.81¢; Nicor Gas, 58.44¢; North Shore, 78.63¢; Peoples Gas, 91.71¢; AmerenIL, 92.52¢; Consumers Gas, 72.27¢; Illinois Gas, 80.79¢. Discusses the industry's energy planning; availability of services to all persons; studies and investigations

required by law; and impacts of federal actions on state utility services. Makes no legislative recommendations. (220 ILCS 5/4-304; Jan. 2015, rec'd Feb. 2015, 71 pp. + 2 appendices)

Commerce and Economic Opportunity Dept.

Live Theater Program annual report, FY 2014

Live Theater Production tax credit offers producers 20% credit for qualified costs. Applications for credit require diversity plan and estimated minority and female employees. Estimates that 348 technical crew, office, and support jobs and \$2.9 million in theater spending were brought to Illinois. No talent jobs were involved. (35 ILCS 17/10-50(c), undated, rec'd Sept. 2014, 1 p.)

Employment Security Dept.

Social Security Retirement Pay Task Force, final report

Task force examined Unemployment Insurance Act's Social Security offset (which reduces unemployment benefits by half of any Social Security benefit received). Offset saves Unemployment Trust Fund an estimated \$25 million per year. Ending it could affect employers in two major ways: (1) raise their unemployment tax rates and (2) increase the adjusted state experience factor (used in calculating those tax rates). Recommends ending offset. Union and employer groups disagree on whether a cut of \$25 million per year in unemployment tax is necessary to counteract likely unemployment insurance tax increases. (820 ILCS 405/611.1(c); March 2014, rec'd June 2014, 17 pp. + 10 attachments)

Human Services Dept.

Social Services Block Grant Fund and Local Initiative Fund receipts and transfers, FY 2015

Social Services Block Grant Fund had \$16.4 million in federal transfers in. Transfers out were \$3 million to General Revenue Fund, \$2.2 million to Special Purpose Trust Fund, and \$5.5 million to Local Initiative Fund. (305 ILCS 5/12-5; Nov. 2014, rec'd Dec. 2014, 1 p.)

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BILLS WITH GOVERNOR'S ACTION

All bills summarized in this issue of *First Reading* are listed below. Beside the number of each bill on which the Governor had acted by September is the Public Act number or other indication of his action. The following abbreviations are used for the Governor's actions on bills:

AV Amendatorily vetoed
 IV Item and/or reduction vetoed
 V Totally vetoed

Information on all 2015 bills and Public Acts, including their texts, is available at: <http://www.ilga.gov/>
 Click on the "Bills & Resolutions" or "Public Acts" link near the top of the page for information on a given bill or Public Act. Information on the General Assembly's workload over the years can be found at the LRU's page.

H.B.	Public Act 99-	H.B.	Public Act 99-	H.B.	Public Act 99-	S.B.	Public Act 99-	S.B.	Public Act 99-
1	480	1588	272	3619	418	201	347	1304	352
163	84	1790	35	3667	406	202	436	1312	107
165	410	2462	430	3670	297	207	283	1334	462
169	363	2471	69	3673	433	209	384	1342	98-1142
175	402	2543	340	3674	308	223	199	1383	145
217	411	2556	99	3683	157	248	437	1388	124
218	AV	2567	254	3684	344	344	228	1389	94
220	4	2580	237	3692	309	398	46	1410	249
228	353	2657	58	3721	88	564	218	1440	331
233	354	2722	275	3746	V	621	40	1444	318
235	141	2781	194	3753	184	627	467	1523	186
330	52	2790	403	3766	103	636	202	1560	268
341	96	2811	71	3797	260	650	AV	1588	109
352	33	2932	372	3841	453	653	348	1591	334
356	425	3079	49	3848	454	659	134	1595	397
369	252	3122	152	3884	241	661	V	1603	32
421	173	3137	226	3896	299	663	408	1672	463
422	232	3141	255	3930	77	672	284	1679	442
494	AV	3149	378	3944	242	679	122	1684	320
642	233	3158	142	3967	345	681	81	1702	AV
821	426	3184	256	3977	243	689	163	1704	168
1119	412	3193	37	4025	434	691	315	1735	321
1121	413	3197	432	4029	310	706	21	1761	128
1326	365	3203	379	4078	466	718	22	1763	350
1335	270	3215	V	4576	98-1170	760	468	1764	421
1337	190	3231	357	5537	98-1155	764	246	1775	351
1359	211	3234	307			804	265	1793	443
1360	325	3284	416	S.B.	P.A. 99-	806	316	1818	377
1418	234	3299	AV	7	245	836	29	1820	188
1424	427	3311	87	9	50	903	393	1833	AV
1429	428	3425	373	13	346	920	123	1834	AV
1445	67	3428	358	23	419	986	267	1846	322
1446	290	3475	381	57	90	1009	98-1138	1847	170
1453	212	3512	119	66	327	1062	247	1885	AV
1455	13	3523	132	67	51	1129	371	1906	423
1490	338	3527	460	96	6	1229	V	1921	446
1496	366	3533	296	100	456	1255	285	1947	323
1498	235	3552	417	107	375	1265	221	2758	98-1150
1516	291	3577	359	125	311	1268	286	2774	98-1173
1531	85	3616	383	172	98-1171	1271	V	2905	98-1145
						1298	222	3075	98-1132

Types of Actions Governor Can Take on Bills

The Illinois Constitution allows the Governor to make any of four kinds of vetoes: total, amendatory, item, or reduction. The following describes each kind of veto and legislative responses to it.

Total Veto

The Governor may reject an entire bill and return it to its house of origin. Overriding such a total veto requires the affirmative votes of at least three-fifths of the members elected to each house (71 in the House, 36 in the Senate). Unless a total veto is overridden, the bill dies.

Amendatory Veto

A Governor can return a bill “with specific recommendations for change” to its house of origin. Such an amendatorily vetoed bill is considered like a vetoed bill, except that each house can accept the Governor’s recommendations by vote of a mere constitutional majority (60 in the House and 30 in the Senate). Thus if a bill is amendatorily vetoed, the General Assembly can do any of three things to it: (1) Override the veto by three-fifths vote in each house, enacting the bill as it originally passed the General Assembly. (2) Accept the Governor’s recommendations and return the bill to the Governor for his certification that the acceptance conforms to his recommendations. (3) Do neither, in which case the bill dies.

Item and Reduction Vetoes

The Governor can cut line items, and/or reduce the amount of any line item, in an appropriation bill without vetoing the entire bill. The amounts not eliminated or reduced become law immediately when the Governor transmits his veto message. But the majorities needed to restore those amounts differ. If a line item is vetoed, a three-fifths majority in each house is needed to restore it. But if the item is merely reduced, it can be restored to its original amount by a mere constitutional majority in each house.

ABSTRACTS

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Illinois Housing Development Authority

Housing plan for 2015

Lists four focus areas: (1) helping communities develop affordable homes and rental properties, and expanding reuse of foreclosed housing; (2) community-based and supportive housing for people with disabilities; (3) researching impact of affordable housing and its financing on communities; and (4) housing policy changes. Summarizes programs to meet goals. (30 ILCS 345/7.5 and 110/15(c); undated, rec’d Jan. 2015, 71 pp. + appendices)

Juvenile Justice Dept.

Quarterly report, Oct. 2014

On August 31, 2014 there were 726 youth in all juvenile facilities, below rated capacity of 1,250 and beds for 1,509. Number was projected to rise to 810 by September 2015. Ratio of youth to security staff was 1.2. Unduplicated enrollment in educational and vocational programs was 667. No capital projects were funded. Also shows historical youth statistical indicators for 1993-2013. (730 ILCS 5/3-5-3.1; issued and rec’d Oct. 2014, 10 tables)

Legislative Inspector General

Quarterly report, Jan.-Mar. 2014

Five investigations were begun and 7 concluded since last report; 1 was pending. Five allegations were received since last report; no action was pending before Legislative Ethics Commission. No complaints were forwarded to Attorney General. (5 ILCS 430/25-85; April 2014, rec’d Sept. 2014, 2 pp.)

Quarterly report, April-June 2014

Two investigations were begun and 3 concluded since last report; none were pending. Two allegations were received since last report; no action was pending before Legislative Ethics Commission. No complaints were forwarded to Attorney General. (5 ILCS 430/25-85; June 2014, rec’d Sept. 2014, 2 pp.)

Natural Resources Dept.

City of Des Plaines Flood Hazard Mitigation Project

Project includes acquisition and demolition of 20 Des Plaines repetitively flooded properties. Cost is \$7.7 million — \$1.9 million from Department and the rest from federal grant. Removing properties will have estimated flood reduction benefit of \$7.8 million. Includes list of sites. (615 ILCS 15/5; May 2014, rec’d Feb. 2015, 8 pp.)

Village of Pearl City Flood Hazard Mitigation Project

Plan recommends that repetitively flooded properties be acquired, demolished, and maintained as public open space. Project involves the acquiring and demolishing of 22 properties for \$2.19 million—funded with up to \$2.14 million from the Department and \$46,215 from Village. Remaining flood hazard mitigation costs will be paid by federal funds to the Village for this project. (615 ILCS 15/5; June 2014, rec’d Feb. 2015, 5 pp. + 2 maps)

Property Tax Appeal Board

Annual report, 2014

Gives data by county for each recent year on commercial and industrial property tax assessment appeals and resulting assessment reductions. Board closed 15,481 residential appeals involving 23,863 properties in 2014. Synopses of representative cases each year are posted at <http://www.ptab.illinois.gov/reports.html>. (35 ILCS 200/16-190(b); issued & rec’d Feb. 2015, 11 pp.)

State Board of Education

Annual report, 2014

Over the 10 years from 2004 to 2014, average school enrollment grew slightly, from 527 in 2004 to 546 in 2014; percentage of students who were low-income expanded from 39% in 2004 to

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FIRST READING

A publication of the Legislative Research Unit

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ABSTRACTS

(continued from p. 27)

51.5% in 2014. High school class of 2014 had an ACT composite score of 20.7. Illinois was 13th nationally in percentage of 2013 graduates getting at least “3” on an Advanced Placement exam (21.5%). FY 2015 state General Funds to ISBE were \$6.8 billion—up \$118 million from FY 2014, but down \$852 million from FY 2009. (105 ILCS 5/1A-4E; issued & rec’d Jan. 2015, 54 pp.)

Special education expenditures and receipts, FY 2014

Lists each school district’s special education spending; receipts (mostly for special education) from local, state, and federal sources; and net education spending exceeding such receipts, based on districts’ FY 2014 financial reports. FY 2014 average appropriation per student was \$5,236. (105 ILCS 5/2-3.145; issued & rec’d March 2015, 50 pp. + appendices)

State Board of Investment

Report on Emerging Money Managers
Reports on three policies promoting emerging and minority managers. Emerging and Minority Investment Manager & Minority and Illinois Brokerage Policy complies with recent law and meets or exceeds most policy goals. Fiduciary Diversification Policy requires an increase in diversity of consultants and senior investment staff. Current investment staff is 67% female and 33% African-American. The Policy requires demographic disclosures from all investment vendors. Minority Contract/Service Utilization Policy sets goals for employing minority-, female-, and disabled-owned businesses, and annually reviews goals and vendor list.

(40 ILCS 5/1-109.1(4); issued & rec’d Dec. 2014, 4 pp. + enclosures)

State Police Dept.

Juvenile charge report, July-Sept. 2014
Department received 12,588 juvenile charge reports in 3rd quarter of 2014—down 601 from 2nd quarter. They included 1,015 for ordinance violations; 482 petty offenses; 7,171 misdemeanors; 2,672 Class 1 to 4 felonies; 237 Class X felonies; and 23 murders (988 were not identified). By gender, 10,294 were male and 2,287 female; 7 were unidentified. By race, 7,458 were African-American; 4,890 white; 103 Asian; and 7 Indian; 130 were unidentified. (20 ILCS 2605/2605-355; issued & rec’d Nov. 2014, 3 pp.)

Teachers’ Retirement System

Final state funding certification for FY 2016
TRS board certified two state funding amounts for FY 2016: \$3.74 billion (based on law) or \$4.36 billion (based on actuarial standards). Under the “employer’s normal cost plus interest” method, the amount would be \$5.33 billion. (40 ILCS 5/16-158(a-5); issued & rec’d Jan. 2015, 2 pp. + 4 enclosures)