



# Senate Floor Reports

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## Bills that passed the Senate April 23, 2018

**Repeals FAP (SB 2835):** Repeals the statutory language for the Family Assistance Program (FAP).

The last individual enrolled under the FAP aged out of the program on October 19, 2017. This was a GRF-funded cash stipend that was not eligible for federal matching dollars and the program is no longer accepting new applicants. These services are now being provided through the Children's Waiver with more comprehensive options and matching federal dollars.

**Future Language Teachers (SB 2844):** Requires ISBE to establish the program to help qualified individuals get a PEL with an endorsement in English as a second language, bilingual education, English as a new language or any other foreign language.

**Removes Sunset of Hiring Policy (SB 2850):** Removes a sunset date which would end the direct hire policy at the Illinois School for the Deaf (ISD) and the Illinois School for the Visually Impaired (IVSI) for teaching positions on August 30, 2019.

**Election Code Gender Neutrality (SB 2854):** Amends the Election Code to replace gender specific terms with gender neutral terms, such as changing "Chairman" to "Chair."

**Licensure Testing Change (SB 2877):** Provides a student in the areas of barber, cosmetology, esthetics, hair braiding and nail technology can take their licensing examination prior to the completion of their educational program, and outlines the education requirements.

**Condom Tax (SB 2881):** Provides that female and male condoms, incontinence products, diapers, and baby wipes shall be taxed by the

State at a rate of 1% (currently, 6.25%). Provides that the net revenue from the 1% tax collected from the sale of those products shall be deposited into the State and Local Sales Tax Reform Fund.

**Banking Changes (SB 2885):** Changes the asset threshold to \$50 million from \$20 million so small community banks only need a minimum of 3 board of directors, instead of 5. Resolves an issue with inconsistent language regarding U.S. government-backed obligations. Direct investments in bonds or securities of government agencies consistently with loans to an individual that are secured by those same government agencies. Creates a new section for accounting of administrative expenses. This will bring transparency because the State Banking Board can ask the Secretary of IDFP to account for how they're spending bank fees.

**Spanish-Speaking Cessation Notification (SB 2908):** Requires a Large Electing Provider (AT&T) to provide a proposed cessation of service to existing customers in English and Spanish.

**Alternative Electric (SB 2914):** Provides that any information in the report submitted by the Office of Retail Market Development on June 30 of each year involving price comparison between electric utilities, electric utilities providing service outside their service territories, or alternative retail electric suppliers shall also include the combined value of certain additional products and services offered by the competitive retail electricity market. Provides that the Illinois Commerce Commission may include other energy savings and marketing savings programs as they develop in the market.



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**Juvenile Court Records (SB 2915):** Modifies problems that have come up with the automatic juvenile expungement provisions that included public defenders and probation and court services, by removing them from the automatic expungement mandate. Also, makes a correction so that the expungement shall be completed within 60 business days after receipt of the expungement order rather than 60 business days of the entry of the expungement order.

**Veterans and Military Personnel Student Services Reporting Requirement (SB 2927):** Each college and university that is required to have a Coordinator of Veterans and Military Personnel Student Services will include information on the efforts of the public college or university in attracting, recruiting, and retaining veterans and military personnel at the institution when reporting to the Board of Higher Education.

**High School Grad Requirement Program (SB 2941):** Expands the competency-based, high school graduation requirements pilot program to schools serving all grades. Also, allows school districts to collaboratively apply to participate in the program and provides that the application of a collaborative of districts can only be counted as one district in the annual cohort selection process.

**Geo Info Council-User Advisory (SB 2960):** Repeals the User Advisory Committee in the Department of Natural Resources. The committee is no longer necessary and currently does not meet.

**Amusement Rides (SB 2961):** Makes technical, not a substantive changes. Repeals a section of the Amusement Ride and Attraction Safety Act that says all fees collected by IDOL shall be deposited into GRF -- since the provision conflicts with another section that says all

moneys received by IDOL as fees and penalties shall be deposited into a special fund.

**River Otter Limit (SB 2962):** Allows the Department of Natural Resources (DNR) to annually set the taking limits for River Otter by administrative rule, as is the case for other fur-bearing mammals in Illinois based on science and an animal's population dynamics. The Code currently imposes a state-wide taking limit of 5 River Otter each season.

**Trapping Tags (SB 2963):** States that the tags need either the name and address of owner or the customer identification number (instead of also requiring customer name).

**Blood Lead Levels (SB 2996):** Mandates that the Department of Public Health submit new rules to JCAR that will ensure that: ensure that state rules governing elevated blood lead levels are in accordance with the CDC's reference level for childhood blood lead levels; update state environmental inspection requirements for lead hazards; and update "any other existing rules that will assist the Department in its efforts to prevent, reduce, or mitigate the negative impact of instance of lead poisoning among children."

**Cemetery Vacancy Duty (SB 3009):** Provides that a notice of vacancy for a cemetery in a township will be provided to the presiding township officer rather than the presiding county board officer. This is a Lake County initiative, where county officials are confident that the townships are better qualified to fill such vacancies on cemetery boards. Applies only to DuPage, Kane, Kendall, McHenry and Will counties.

**IDOT Registration (SB 3028):** Removes language for the application for special permits (weight, height, length) from IDOT by paper. IDOT has moved to an electronic application system.



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Moving to the electronic system has allowed for the Illinois State Police and Truck Weight Inspectors to more efficiently and accurately issue permits.

**Residential Mortgage License Act (SB 3035):**

Amends the Residential Mortgage License Act. Clarifies what are considered prohibited acts and practices for licensees. Provides that reporting by mortgage professionals to the Nationwide Mortgage Licensing System & Registry can be used to comply with separate State reporting requirements to the Department. Also provides that a licensee filing a Mortgage Call Report is not required to file an annual report. A licensee providing notice of a change of loan terms under federal law is exempt from Illinois statute regarding notice of change in loan terms. Finally, replaces "Commissioner" with "Secretary" to reflect who leads IDFPR.

**Realty License Board Term Limits (SB 3036):**

Amends the Auction License Act, the Community Association Manager Licensing and Disciplinary Act, the Real Estate License Act of 2000, and the Real Estate Appraiser Licensing Act of 2002. Sets licensing board member term limits at two 4 year terms and allows for two years additional term for mid-term appointments. Caps the total term limit at 10 years on the board.

**Community Care for Persons with Developmental Disabilities Act (SB 3041):**

Amends the County Care for Persons with Developmental Disabilities Act. Changes the title of the Act to the Community Care for Persons with Developmental Disabilities Act. Makes the Act applicable to counties, municipalities, and townships, rather than just counties.

**Energy Savings Programs (SB 3051):** Provides that the Illinois Commerce Commission may

establish a program for promoting expanded use of energy saving programs (thermostats, etc.) for residential and small commercial customers. Provides that on or before program September 1, 2018 and every 2 years thereafter, the Commission shall initiate a collaborative workshop for certain individuals developing energy savings devices and applications. Provides that any recommendations arising from the workshop shall be included in the annual report of the Office of Retail Market Development.

**IDFPR Document Confirmation Rules (SB 3060):**

Allows the Illinois Department of Financial and Professional Regulation to adopt rules that specify the standard for confirming delivery of documents sent to the email address of record. Until the rules are adopted, IDFPR will send copies via certified mail to the licensee's address of record. Adds definition "email address of record," which means an accurate and current email address designated by a credit union and recorded by the Division of Financial Institutions in the credit union's file maintained by the Division of Financial Institutions.

**MHDDAA Reports Statement & Development (SB 3075):**

Requires state operated facilities under DCFS, DHS, DJJ and Corrections to submit quarterly reports to the GA by January 1, April 1, July 1, and October 1 regarding workplace violence. Specifies what must be included in the reports and the responsibility of the agencies to inform employees of reporting procedures.

**Public Housing-Waiting List (SB 3081):**

Requires, upon request from an applicant for public housing, a housing choice voucher, or other housing owned or operated by a Housing Authority, for the Housing Authority to provide the applicant with information on the applicant's position on the waiting list within 10 business days of the request.



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**Horse Racing-Foal (SB 3097):** Allows the Department of Agriculture to certify horses as Illinois conceived and foaled for this breeding year. Changes qualification requirements for stallions for Illinois conceived and foaled Standardbred harness races.

**Trafficking Victims Protection Act (SB 3108):** Renames the Predator Accountability Act to the Trafficking Victims Protection Act. Amends current law to allow family members, victim advocates, a court appointee or a government entity responsible for enforcing the laws of this State to bring an action on behalf of a victim. Allows survivors of involuntary servitude or labor trafficking to bring a civil cause of action against traffickers under existing law. Clarifies that the burden of proof for these civil actions is preponderance of the evidence.

**Medical, Hospital, and Nursing Home Expenses (SB 3120):** Amends the Probate Act of 1975 in provisions determining the classification of claims against the estate of the decedent. Adds provisions to the 4th line of priority that reasonable and necessary medical, hospital, and nursing home expenses for the care of the decedent during the year immediately preceding death of not more than \$800 for each claim.

**Flood Control Commission for Collar Counties (SB 3134):** Creates a Flood Control Commission. The 32-member commission is to study flood control practices and conduct a survey of DuPage, Kane, Lake, McHenry, and Will counties. Requirements for membership, duties and a final report are provided. The collar counties have endured severe flooding in recent years. This bill will bring experts together to identify specific, actionable ways to help address this critical issue.

**Plain Language Task Force Amendment (SB 3139):** Requires the General Assembly to draft legislation/public documents using plain language where practicable. The executive and judicial branches will also be advised to draft orders, court documents, and public documents using plain language. Also restarts the Plain Language Task Force.

**CMS Leased Properties (SB 3143):** Requires CMS to include an analysis of leases of state buildings where a 3rd full year of the lease has passed, and the lease provides a purchase option in addition to the current requirements for the annual purchase/lease report.

**Fund Clarifications (SB 3144):** Amends the State Finance Act, and changes the repeal date for the Capital Development Board Revolving Fund from 07/01/2018 to 07/01/2022. Amends the General Obligation Bond Act, and allows unused portion of federal funds received as a reimbursement for a capital facilities project to remain in the Capital Development Board Contributory Trust Fund. Repeals the language requiring federal funds received as reimbursement for completed construction of capital facilities projects to be deposited into the General Obligation Bond Retirement and Interest Fund. Amends the Capital Development Bond Act, and allows unused portion of federal funds received as a reimbursement for a capital facilities project to remain in the Capital Development Board Contributory Trust Fund. Repeals the language requiring federal funds received as reimbursement for completed construction of capital facilities projects to be deposited into the General Obligation Bond Retirement and Interest Fund. Amends the School Construction Law, and allows the Capital Development Board to make grants to school districts for school construction projects with funds appropriated by the General Assembly from the School Construction Fund in addition to the School Infrastructure Fund.



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**Prescription Refills (SB 3170):** Provides that a prescription for medication other than controlled substances shall be valid for up to 15 months from the date issued for the purpose of refills, unless the prescription states otherwise.

**Bank Reimbursement for Data (SB 3182):** Allows the Secretary of IDFPR to analyze the future prospects of the bank seeking control in determining whether to approve the change of control. Allows IDFPR to waive a change of control filing in situations where a holding company is acquiring an institution that will merge into another subsidiary bank shortly after the change of control. Clarifies that IDFPR may authorize a bank to disclose confidential supervisory information (CSI) to entities it engages with to assist in compliance with enforcement actions issued by the Department. Replaces "Commissioner" with "Secretary" to reflect who leads IDFPR. Allows banks to be reimbursed for all costs of data, not limited to just a customer, required to be produced pursuant to a subpoena, warrant, summons, or other court orders.

**Student Record Security Breach (SB 3201):** Requires schools to notify parents within 48 hours of the discovery of a breach of student information.

**Reports of Damaged Property (SB 3212):** Provides that nothing in the Illinois Income Tax Act prohibits the disclosure of information by officials of a county or municipality involving reports of damaged property or the owners of damaged property if that disclosure is made to a township or county assessment official in connection with the natural disaster credit. Also amends the Freedom of Information Act. Repeals a Section providing that nothing in the Act prohibits the disclosure of information by officials of a county or municipality involving reports of damaged property or the owners of

damaged property if that disclosure is made to a township or county assessment official in connection with the natural disaster income tax credit.

**FOIA Mental Health Facility Personal Records (SB 3217):** Amends the Freedom of Information Act so that in exemptions, includes records requested of a person committed to a Department of Human Services Division of Mental Health institution or facility. Also, adds FOIA exemption for records requested by persons committed to the Department of Human Services Division of Mental Health if those materials are available in the library of the facility, if those materials include records from staff members' personnel files, staff rosters, or other staffing assignment information, if those materials are available through an administrative request to the Department, if the disclosure would result in the risk of harm to any person or the risk of an escape, if the records contain personal information pertaining to the person's victim or the victim's family, or law enforcement records of other persons