

**STATE OF ILLINOIS  
LEGISLATIVE INFORMATION SYSTEM  
100th GENERAL ASSEMBLY**

**WEEKLY**

**Synopsis of Legislation**

**Legislation Passed Both Houses with Last Action**

*For the week of November 11, 2018*

**HB 05542** Rep. Mark Batinick-Nick Sauer, Jay Hoffman, LaToya Greenwood and Katie Stuart  
(Sen. Chuck Weaver-Michael Connelly)

205 ILCS 635/2-2

205 ILCS 635/2-4 from Ch. 17, par. 2322-4

205 ILCS 635/4-8.3

205 ILCS 635/5-9

205 ILCS 635/4-8 rep.

Amends the Residential Mortgage License Act of 1987. Provides for a list of specified activities that constitute violations of the Act (rather than a list of required averments that must be attached to an application for a license under the Act). Provides that a licensee filing a Mortgage Call Report is not required to file a report of applicable annual activities with the Secretary of Financial and Professional Regulation. Provides that specified licensee disclosures do not apply to any licensee providing notices of changes in loan terms pursuant to the federal Consumer Financial Protection Bureau's Know Before You Owe mortgage disclosure procedure (rather than excluding licensees limited to solicit residential mortgage loan applications as approved by the Secretary of Financial and Professional Regulation). Makes conforming changes. Repeals provisions concerning a requirement that the Secretary of Financial and Professional Regulation conduct, as part of an examination of each licensee, a review of the licensee's loan delinquency data. Replaces "Commissioner" with "Secretary" in order to update references to the Secretary of Financial and Professional Regulation. Effective immediately.

House Committee Amendment No. 1

Deletes reference to:

205 ILCS 635/4-8 rep.

Adds reference to:

205 ILCS 635/4-8 from Ch. 17, par. 2324-8

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes: Removes the repeal of provisions concerning delinquency and examination. Instead, changes those provisions to remove the language requiring that the Secretary of Financial and Professional Regulation obtain from the U.S. Department of Housing and Urban Development that Department's loan delinquency data. Makes other technical changes. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

110 ILCS 992/15-15

Adds reference to:

110 ILCS 992/15-20

Adds reference to:

110 ILCS 992/15-25

Adds reference to:

110 ILCS 992/15-30

Adds reference to:

110 ILCS 992/15-40

Adds reference to:

110 ILCS 992/20-5

Adds reference to:

110 ILCS 992/20-30

Adds reference to:

205 ILCS 635/1-3 from Ch. 17, par. 2321-3

Adds reference to:

205 ILCS 635/1-4

Adds reference to:

205 ILCS 635/2-3 from Ch. 17, par. 2322-3

Adds reference to:

205 ILCS 635/2-3A

Adds reference to:

205 ILCS 635/2-6

**HB 05542 (CONTINUED)**

- Adds reference to:  
205 ILCS 635/3-2 from Ch. 17, par. 2323-2
- Adds reference to:  
205 ILCS 635/4-1 from Ch. 17, par. 2324-1
- Adds reference to:  
205 ILCS 635/4-5 from Ch. 17, par. 2324-5
- Adds reference to:  
205 ILCS 635/4-8.1A
- Adds reference to:  
205 ILCS 635/4-9.1
- Adds reference to:  
205 ILCS 635/7-1A
- Adds reference to:  
205 ILCS 635/7-2
- Adds reference to:  
205 ILCS 635/7-4
- Adds reference to:  
205 ILCS 635/7-5
- Adds reference to:  
205 ILCS 635/7-6
- Adds reference to:  
205 ILCS 635/7-7
- Adds reference to:  
205 ILCS 635/7-8
- Adds reference to:  
205 ILCS 635/7-9
- Adds reference to:  
205 ILCS 635/7-10
- Adds reference to:  
205 ILCS 635/7-13
- Adds reference to:  
205 ILCS 635/7-1 rep.

Replaces everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes: In the Residential Mortgage License Act of 1987, changes references to "Nationwide Mortgage Licensing System and Registry" to references to "Nationwide Multistate Licensing System and Registry" throughout the Act and makes conforming changes in the Student Loan Servicing Rights Act. Provides that "exempt person or entity" includes a bona fide nonprofit organization and an employee of a bona fide nonprofit organization when acting on behalf of that organization. Removes the definition of "loan originator". Defines "bona fide nonprofit organization". Removes language concerning operability dates of the mortgage loan originator license requirement. Instead, provides exemptions for an employee of a bona fide nonprofit organization when acting on behalf of the organization from the mortgage loan originator license requirement.

Nov 14 18 H Passed Both Houses

**HB 05593** Rep. Thaddeus Jones-Luis Arroyo-Jay Hoffman-Chad Hays, Barbara Wheeler, Carol Sente and Robert W. Pritchard  
(Sen. Napoleon Harris, III)

## New Act

Creates the Design-Build for Public Schools Act. Defines terms. Provides that a school district shall, for each public project, make a written determination as to whether it is in the best interests of the school district to enter into a design-build contract for that project. Specifies factors to be considered in making the determination. Provides that if a school district elects to use a design-build delivery method under the Act, it must issue a notice of intent to receive proposals for a project no less than 14 days before issuing the request for proposals. Specifies requirements for the request for proposals. Requires a school district that elects to use the design-build delivery method to establish a committee to evaluate and select the design-build entity, which shall consist of no less than 5 members but no more than 7 members and shall include no less than one licensed design professional. Requires a school district to use a 2-phase procedure for the selection of a design-build entity; specifies the criteria for each phase. Provides that a school district may award the contract to the highest overall ranked entity. Repeals the Act on July 1, 2023. Effective immediately.

## House Floor Amendment No. 2

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes. Makes changes to the legislative intent provision. Defines "design-build entity". Provides that a request for proposals must include the design-build entity's plan to comply with the utilization goals established by the corporate authorities of the school district for minority-owned and women-owned business enterprises and to comply with a provision in the Illinois Human Rights Act; makes conforming changes. Provides that a school district may not consider any design-build entity for evaluation or award if the entity has any pecuniary interests in the project or has other relationships or circumstances that create the appearance of impropriety. Provides that, after a proposal has been submitted in accordance with the Act, a design-build entity may not replace, remove, or otherwise modify any design professional firm identified as a member of the design-build team unless certain criteria are met. Provides that the design-build entity, regional superintendent of schools, and State Board of Education shall annually submit a detailed report to the General Assembly on the status of projects procured under the Act. Provides that all projects procured under the Act using the design-build delivery method must comply with a provision in the School Code governing school buildings and shall be subject to review and approval by the State Board of Education. Makes other changes. Effective immediately.

## House Floor Amendment No. 3

With respect to legislative intent, provides that all projects using the delivery system under the Act shall comply with the school building code provisions of the School Code and shall be subject to review and approval by the State Board of Education. Provides that price may not be used as a factor in the evaluation of Phase I proposals in the definition of "evaluation criteria". Changes a reference from "cost evaluation factors" to "evaluation factors".

Nov 14 18 H Passed Both Houses

SB 00426 Sen. Michael E. Hastings  
(Rep. Al Riley)

55 ILCS 5/1-1001 from Ch. 34, par. 1-1001

Amends the Counties Code. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

55 ILCS 5/1-1001

Adds reference to:

55 ILCS 5/3-5018 from Ch. 34, par. 3-5018

Adds reference to:

55 ILCS 5/4-12002 from Ch. 34, par. 4-12002

Adds reference to:

55 ILCS 5/4-12002.1 new

Replaces everything after the enacting clause. Amends the Counties Code. Provides that on and after January 1, 2020, counties of the third class (counties with a population of greater than 1,000,000) shall adopt and implement a predictable fee schedule for standard documents that eliminates surcharges or fees based upon the individual attributes of documents to be recorded with the county recorder. Provides for notice and a public hearing prior to approval of the predictable fee schedule. Provides that each standard document shall fall within one of 5 document class flat fee classifications and the fees are inclusive of county and State fees required for each recorded document. Provides that the county board may increase the document flat fees by ordinance or resolution if the established fees are not sufficient to cover the costs of providing the services related to the document class. Makes conforming changes.

House Committee Amendment No. 2

Deletes reference to:

55 ILCS 5/3-5018

Deletes reference to:

55 ILCS 5/4-12002

Deletes reference to:

55 ILCS 5/4-12002.1 new

Adds reference to:

70 ILCS 2405/3 from Ch. 42, par. 301

Replaces everything after the enacting clause. Amends the Sanitary District Act of 1917. Provides that upon the vacancy of a trustee of the Thorn Creek Basin Sanitary District, the mayors of each municipality located in whole or in part within the territory of the District shall recommend a candidate or candidates to fill the vacancy. Provides that a majority of the mayors must select an appropriate candidate to fill the vacancy from among those candidates recommended by the mayors.

House Floor Amendment No. 3

Provides that on and after the effective date of the amendatory Act (rather than notwithstanding any other provision of the Sanitary District Act of 1917) appointments to (rather than vacancies on) the board of trustees of the Thorn Creek Basin Sanitary District shall be made from the names recommended by the mayors.

Nov 15 18 S Passed Both Houses

SB 03387 Sen. Dave Syverson

(Rep. Robert Rita-Jay Hoffman-Katie Stuart-Peter Breen)

230 ILCS 10/5 from Ch. 120, par. 2405

230 ILCS 10/7 from Ch. 120, par. 2407

230 ILCS 10/7.6

230 ILCS 10/13 from Ch. 120, par. 2413

230 ILCS 40/25

230 ILCS 40/27

230 ILCS 40/45

230 ILCS 40/80

Amends the Riverboat Gambling Act. Provides that limitations on certain civil penalties shall not apply to civil penalties assessed under the Video Gaming Act. Provides that, in determining whether to grant an owners license to an applicant, the Illinois Gaming Board shall consider the extent to which the applicant considers veterans of the armed forces of the United States for employment. Requires the Board, by rule, to establish goals for the award of contracts by each owners licensee to businesses owned by veterans of service in the armed forces of the United States, expressed as percentages of an owners licensee's total dollar amount of contracts awarded during each calendar year. Removes provisions concerning the distribution of certain funds into the Horse Racing Equity Fund. Amends the Video Gaming Act. Provides that the Illinois Gaming Board shall not grant an application to become a licensed video gaming location if the Board determines that granting the application would more likely than not cause a terminal operator licensed video gaming location to operate the video gaming terminals in 2 or more licensed video gaming locations as a single video gaming operation. Provides factors to be considered by the Board in determining restrictions on licenses in malls. Changes the non-refundable license application fee for terminal handlers from \$50 to \$100. Adds provisions providing that the non-refundable license application fee for certain licenses shall be \$100. Provides that all current supplier licensees under the Riverboat Gambling Act shall be entitled to licensure under the Video Gaming Act as manufacturers, distributors, or suppliers without additional Board investigation or approval, except by vote of the Board. Makes other changes.

Senate Committee Amendment No. 1

Deletes reference to:

230 ILCS 10/13

Deletes reference to:

230 ILCS 40/27

Replaces everything after the enacting clause. Reinserts the introduced bill with the following changes: In provisions amending the Riverboat Gambling Act, requires the Illinois Gaming Board to file a written annual report with the Governor on or before July 1 (rather than on or before March 1). Removes changes to provisions concerning wagering tax distributions. In provisions amending the Video Gaming Act, removes changes concerning the limitation of video gaming by a political subdivision.

Senate Floor Amendment No. 2

In provisions concerning the duties of the Illinois Gaming Board, removes language providing that certain limitations on civil penalties shall not apply to civil penalties assessed under the Video Gaming Act.

House Committee Amendment No. 2

Deletes reference to:

230 ILCS 40/25

Adds reference to:

230 ILCS 5/26

Replaces everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes: Amends the Illinois Horse Racing Act of 1975. Effective January 1, 2017, makes changes concerning the distribution of purses from interstate simulcast wagers for non-host licensees who derive their licenses from Fairmount Park Racetrack. Makes conforming changes. In provisions amending the Video Gaming Act, removes provisions concerning restrictions on licenses in malls. Effective immediately.

Nov 15 18 S Passed Both Houses

SB 03445 Sen. William E. Brady-Dale A. Righter  
(Rep. Michael J. Zalewski)

20 ILCS 687/6-5  
20 ILCS 687/6-8 new  
20 ILCS 715/10 rep.  
20 ILCS 2505/2505-210 was 20 ILCS 2505/39c-1  
30 ILCS 105/6z-18 from Ch. 127, par. 142z-18  
35 ILCS 5/703A new  
35 ILCS 5/901 from Ch. 120, par. 9-901  
35 ILCS 105/3-5  
35 ILCS 105/3-5.5  
35 ILCS 105/9 from Ch. 120, par. 439.9  
35 ILCS 105/10 from Ch. 120, par. 439.10  
35 ILCS 110/3-5  
35 ILCS 110/3-5.5  
35 ILCS 110/9 from Ch. 120, par. 439.39  
35 ILCS 115/3-5  
35 ILCS 115/3-5.5  
35 ILCS 115/9 from Ch. 120, par. 439.109  
35 ILCS 120/2-5  
35 ILCS 120/2-5.5  
35 ILCS 120/3 from Ch. 120, par. 442  
35 ILCS 120/5j from Ch. 120, par. 444j  
35 ILCS 128/1-40  
35 ILCS 130/2 from Ch. 120, par. 453.2  
35 ILCS 135/3 from Ch. 120, par. 453.33  
35 ILCS 143/10-30  
35 ILCS 145/6 from Ch. 120, par. 481b.36  
35 ILCS 175/10  
35 ILCS 450/2-45  
35 ILCS 450/2-50  
35 ILCS 505/2b from Ch. 120, par. 418b  
35 ILCS 505/5 from Ch. 120, par. 421  
35 ILCS 505/5a from Ch. 120, par. 421a  
35 ILCS 505/13 from Ch. 120, par. 429  
35 ILCS 505/13a.4 from Ch. 120, par. 429a4  
35 ILCS 505/13a.5 from Ch. 120, par. 429a5  
35 ILCS 615/2a.2 from Ch. 120, par. 467.17a.2  
35 ILCS 615/3 from Ch. 120, par. 467.18  
35 ILCS 620/2a.2 from Ch. 120, par. 469a.2  
35 ILCS 630/6 from Ch. 120, par. 2006  
35 ILCS 640/2-9  
35 ILCS 640/2-11  
50 ILCS 470/31

**SB 03445 (CONTINUED)**

55 ILCS 5/5-1006 from Ch. 34, par. 5-1006  
55 ILCS 5/5-1006.5  
55 ILCS 5/5-1006.7  
55 ILCS 5/5-1007 from Ch. 34, par. 5-1007  
55 ILCS 5/5-1008.5  
65 ILCS 5/8-11-1 from Ch. 24, par. 8-11-1  
65 ILCS 5/8-11-1.3 from Ch. 24, par. 8-11-1.3  
65 ILCS 5/8-11-1.4 from Ch. 24, par. 8-11-1.4  
65 ILCS 5/8-11-1.6  
65 ILCS 5/8-11-1.7  
65 ILCS 5/8-11-5 from Ch. 24, par. 8-11-5  
65 ILCS 5/11-74.3-6  
70 ILCS 750/25  
70 ILCS 1605/30  
70 ILCS 3615/4.03 from Ch. 111 2/3, par. 704.03  
70 ILCS 3720/4 from Ch. 111 2/3, par. 254  
230 ILCS 5/27 from Ch. 8, par. 37-27  
230 ILCS 5/28.1  
230 ILCS 20/5 from Ch. 120, par. 1055  
230 ILCS 25/3 from Ch. 120, par. 1103  
230 ILCS 30/9 from Ch. 120, par. 1129  
235 ILCS 5/8-2 from Ch. 43, par. 159  
305 ILCS 20/13  
305 ILCS 20/19 new  
415 ILCS 5/55.10 from Ch. 111 1/2, par. 1055.10  
415 ILCS 125/315  
415 ILCS 135/65

Amends the Corporate Accountability for Tax Expenditures Act. Repeals a Section requiring the Department of Revenue to submit an annual Unified Economic Development Budget to the General Assembly. Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. Makes changes concerning electronic payments. Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Provides that property purchased by a purchaser who is exempt from tax under federal law is exempt from the taxes under those Acts. Makes changes concerning rolling stock. Amends the State Finance Act, the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and numerous other Acts imposing local use and occupation taxes to include a reference to tangible personal property that is subject to the 1% rate under the Retailers' Occupation Tax Act and the Service Occupation Tax Act (currently, those items are specifically named). Amends the Motor Fuel Tax Law. Provides that certain waivers may be granted in case of a disaster in another jurisdiction (currently, another state). Amends the Illinois Horse Racing Act of 1975. Makes changes concerning the collection of the pari-mutuel tax. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

20 ILCS

In the Use Tax Act, adds provisions concerning returns. Removes provisions from the introduced bill repealing a provision of the Corporate Accountability for Tax Expenditures Act concerning the annual Unified Economic Development Budget. Makes various other technical corrections to the introduced bill.

House Committee Amendment No. 1

Further amends the Illinois Income Tax Act to provide that deposits into the Fund for the Advancement of Education shall be based on revenue from the current month (instead of revenue from the preceding month).

House Floor Amendment No. 2



**SB 03445 (CONTINUED)**

Deletes reference to:

230 ILCS 5/27

from Ch. 8, par. 37-27

Deletes reference to:

230 ILCS 5/28.1

Removes all of the provisions from the engrossed bill that amend the Illinois Horse Racing Act of 1975.

Nov 15 18 S Passed Both Houses

**SB 03550** Sen. Melinda Bush

(Rep. Nick Sauer-Ryan Spain-Tim Butler-Carol Sente-Jonathan Carroll, Patricia R. Bellock, Mike Fortner, Mark Batinick and Norine K. Hammond)

415 ILCS 151/1-10

Amends the Consumer Electronics Recycling Act. Provides that nothing in the Act shall prevent a manufacturer from accepting, through a manufacturer e-waste program, residential CEDs collected through a drop-off collection program that is operated pursuant to an agreement between a third party and a unit of local government located within a county or municipal joint action agency that has elected to participate in a manufacturer e-waste program.

House Floor Amendment No. 1

Adds reference to:

415 ILCS 151/1-25

Replaces everything after the enacting clause. Amends the Consumer Electronics Recycling Act. Provides that nothing in the Act shall prevent a manufacturer from accepting, through a manufacturer e-waste program, residential covered electronic devices (CEDs) collected through a curbside or drop-off collection program that is operated pursuant to a residential franchise collection agreement authorized by specified provisions of the Illinois Municipal Code or Counties Code between a third party and a unit of local government located within a county or municipal joint action agency that has elected to participate in a manufacturer e-waste program. Provides that collection programs operated in accordance with provisions concerning manufacturer e-waste programs shall meet specified requirements. Provides that manufacturers of CEDs are not financially responsible for transporting and consolidating CEDs collected from a collection program's drop-off location. Contains other provisions concerning drop-off locations. Provides that by September 1, 2018 for program year 2019 (rather than by July 1, 2018), and by July 1 of each year thereafter, each manufacturer shall, individually or as a manufacturer clearinghouse, submit to the Agency a manufacturer e-waste program plan. Makes a related change.

Nov 15 18 S Passed Both Houses