

STATE OF ILLINOIS
LEGISLATIVE INFORMATION SYSTEM
100th GENERAL ASSEMBLY

DAILY

Synopsis of Legislation

Legislation Passed Both Houses with Last Action

For day of Jun 23, 2017

HB 00213

Rep. La Shawn K. Ford-Daniel J. Burke-Mary E. Flowers-Litesa E. Wallace-William Davis, Cynthia Soto, Carol Ammons and Camille Y. Lilly

(Sen. Kimberly A. Lightford-Mattie Hunter-Jacqueline Y. Collins-Iris Y. Martinez, Patricia Van Pelt and Donne E. Trotter)

New Act

20 ILCS 1605/7.4a new

35 ILCS 5/203 from Ch. 120, par. 2-203

Creates the School Choice Act. Provides findings and declarations of policy. Establishes the School Choice Program. Provides that under the program the custodian of a qualifying pupil is entitled to a School Choice Scholarship to pay for qualified education expenses at participating nonpublic schools. Requires the principal of each public school to notify custodians of qualifying pupils of the availability of scholarships. Requires custodians to apply to the State Board of Education for a scholarship and provide documentation as to eligibility. Requires the State Board to issue a scholarship to custodians who have made proper application and to honor the scholarship when presented for payment by a nonpublic school. Provides for the amount of a scholarship. Provides that the scholarship may be renewed each year through the 12th grade so long as the pupil and custodian remain eligible. Contains funding provisions. Provides that the amount received under the program shall not be considered base income for purposes of Illinois' income tax. Requires the State Board to submit a report to the General Assembly on or before December 31, 2020. Provides criminal penalties for certain violations. Requires the State Board to adopt rules to implement the Act. Repeals the Act on January 1, 2021. Amends the Illinois Lottery Law and the Illinois Income Tax Act to make conforming changes. Effective immediately.

House Committee Amendment No. 1

Deletes reference to:

New Act

Deletes reference to:

20 ILCS 1605/7.4a new

Deletes reference to:

35 ILCS 5/203

Adds reference to:

20 ILCS 1605/2 from Ch. 120, par. 1152

Replaces everything after the enacting clause. Amends the Illinois Lottery Law. Provides that any money transferred from the State Lottery Fund to the Common School Fund shall be supplemental to, and not in lieu of, any other money due to be transferred to the Common School Fund by law or appropriation.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause with provisions of the engrossed bill with the following changes: Provides that the provisions concerning the transfer of money from the State Lottery Fund to the Common School Fund begin with Fiscal Year 2018 and every year thereafter.

Jun 23 17 H Passed Both Houses

HB 00303

Rep. Will Guzzardi-Steven A. Andersson-Tom Demmer-William Davis-Elaine Nekritz, Frances Ann Hurley, Martin J. Moylan, La Shawn K. Ford, Tony McCombie, Jerry Lee Long, Al Riley, Allen Skillicorn, Rita Mayfield, Lou Lang, Christian L. Mitchell, Kelly M. Cassidy, Linda Chapa LaVia, Theresa Mah, Jeanne M Ives, Patricia R. Bellock, Carol Ammons, Barbara Flynn Currie, Laura Fine, Brad Halbrook, Grant Wehrli, Joe Sosnowski, Elizabeth Hernandez, Emanuel Chris Welch, Natalie A. Manley, Robyn Gabel, Nick Sauer, Marcus C. Evans, Jr., Jaime M. Andrade, Jr., Peter Breen, LaToya Greenwood, Mark Batinick, Michael J. Zalewski and Elgie R. Sims, Jr. (Sen. Don Harmon-Chapin Rose-Patricia Van Pelt-Michael Connelly, Tim Bivins, Steve Stadelman, Dan McConchie and Donne E. Trotter)

730 ILCS 5/5-5-3.2

Amends the Unified Code of Corrections. Provides that it is an aggravating factor in sentencing that the defendant committed the offense of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof in violation of the Illinois Vehicle Code or a similar provision of a local ordinance and the defendant during the commission of the offense was driving his or her vehicle upon a roadway designated for one-way traffic in the opposite direction of the direction indicated by official traffic control devices.

Senate Floor Amendment No. 1

Deletes reference to:

730 ILCS 5/5-5-3.2

Adds reference to:

New Act

Adds reference to:

5 ILCS 140/7.5

Adds reference to:

410 ILCS 620/3.23

Adds reference to:

415 ILCS 5/44.1 from Ch. 111 1/2, par. 1044.1

Adds reference to:

510 ILCS 68/105-55

Adds reference to:

515 ILCS 5/1-215 from Ch. 56, par. 1-215

Adds reference to:

520 ILCS 5/1.25 from Ch. 61, par. 1.25

Adds reference to:

720 ILCS 5/17-10.6

Adds reference to:

720 ILCS 5/28-5 from Ch. 38, par. 28-5

Adds reference to:

720 ILCS 5/29B-1 from Ch. 38, par. 29B-1

Adds reference to:

720 ILCS 5/33G-6

Adds reference to:

720 ILCS 5/36-1 from Ch. 38, par. 36-1

Adds reference to:

720 ILCS 5/36-1.1 new

Adds reference to:

720 ILCS 5/36-1.2 new

Adds reference to:

720 ILCS 5/36-1.3 new

Adds reference to:

720 ILCS 5/36-1.4 new

Adds reference to:

720 ILCS 5/36-1.5

HB 00303 (CONTINUED)

- Adds reference to:
720 ILCS 5/36-2 from Ch. 38, par. 36-2
- Adds reference to:
720 ILCS 5/36-2.1 new
- Adds reference to:
720 ILCS 5/36-2.2 new
- Adds reference to:
720 ILCS 5/36-2.5 new
- Adds reference to:
720 ILCS 5/36-2.7 new
- Adds reference to:
720 ILCS 5/36-3 from Ch. 38, par. 36-3
- Adds reference to:
720 ILCS 5/36-3.1 new
- Adds reference to:
720 ILCS 5/36-6 new
- Adds reference to:
720 ILCS 5/36-7 new
- Adds reference to:
720 ILCS 5/36-9 new
- Adds reference to:
720 ILCS 5/47-15
- Adds reference to:
720 ILCS 5/36-1a rep.
- Adds reference to:
720 ILCS 5/36-5 rep.
- Adds reference to:
720 ILCS 550/12 from Ch. 56 1/2, par. 712
- Adds reference to:
720 ILCS 570/505 from Ch. 56 1/2, par. 1505
- Adds reference to:
720 ILCS 646/85
- Adds reference to:
725 ILCS 5/124B-195 new
- Adds reference to:
725 ILCS 5/124B-710
- Adds reference to:
725 ILCS 5/124B-715
- Adds reference to:
725 ILCS 5/124B-1030 rep.
- Adds reference to:
725 ILCS 150/3.1 new
- Adds reference to:
725 ILCS 150/3.2 new
- Adds reference to:
725 ILCS 150/3.3 new
- Adds reference to:
725 ILCS 150/3.5

HB 00303 (CONTINUED)

Adds reference to:
725 ILCS 150/4 from Ch. 56 1/2, par. 1674

Adds reference to:
725 ILCS 150/5 from Ch. 56 1/2, par. 1675

Adds reference to:
725 ILCS 150/5.1 new

Adds reference to:
725 ILCS 150/6 from Ch. 56 1/2, par. 1676

Adds reference to:
725 ILCS 150/7 from Ch. 56 1/2, par. 1677

Adds reference to:
725 ILCS 150/8 from Ch. 56 1/2, par. 1678

Adds reference to:
725 ILCS 150/9 from Ch. 56 1/2, par. 1679

Adds reference to:
725 ILCS 150/9.1 new

Adds reference to:
725 ILCS 150/9.5 new

Adds reference to:
725 ILCS 150/11 from Ch. 56 1/2, par. 1681

Adds reference to:
725 ILCS 150/14 from Ch. 56 1/2, par. 1684

Adds reference to:
725 ILCS 150/15 new

Adds reference to:
725 ILCS 150/17 new

Adds reference to:
725 ILCS 150/20 new

Adds reference to:
725 ILCS 175/6.5 new

Adds reference to:
740 ILCS 147/40

Adds reference to:
815 ILCS 5/11 from Ch. 121 1/2, par. 137.11

Adds reference to:
815 ILCS 505/2L from Ch. 121 1/2, par. 262L

HB 00303 (CONTINUED)

Replaces everything after the enacting clause. Creates the Seizure and Forfeiture Reporting Act. Provides that various forfeiture statutes are subject to reporting by law enforcement agencies concerning the name of the law enforcement agency that seized the property, the date of the seizure, the type of property seized, including a building, vehicle, boat, cash, negotiable security, or firearm, except reporting is not required for seizures of contraband including alcohol, gambling devices, drug paraphernalia, and controlled substances, a description of the property seized and the estimated value of the property and if the property is a conveyance, the description shall include the make, model, year, and vehicle identification number or serial number, and the location where the seizure occurred. Provides that the Department of State Police shall establish and maintain on its official website a public database that includes annual aggregate data for each law enforcement agency that reports seizures of property that receives distributions of forfeiture proceeds subject to reporting under the Act, or reports expenditures. Provides that the aggregate data shall include, for each law enforcement agency: (1) the total number of asset seizures reported by each agency during the calendar year; (2) the monetary value of all currency or its equivalent seized by the agency during the calendar year; (3) the number of conveyances seized by the agency during the calendar year, and the aggregate estimated value; (4) the aggregate estimated value of all other property seized by the agency during the calendar year; (5) the monetary value of distributions by the Department of State Police of forfeited currency or auction proceeds from forfeited property to the agency during the calendar year; (6) the total amount of the law enforcement agency's expenditures of forfeiture proceeds during the calendar year. Makes other changes. Makes conforming changes to various Acts. Effective July 1, 2018.

Jun 23 17 H Passed Both Houses

HB 00305 Rep. Thomas M. Bennett-Anthony DeLuca-Joe Sosnowski-Kathleen Willis-Mike Fortner, Emanuel Chris Welch, Linda Chapa LaVia, Al Riley, Grant Wehrli, Brad Halbrook, Ryan Spain, Tony McCombie, Michael Halpin and Sam Yingling

(Sen. Jason A. Barickman-Dan McConchie and Laura M. Murphy)

65 ILCS 5/10-2.1-6 from Ch. 24, par. 10-2.1-6

Amends the Illinois Municipal Code. Provides that the requirement that a police applicant possess an associate's degree may also be waived if the applicant has successfully received credit for a minimum of 60 credit hours toward a bachelor's degree from an accredited college or university (currently, this requirement may be waived only if the applicant has served for 24 months of active duty or 180 days combat duty in the United States Armed Forces). Effective immediately.

Senate Floor Amendment No. 1

In provisions waiving the requirement that a police applicant possess an associates degree under certain circumstances, restores language requiring that an applicant's active duty be honorable active duty.

Jun 23 17 H Passed Both Houses

HB 00350 Rep. David McSweeney-Peter Breen, Thomas Morrison, Jeanne M Ives, Mark Batinick, Sam Yingling and Carol Sente
(Sen. Pamela J. Althoff-Melinda Bush and Napoleon Harris, III)

40 ILCS 5/2-156	from Ch. 108 1/2, par. 2-156
40 ILCS 5/3-147	from Ch. 108 1/2, par. 3-147
40 ILCS 5/4-138	from Ch. 108 1/2, par. 4-138
40 ILCS 5/5-227	from Ch. 108 1/2, par. 5-227
40 ILCS 5/6-221	from Ch. 108 1/2, par. 6-221
40 ILCS 5/7-219	from Ch. 108 1/2, par. 7-219
40 ILCS 5/8-251	from Ch. 108 1/2, par. 8-251
40 ILCS 5/9-235	from Ch. 108 1/2, par. 9-235
40 ILCS 5/10-109	
40 ILCS 5/11-230	from Ch. 108 1/2, par. 11-230
40 ILCS 5/12-191	from Ch. 108 1/2, par. 12-191
40 ILCS 5/13-807	from Ch. 108 1/2, par. 13-807
40 ILCS 5/14-149	from Ch. 108 1/2, par. 14-149
40 ILCS 5/15-187	from Ch. 108 1/2, par. 15-187
40 ILCS 5/16-199	from Ch. 108 1/2, par. 16-199
40 ILCS 5/17-149.1	from Ch. 108 1/2, par. 17-149.1
40 ILCS 5/18-163	from Ch. 108 1/2, par. 18-163

Amends the Illinois Pension Code. Provides for the forfeiture of benefits for any person who otherwise would receive a survivor benefit who is convicted of any felony relating to or arising out of or in connection with the service of the member from whom the benefit results. Provides that all participants entering service after the effective date of the amendatory Act shall be deemed to have consented to that provision. Provides that the changes under the amendatory Act shall not impair any contract or vested right acquired by a survivor before the effective date of the amendatory Act. Effective immediately.

Senate Committee Amendment No. 1

In the State Universities Article: (1) removes a reference to survivor benefits and provides that no benefits shall be paid to any person who is convicted of any felony relating to or arising out of or in connection with a person's service as an employee from which the benefit derives; (2) provides that all participants entering service on or subsequent to (rather than subsequent to) the effective date of the amendatory Act shall be deemed to have consented to the provisions of the amendatory Act as a condition of participation; and (3) makes a grammatical and stylistic change.

Jun 23 17 H Passed Both Houses

HB 00534 Rep. Carol Sente-Sam Yingling, Nick Sauer, Sheri Jesiel, Rita Mayfield, Scott Drury and Barbara Wheeler
(Sen. Pamela J. Althoff-Melinda Bush-Julie A. Morrison)

Authorizes the Director of Natural Resources to exchange described parcels of real estate in Lake County for another parcel of described real estate in Lake County. Effective immediately.

Senate Floor Amendment No. 2

Changes reference to Lake County Forrest Preserve District to Lake County Forest Preserve District.

Jun 23 17 H Passed Both Houses

HB 00688 Rep. Michael J. Zalewski-Robert W. Pritchard, Kathleen Willis and Silvana Tabares
 (Sen. Bill Cunningham-Linda Holmes)

40 ILCS 5/4-108.6

40 ILCS 5/6-227

30 ILCS 805/8.41 new

Amends the Downstate Firefighter and Chicago Firefighter Articles of the Illinois Pension Code. Authorizes a firefighter to transfer up to 10 years of creditable service in a downstate firefighter pension fund to the Firemen's Annuity and Benefit Fund of Chicago upon payment of a specified amount. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Pension Note (Government Forecasting & Accountability)

It is difficult to discern the potential impact of HB 688. This bill would only affect Firefighters who earned serviceable credit under a Downstate Police pension fund and are now members of the Firemen's Annuity and Benefit Fund of Chicago. That amount of firefighters who meet this criterion is currently unavailable. The fiscal impact of this legislation would need to be evaluated on a case-by-case basis by the Chicago Fire Pension Fund's actuary.

House Floor Amendment No. 1

Limits the authorization to transfer credit to the period ending 6 months after the effective date of the amendatory Act.

Fiscal Note (Dept of Insurance)

HB 688 has no projected fiscal impact upon the Illinois Department of Insurance.

Land Conveyance Appraisal Note, House Floor Amendment No. 1 (Dept. of Transportation)

The Illinois Department of Transportation has determined that no Land Conveyance is required by this bill.

Pension Note, House Floor Amendment No. 1 (Government Forecasting & Accountability)

It is difficult to discern the potential impact of HB 688(H-AM 1). This bill would only affect Firefighters who earned serviceable credit under a Downstate Police pension fund and are now members of the Firemen's Annuity and Benefit Fund of Chicago. That amount of firefighters who meet this criterion is currently unavailable. The fiscal impact of this legislation would need to be evaluated on a case-by-case basis by the Chicago Fire Pension Fund's actuary.

State Debt Impact Note, House Floor Amendment No. 1 (Government Forecasting & Accountability)

HB 688 (H-AM 1) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Balanced Budget Note, House Floor Amendment No. 1 (Office of Management and Budget)

The Balanced Budget Note Act does not apply to House Bill 688 (H-AM 1) as it is not a supplemental appropriation that increases or decreases appropriations. Under the Act, a balanced budget note must be prepared only for bills that change a general funds appropriation for the fiscal year in which the new bill is enacted.

Judicial Note, House Floor Amendment No. 1 (Admin Office of the Illinois Courts)

This bill would neither increase nor decrease the number of judges needed in the State.

Housing Affordability Impact Note, House Floor Amendment No. 1 (Housing Development Authority)

This bill will have no effect on the cost of constructing, purchasing, owning, or selling a single-family residence.

Correctional Note, House Floor Amendment No. 1 (Dept of Corrections)

This bill has no fiscal or population impact on the Department of Corrections.

Fiscal Note, House Floor Amendment No. 1 (Dept of Insurance)

HB 688 (H-AM 1) has no projected fiscal impact upon the Illinois Department of Insurance.

State Mandates Fiscal Note, House Floor Amendment No. 1 (Dept. of Commerce & Economic Opportunity)

This bill does create a State mandate.

Home Rule Note, House Floor Amendment No. 1 (Dept. of Commerce & Economic Opportunity)

This bill does not pre-empt home rule authority.

Senate Floor Amendment No. 1

Adds reference to:

40 ILCS 5/3-110.12 new

Adds reference to:

40 ILCS 5/4-108

from Ch. 108 1/2, par. 4-108

HB 00688 (CONTINUED)

Replaces everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes. Further amends the Illinois Pension Code. Authorizes an active member of a downstate firefighters' pension fund to transfer up to 6 years of creditable service to that fund from the downstate police pension fund that is administered by the same unit of local government if that active member was not subject to disciplinary action when he or she terminated employment with that police department. Requires application within 6 months after the effective date of the amendatory Act. Authorizes reinstatement of service that was terminated by a refund. Effective immediately.

Jun 23 17 H Passed Both Houses