



Senate Floor Reports

Bills that passed the Senate May 23, 2018

TIF Extension Normal (HB 1910): Creates TIF extensions for Normal, Illinois, for an additional 12 years.

Department of Military Affairs Collection (HB 3040): Advances a number of changes relating to the Illinois National Guard, including exempting the Guard from the definition of a state “agency;” makes Guard members state employees; sets succession for the Guard’s Adjutant General should he/she become incapacitated or die in office; creates new guidelines for Guard members subject to court-martial; aligns Illinois Guard court-martial guidelines with U.S. Military rules; and establishes the Illinois State Guard as the State’s non-federally recognized military force.

Urban Agriculture Zones (HB 3418): Provides that the corporate authorities of a municipality may establish an urban agricultural area. Includes other conforming changes necessary for the implementation. Provides that the Department shall adopt rules consistent with the purposes of the new provisions of the Illinois Municipal Code

School Attendance (HB 3784): Amends the Compulsory Attendance Article of the School Code. Strikes language that allows schools the ability to deny enrollment to students ages 17 or older for academic reasons. Prohibits schools from taking punitive action, including out of school suspensions, expulsions, or court action, against truant minors for truancy unless available support services have been provided to the student. Further provides that a truant minor may not be expelled for nonattendance unless specific conditions are met.

School Code Work Ethics Curriculum (HB 3792): Mandates schools to introduce to students, starting in 6th grade, the importance of

developing and applying a work ethic in a variety of contexts.

MCO Pharmacy Formulary (HB 4096): Requires Medicaid managed care organizations (MCOs) that provide services under the Code to use a pharmacy formulary that is no more restrictive by drug class than HFS’ preferred drug list (PDL). In addition to, prohibits HFS from adopting any rules or policies that prohibit an MCO from: Covering additional drugs that are not listed on the Department’s PDL; submitting all covered drugs listed on HFS’s PDL and additional as qualified encounters to be used for appropriate purposes; or Removing from the MCOs PDL, any prior approval requirements, step therapy, or utilization control. The bill also requires HFS to develop a standardized format for all MCOs PDL by Jan. 1, 2019, and to allow MCOs six months from the completion date of the standardized format to comply with the new PDL format. Also, requires HFS to establish, no later than Jan. 1, 2019, the Illinois Pharmacy and Therapeutics Advisory Board to have the authority and responsibility to provide recommendations to HFS regarding which drug products to list on the PDL.

TIF Extension Table Grove (HB 4118): Amends the Municipal Code to extend the life of the TIF for the Village of Table Grove to 35 years.

TIF Extension Caseyville/Posen (HB 4129): Creates TIF extensions for Caseyville, Illinois, and Posen, Illinois, an additional 12 years.

Flue Gas Desulfurization Task Force (HB 4135): Extends the date by which the Flue Gas Desulfurization Task Force Act shall report its findings and recommendations to the General Assembly from Dec. 31, 2017, to Dec. 31, 2018.

State Vehicle Oil Changes (HB 4213): Requires any state-owned motor vehicle requiring maintenance in the form of an oil change will



Senate Floor Reports

have such maintenance performed according to the applicable CMS policy, which considers the manufacturer's suggested oil change frequency for that vehicle's particular make, model, and year.

Concussion Information (HB 4226): Amends the Department of Public Health Powers and Duties Law and the School Code. Subject to appropriation, requires the Department of Public Health to develop, publish and disseminate a brochure to educate the public on the effects of concussions in children and how to look for warning signs. Requires schools to provide the brochure free of charge to parents/guardians of children who may have sustained a concussion regardless of where the concussion may have taken place. Provides that the State Board shall (as opposed to may) adopt rules to administer concussion oversight teams, including rules governing the informal or formal accommodation of a student who may have sustained a concussion during an interscholastic athletic activity.

Wearing Blaze Pink (HB 4231): Provides that hunters may wear blaze pink during firearm deer season and upland game season.

Farm Equity Act Creation (HB 4234): Creates the Farm Equity Act. Requires the Department of Agriculture to ensure the inclusion of socially disadvantaged farmers in urbanized areas and requires the Department to create a new position to support this initiative.

Required Publication of Severance Agreements (HB 4242): Requires local governments, school districts, community college districts, or other local taxing bodies to publish information about any severance agreement with an employee or contractor who was found to have engaged in sexual harassment or sexual discrimination.

Sexual Harassment Payoff Restrictions (HB 4243): Prohibits use of public funds including, but not limited to, district office allowances of

members of the General Assembly to be used for sexual harassment payouts.

Multi-year Vehicle Registration (HB 4259): Allows the Secretary of State to offer owners of first and second division vehicles, under 8,000 pounds, the option to register their vehicle for one or two years, and trailers up to five years. The owner would pay a one-time fee based on the amount of years they choose.

Home Repair Consumer Rights Pamphlet (HB 4268): Amends the Home Repair and Remodeling Act to add information concerning mechanic's liens to the home repair consumer rights pamphlet. The bill includes new language that replaces more general language reminding home owners about the rights of suppliers and subcontractors to file a mechanic's lien.

Physical Fitness Services (HB 4275): Removes provisions prohibiting certain basic gym membership services. Prohibits contracts for basic physical fitness services in excess of \$2,500 per year, per person. Requires these contracts to be in writing. Prohibits financing of a contract for physical fitness services over a period of more than three years. Also prohibits contracts measured by the life of the consumer. Finally, prohibits a gym membership of greater than one year.

Municipality Property Disconnection From TIF District (HB 4282): Amends the Illinois Municipal Code. Provides that the owner of territory may have the territory disconnected from a municipality if it does not contain any territory designated as part of a redevelopment project area or any territory otherwise subject to tax increment financing by the municipality.

State Board Composition (HB 4284): Requires three members of state education board to be from educator community.

Human Trafficking Notice Requirements (HB 4340): Adds the following to the list of establishments required to post notice under



Senate Floor Reports

the Human Trafficking Resource Center Notice Act: massage establishments; public gatherings and special events conducted on property open to the public that require the issuance of a permit from the unit of local government; public and private elementary and secondary schools; and establishments registered under the Tattoo and Body Piercing Establishment Registration Act. Provides that a business or establishment that fails to comply with the Act is guilty of a petty offense, and subject to a fine of up to \$500 for each violation (instead of liable for a civil penalty of \$500 for a first offense and \$1,000 for each subsequent offense).

First Responder Mental Health Awareness Day (HB 4345): Designates the third Friday of each May of each year as “First Responder Mental Health Awareness Day,” to be observed throughout the State as a day to honor firefighters, police officers, and other first responders who have lost their lives due to and suffer from post-traumatic stress disorder, depression, and other mental health issues.

Missing Person’s ID Act (HB 4348): Requires Illinois investigative agencies of an identified persons or human remains case to provide the National Missing and Unidentified Persons System with information that could be used for identification.

Rear-facing Car Seat (HB 4377): Requires children under the age of two to be secured in a rear-facing child-restraint system. Children over 40 pounds or trailer than 40 inches are exempted.

Medicaid Disenrollment from MCO in Accordance with Fed Requirements (HB 4383): States that Medicaid Disenrollment from MCO must be in accordance with federal requirements. Furthermore, provides that disenrollment of a Medicaid enrollee from an MCO under contract with HFS must be in accordance with specified federal requirements

whenever a contract is terminated between a Medicaid managed care health plan and a primary care provider that results in a disruption to the Medicaid enrollee’s provider-beneficiary relationship.

Nationwide Multistate Licensing System Loan Processing Entity (HB 4404): Amends the Residential Mortgage License Act of 1987 and changes reference to “Nationwide Mortgage Licensing System and Registry” to reference to “Nationwide Multistate Licensing System and Registry”. As well as, provides that an entity that is exempt from licensure under specified provisions of the Act as an independent loan processing entity shall annually apply to the Secretary of Financial and Professional Regulation through the Nationwide Multistate Licensing System and Registry for an exempt company registration for specified purpose.

Uber/Lyft Driver Application (HB 4416): Requires an individual applying to become a transportation network company driver (such as Uber and Lyft) must include in the application his or her full name and any used nicknames or aliases. Requires that an individual must also submit his or her social security number and date of birth. Provides that an individual who submits an application that contains false or incomplete information shall be guilty of a petty offense.

Criminal Justice Task Force (HB 4424): Changes the date by which the Criminal Justice System Task Force shall submit its report to the General Assembly from March 31, 2018, to March 31, 2019. It also changes the Act repeal date from June 30, 2018, to June 30, 2020.

Dairy Farm Inspection Reports (HB 4428): Requires DPH (or the local public-health inspector) to provide a paper copy of the inspection report to a dairy farm being inspected at the time of the inspection.



Senate Floor Reports

Children of Disabled Police, Fire, and Corrections Employees Grants (HB 4467):

Provides that grants for tuition and mandatory fees for children of police, fire, or corrections officers that are killed or become permanently disabled in the line of duty shall apply to that child regardless of whether they were born before the disability occurred.

Inmate Voting (HB 4469): States the Department of Corrections shall make available to a person in its custody current resource materials containing detailed information regarding voting rights of a person with a criminal conviction. The materials shall be provided upon release of a person on parole, mandatory supervised release, final discharge, or pardon from the Department. As well as, upon release of a person who is eligible to vote, the Department shall provide the person with a form that informs him or her that his or her voting rights have been restored and a voter registration application.

Out-of-State Vehicle Liability Insurance (HB 4472): Requires a person operating a vehicle that is registered in another state on Illinois highways must be covered by a liability insurance policy. The operator must also carry evidence of insurance.

Non-resident Citations (HB 4476): Removes the requirement that a person in violation of a petty offense sign the citation. The Supreme Court Rules shall govern bail and appearance procedures when a person who is a resident of another state that is not a member of the Nonresident Violator Compact of 1977 is cited.

Child Hearing Aid Mandate (HB 4516): Mandates coverage for hearing instruments for children younger than 18.

TIF Extension Hanover Park (HB 4536): Extends the TIF for Hanover Park, Illinois, for an additional 12 years.

Financial Institution Definition in Counties Code (HB 4541): Amends the Illinois Municipal Code. Updates the definition of "Financial Institution" to now include savings banks and credit unions established under the laws of the United States, Illinois, or any other state.

Above Ground Gas Storage (HB 4569): States that for agricultural purposes and certain commercial purposes, an above ground gas storage tank holding 12,000 gallons of fuel may be used for refueling equipment and vehicles.

Combat Action License Plates (HB 4576): Provides for the issuance of Combat Action Ribbon or Combat Action Badge license plates. The Secretary of State may allow either plate to be issued as a personalized plate or vanity plate. The special plates issued under these sections shall be affixed only to first and second division motor vehicles and motorcycles weighing 8,000 pounds or less. The Secretary of State may issue the special license plates upon receipt of all applicable fees and applications.

Removes Olympic Prohibition (HB 4578): Amends the Business Corporation Act of 1983 and the General Not For Profit Corporation Act of 1986. Removes a prohibition on the use of the word "Olympic" and similar words in corporate names. Amends the Limited Liability Company Act. Reduces penalties regarding violations of the Act.

Illinois Civil and Criminal Court Fee Assessments (HB 4594): Creates the Criminal and Traffic Assessment Act. Consolidates the current system of court related assessments, costs and surcharges which are scattered throughout the Code into 13 Schedules. Provides a minimum fine is \$25 unless waived by the judge. The bill also creates a sliding-scale waiver for criminal defendants based upon percentages of the poverty index.

Physical Therapy Diagnosis (HB 4643): Provides that the limitation on determining a differential



Senate Floor Reports

diagnosis shall not in any manner limit a physical therapist from establishing a relevant diagnosis. In the definition of “documented current and relevant diagnosis” and in provisions concerning disciplinary actions, removes language requiring a diagnosis to be substantiated by a physician, dentist, advanced practice registered nurse, physician assistant, or podiatric physician.

Mental Health Awareness (HB 4658): Requires licensed school personnel and administrators who work with students in grades K-12 to be trained, once every two years, to identify the warning signs of mental illness and suicidal behavior in youth and be taught appropriate intervention and referral techniques.

Pension Trustee Ethics Training (HB 4661): Provides that for an elected or appointed trustee under the Downstate Police or Downstate Firefighter Article of the Code, fulfillment of certain trustee training requirements satisfies certain ethics training requirements.

Direct Support Person Credential Pilot Program (HB 4665): Requires DHS Division of DD to Implement a Direct Support Person Credential Pilot Program. Creates a direct support persons credential pilot program within the Division of Developmental Disabilities at DHS to assist and attract persons into the field of direct support and to assist them in obtaining a credential in their field of expertise. Under the MC/DD Act and the ID/DD Community Care Act, provides a CNA shall lose his or her certification if he or she goes 24 consecutive months without performing “nursing or nursing-related services.”

SURS Retirement (HB 4684): Amends the State Universities Retirement System’s Article of the Illinois Pension Code. Enhances SURS’ ability to obtain delinquent employer payments that are owed under the law by intercepting them through the State Comptroller and/or the

county treasurer for the county in which the employer is located.

Agency Employee Guardian Restrictions (HB 4686): Prohibits an agency employee who is directly providing care to a disabled adult ward from being appointed guardian. Amends the Guardians For Adults With Disabilities Article of the Probate Act of 1975. Provides that the court shall not appoint as guardian an employee of an agency that is directly providing residential services to the ward.

Nursing Home Administrators Trailer Bill (HB 4688): Amends the Nursing Home Administrators Licensing and Disciplinary Act. Provides that all applicants and licensees shall provide a valid address and email address and shall inform the Department of Financial and Professional Regulation of any change of address or email address through specified means.

Grant Accountability and Transparency Act (HB 4689): Amends the Grant Accountability and Transparency Act, modifies a Section concerning the adoption of federal rules applicable to grants and provides that specified provisions do not apply to for-profit sub-recipients because for-profit sub-recipients are not subject to the requirements of a specified provision of the Code of Federal Regulations.

Temporary Appointments for Township Offices (HB 4697): Provides that if a vacant township supervisor office is filled by appointment, the appointed supervisor is to fulfill the bond requirement for township supervisors. Such appointed supervisor may be a trustee appointed by a majority vote of the trustees. The appointee shall have one vote on any matter before the board. Provides for the appointment of a temporary deputy to perform the ministerial functions of a vacant township office until a person can be appointed to fill the vacant position for the remainder of the vacant term. If the appointed deputy is a trustee, his or



Senate Floor Reports

her trustee compensation shall be suspended until he or she concludes his or her appointment as an appointed deputy upon the permanent appointment to fill the vacancy. Exempts the temporary deputy from the requirement to fill a vacant township office with a member of the same political party.

Prescription Drug Task Force (HB 4707): Creates the Prescription Drug Task Force. The task force shall study prescription opioid abuse in Illinois, study the over-prescription of opioids, such as Hydrocodone and Oxycodone, recommend whether prescriptions should be restricted and recommend other legislation to reduce opioid addiction and abuse.

Prevents Lawsuits Against Counties in Certain Circumstances Concerning Zoning and Violations (HB 4711): Provides that lawsuits are not authorized against the county or its officials for their administration of the zoning code, concerning a property owner's or county's authority to seek legal action in the circuit court to abate, correct or restrain code violations, unless the county owns the offending property.

Hydraulic Fracturing Tax Certificates (HB 4724): Seeks uniformity across all operators, producers and purchasers of oil and gas under the Illinois Hydraulic Fracturing Tax Act. Also removes provisions concerning first purchaser exemption certificates, and also would remove the exemption from taxation of oil and gas under this Act.

Monarch Butterfly Month (HB 4735): Designates the month of May as "Monarch Month" to be observed throughout the State as a month to honor the Monarch Butterfly.

MCO Auto Enrollment for Certain Categories of Children (HB 4736): Prohibits HFS from auto-enrolling the following populations into an MCO: children who receive in-home shift nursing (individuals in this category are

known as Nursing Personal Care Services (NPCS); children made eligible for services under a 1915(c) waiver for MFTD children. Any child in the two categories above who are currently in an MCO shall be given the option to disenrollment and receive services

African American Status in Equal Pay (HB 4743): Amends the Equal Pay Act to provide no employers may discriminate between employees by paying wages to an African American employee at a rate less than the rate of someone who is not African American.