



2018 New Laws

Post-Partum Defense (HB 1764/PA 100-0574):

Provides that in a post-conviction hearing, the defendant must prove by preponderance of the evidence that the forcible felony was the direct result of the post-partum depression or psychosis that was undiagnosed or unable to present this evidence, and that the diagnosis was material, noncumulative to other evidence, and likely would have changed the original sentence. Provides that it is a mitigating factor in sentencing that at the time of the offense, the defendant was suffering from undiagnosed or untreated post-partum depression or psychosis that tended to excuse or justify the defendant's criminal conduct if the defendant has been diagnosed by a qualified medical person after sentencing, and the diagnoses or testimony was not used at trial.

Criminal Justice Reforms (SB 1607/PA 100-0575):

Changes language to the earned sentence credit section and the trauma recovery services provisions P.A. 99-938 which created the neighborhood Safety Act. Expands the duties of the Illinois Criminal Justice Authority to include coordinating statewide violence prevention efforts and assisting in the implementation of trauma recovery centers. Adds provisions regarding a defendant's community service hours and the supervision of a violent offenders at the time of release. Expands eligibility for discretionary sentence credits. Requires the Department of Corrections to improve upon reentry programming and requires the Victim Compensation Fund to reimburse mental health providers for services to people under the age of 18 who have suffered emotional or psychological injury due to a crime of violence.

DOC Women's Division Appointment (HB 1479/PA 100-0576): Deletes the requirement that the appointment Director of the Women's

Division of the Department of Corrections must be by and with the advice and consent of the Senate.

Advanced Practice RN Practice (SB 1322/PA 100-0577):

Amends the Nurse Practice Act. Allows advanced practice registered nurses to practice under a current collaborative agreement with a podiatric physician until the agreement terminates. The provision only applies to existing written collaborative agreements. This is a trailer bill the Nurse Practice Act extension bill (HB 313), which eliminated the need for advanced practice registered nurses to practice under a written collaborative agreement with physicians.

Education Funding Reform (SB 444/PA 100-0578):

Makes two technical changes to the newly-enacted evidence-based school funding legislation which have to do with how Equalized Assessed Valuation (EAV) is calculated in the formula and, in terms of local wealth, will not affect the modeling that was previously done by the State Board of Education.

Chicago Liquor Exemptions (SB 332/PA 100-0579):

Provides an exemption to the 100 foot liquor license rule for Stelo, LLC in Chicago.

Hospital Assessment Trailer (SB 1573/PA 100-0580):

Contains provisions indirectly related to the hospital assessment, including items related to the Procurement Code, MCO Risk Based Capital, Children's Hospital Designation, MCO Performance Analysis, Encounter Data Processing and MCO Indemnification.

Hospital Assessment (SB 1773/PA 100-0581):

Establishes a new Medicaid hospital assessment program, effective July 1, 2018, to preserve over \$3 billion in funding to preserve access to hospital services and approximately \$750

million in funding to preserve access to other health care services under Medicaid. The new program: updates the data used under the assessment program from 2005 and 2009 to 2015; revises hospital payment methodologies and provides for regular updates every two years; phases in hospital funding from fixed supplemental payments to claims based payments through increasing amounts over six years; creates a hospital Transformation Program to incentivize and support hospitals as they transform to best serve their communities; and creates a six year program, FY19 to FY24, subject to sunset date of July 1, 2020. Effective July 1, 2018, all Illinois hospitals, excluding publicly owned hospitals, will pay the state an inpatient and outpatient assessment of \$1.5 billion per year.

Evidence Based Funding Reform Change (HB 5812/PA 100-0582): Makes changes to the evidence based funding model, property tax relief pool grants program and repeals the section of the school code that contains the old GSA school funding formula.

Supportive Living Facility Certificate Consideration (HB 4223/PA 100-0583): Authorizes Supportive Living Facility Certification to include consideration for a mixed use facility. This legislation is necessary for the continuation of a project that is currently underway that would re-purpose the former Ravenswood Hospital into a supportive living facility with an independent living facility.

Educator Licensure (SB 863/PA 100-0584): Allows teachers, support personnel and administrative licensure applicants to obtain Illinois licensure by providing proof of completing a state-approved program. This seeks to correct an out-of-state reciprocity issue with applicants who have attended out-of-state institutions for educator licensure but are unable to obtain an Illinois license under current law.

Small Wireless Facilities (SB 1451/PA 100-0585): Creates statewide, uniform small cell wireless facility deployment requirements and

policies for the deployment of small scale wireless facilities in right-of-ways and on utility poles. These small wireless facilities are critical to delivering wireless access to advanced technology, broadband, and 9-1-1 services to homes, businesses and schools.