

Item #7A:
Village President Underwood
Legislative Update

David Lothspeich

From: IML Legislation [IMLLegislation@iml.org]
Sent: Wednesday, June 25, 2014 1:20 PM
Subject: Illinois Municipal League Statehouse Briefing - June 25, 2014

IML Statehouse Briefing



On the ground news and insider information!

June 25, 2014

IML Letters to the Governor

The IML [sent Governor Quinn several letters](#) to ask that he sign or issue an amendatory veto to select legislation. We encourage our members to use these letters as templates for sending letters to the Governor.

2014 Legislation of Municipal Interest Approved by Both Chambers

The IML has identified 89 bills that affect, or are of interest to, municipal governments. This [report provides a summary](#) of each of these bills by category. The report will be updated frequently as the Governor takes action on legislation.

2015 Legislative Proposals Being Accepted for Consideration

The IML is accepting ideas for our 2015 legislative agenda. Please [utilize the proposal form](#) and submit proposals by August 1, 2014. This will provide staff with sufficient time to have each proposal evaluated by our policy and legislative committees.

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1. [2014 Letters to the Governor](#)
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IML Now Accepting Legislative Proposals for 2015

Published on Wednesday May 28, 2014

The IML is now accepting legislative proposals that would be considered for introduction during the 2015 spring legislative session. Proposals received by the IML will be reviewed by one of our six policy committees and, if approved, considered by the IML Legislative Committee and Board of Directors. Proposals must be submitted by Friday, August 1. The proposal form is [available here](#). Completed forms should be submitted as follows:

Return Completed Form to: Kim Cummings, Advocacy Coordinator
 Illinois Municipal League, P.O. Box 5180, Springfield, IL 62705-5180
 Or Fax to: (217) 525-7437

2014 Legislation of Municipal Interest



Approved by Both Chambers

IML Legislative Team



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This report contains a list of categories that include the bills that were approved by the General Assembly. The IML has identified 89 bills that either affect, or are of interest to, municipal governments. Procedurally, legislation approved by both chambers is sent to the Governor within 30 days. The Governor then has 60 days to take action. Throughout the summer months, the Governor will be taking action on these bills by either approving the legislation or sending it back to the General Assembly following a veto or amendatory veto. The IML will update this report periodically.

ENVIRONMENTAL ISSUES

HB 4606 (Rep. Hoffman, Sen. Manar)—EPA-POLLUTION CONTROL FACILITY—HB 4606 provides that the portion of a site or facility that accepts exclusively general construction or demolition debris, and is operated and located in accordance with a specified provision of the Act, is not a pollution control facility (previously required the facility to be located in a county with a population over 3,000,000 as of January 1, 2000 or in a county that is contiguous to such a county to fall under the exemption).

SB 2770 (Sen. Althoff, Rep. Tryon)—PUBLIC WATER SUPPLY OPERATIONS—SB 2770 provides that every community water supply in Illinois, with specified exemptions, shall have on its operational staff, and shall designate to the Agency in writing, either (i) one Responsible Operator in Charge who directly supervises both the treatment and distribution facilities of the community water supply; or (ii) one Responsible Operator in Charge who directly supervises the treatment facilities of the community water supply and one Responsible Operator in Charge who directly supervises the distribution facilities of the community water supply.

SB 2780 (Sen. Kotowski, Rep. Netritz)—WATER POLLUTION CONTROL LOANS—SB 2780 amends the Environmental Protection Act to change the definitions of "treatment works" and "local government unit." The bill provides new purposes for the Water Pollution Control Loan Program and makes a change to a provision concerning rules for prioritizing loans under the Act.

GENERAL GOVERNANCE

HB 1532 (Rep. DeLuca, Sen. Cullerton)—OFFENSIVE USE OF PROPERTY DEFINITION AND PROCEDURES—HB 1532 amends the Code of Civil Procedure to define "offensive use of property" as the repeated use of leased premises in a manner that disturbs the peace or is detrimental to the health and safety of the neighbors of the premises. The bill provides several conditions that must be present in order to qualify as offensive use of property. The bill provides that if the standard for offensive use of property has been met, then the tenancy may be terminated and the owner, lessor, or agent shall be entitled to bring a forcible entry and detainer action.

HB 4418 (Rep. Hoffman, Sen. Delgado) (P.A. 98-0666)—REFERENDUM REQUIRED TO CLOSE FIRE FACILITY—HB 4418 amends the Illinois Municipal Code to prohibit a city or village from closing its fire department without referendum approval. Effective January 1, 2015.
IML OPPOSES

HB 4769 (Rep. Beiser, Sen. Haine)—SURETY BOND COMPANY ELIGIBILITY—HB 4769 amends the Public Construction Bond Act to provide that the surety on a bond shall be a company with a certificate of authority from the Department of Insurance specifically authorizing it to execute surety bonds and a financial strength rating of at least A- (rather than a financial strength rating of at least A) as rated by A.M. Best or a similar rating agency.

HB 5438 (Rep. Sandack, Sen. Harmon)—LOCAL GOVERNMENT AUDIT REPORTS—HB 5438 would amend the Governmental Account Audit Act,

Counties Code, and Illinois Municipal Code to provide that the amount of fees owed by a governmental unit for delinquent audits or reports may be reduced at the Comptroller's discretion. **IML SUPPORTS**

HB 5619 (Rep. Fortner, Sen. Connelly)—MUNICIPAL CODE-SCHOOL GROUND IMPROVEMENTS—HB 5619 amends the Illinois Municipal Code to provide that, for the purposes of implementation of ordinances by a plan commission or planning department regarding developer donations or impact fees, the definition of "school grounds" includes technological infrastructure.

HB 5657 (Rep. Tryon, Sen. Koehler) (P.A. 98-0660)—REGULATION OF FARMERS' MARKETS—HB 5657 provides that regulation of farmers' markets by local authorities may be no more stringent than the regulation established by the Department of Public Health. The bill also authorizes a State-certified local public health department to impose a fee in connection with the registration of a cottage food operation. Effective June 23, 2014.

HB 5785 (Rep. Franks, Sen. Bliss)—CONSOLIDATION AND ANNEXATION OF LOCAL GOVERNMENTS—HB 5785 allows for the boards of several units of local government to vote to consolidate and/or be annexed with other units of government. The bill provides that on the effective date of the annexation or consolidation, all of the rights, powers, duties, assets, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the entity shall vest in and be assumed by the governmental unit assuming the former entity's functions. Provides that the rights of the employees of the former district, commission, or authority once the former district, commission, or authority is consolidated into another governmental unit.

HB 5815 (Rep. Ives, Sen. Connelly) (P.A. 98-0635)—CRIMINAL IDENTIFICATION ACT-MINOR TRAFFIC OFFENSE—HB 5815 amends the Criminal Identification Act to provide that sealing for orders of supervision and convictions includes orders of supervision and convictions on

municipal ordinance violations that are not otherwise excluded from sealing by the Act. Effective January 1, 2015.

HB 5856 (Rep. Moffitt, Sen. Sullivan)—DISSOLUTION AND CONSOLIDATION OF FIRE PROTECTION DISTRICTS—HB 5856 amends the Fire Protection District Act to provide that the voters of a fire protection district may vote to simultaneously dissolve and consolidate the district into an adjoining fire protection district.

SB 1681 (Sen. Link, Rep. Hoffman)—REGIONAL FIRE PROTECTION AGENCY ACT—SB 1681 would create an alternative option for fire service consolidation involving a petition and referendum process toward the creation of "Regional Fire Protection Agencies." The IML had long-opposed the bill, but was able to remove our opposition after the adoption of an amendment.

SB 3294 (Sen. McConnaughay, Rep. Welch)—LOCAL GOVERNMENT-RECYCLING BINS—SB 3294 provides that a household goods recycling bin (such as a Goodwill bin) shall have a permanent, written, printed label affixed to the bin and prominently displayed. The bill also sets forth the required information that must be contained within the label. **IML SUPPORTS**

HEALTHCARE BENEFITS

SB 647 (Sen. Harmon, Rep. Feigenholtz)—TELEHEALTH SERVICE COVERAGE—SB 647 amends the Illinois Insurance Code to provide that if a policy of accident or health insurance provides coverage for telehealth services, then it must comply with certain prohibitions. The bill amends the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, the School Code, the Health Maintenance Organization Act, the Limited Health Service Organization Act, and the Voluntary Health Services Plans Act to comport to provisions of the Illinois Insurance Code concerning coverage for telehealth services.

LABOR & PERSONNEL

HB 0008 (Rep. Flowers, Sen. Hutchinson)— EXPANDED WORKPLACE CIVIL RIGHTS

VIOLATIONS—HB 8 amends the Illinois Human Rights Act to provide that, with respect to employment, it is a civil rights violation for an employer to refuse to provide reasonable accommodations for an employee for medical or common conditions related to pregnancy or childbirth if she so requests, with the advice of her health care provider.

HB 5622 (Rep. Turner, Sen. Raoul)—PAYROLL CARD REQUIREMENTS—HB 5622 amends the Illinois Wage Payment and Collection Act to establish requirements for the use of payroll cards by employers.

**SB 2826 (Sen. Biss, Rep. Chapa LaVia) —
FIREFIGHTER WRITTEN EXAM SCORES**—SB 2826 amends the Illinois Municipal Code and the Fire Protection District Act to provide that passage of the written examination for firefighter candidates means attaining the minimum score set by the commission or the Joint Labor and Management Committee (currently, attaining a score at or above the median score for all applicants participating in the examination), where applicable. The bill provides that the minimum score set by either the commission or the Joint Labor and Management Committee shall comply with all applicable state and federal laws. The bill sets forth requirements for candidate placement on initial and final eligibility registers.

SB 3038 (Sen. Raoul, Rep. Sandack)—WORKPLACE VIOLENCE EXCEPTION—SB 3038 amends the Victims' Economic Security and Safety Act to include within that Act's prohibited discriminatory acts certain actions by employers against an individual because the individual involved is an employee whose employer is subject to certain provisions of the Workplace Violence Prevention Act. The bill amends the Workplace Violence Prevention Act to change the type of remedy available under the Act to a "workplace protection restraining order." The

bill provides that the Act applies to entities with at least 15 employees, and to require notice to an employee when the employer is seeking a workplace protection restraining order in relation to certain violations of the Criminal Code of 2012.

MEETINGS, PUBLIC RECORDS & NOTIFICATIONS

**HB 3796 (Rep. Currie, Sen. Hastings)—FOIA -
VOLUMINOUS REQUESTS (TOTAL VETO)**—HB 3796 would establish a definition of a "voluminous request" and allow the public body to respond to a voluminous request in much the same manner as when responding to a recurrent requester under the current law. The bill also states that a public body is not required to copy and make available for public inspection a public record that is published on the public body's website-- unless the requester does not have reasonable electronic access. **IML AGENDA**

HB 4216 (Rep. DeLuca, Sen. Haine)—LOCAL RECORDS DESTRUCTION PENALTY—HB 4216 takes the penalty provisions that are currently contained elsewhere in the Criminal Code and places them in the Local Records Act. A similar change was previously made to the State Records Act. This legislation does not impose any new penalty that does not already exist under current law.

HB 5503 (Rep. Demmer, Sen. Connelly)—LOCAL GOVERNMENT AUDIT REPORTS—HB 5503 amends the Counties Code and the Illinois Municipal Code to provide that each fiscal year, within 60 days of the close of an audit of the county's funds and accounts, the auditor conducting the audit shall: (1) provide a copy of any management letter and a copy of any audited financial statements to each member of the county board; and (2) present the information from the audit to the county board either in person or by a live phone or web connection during a public meeting. The bill provides that if the county maintains an Internet website, the county board shall post the information contained in any management letter or financial statements to its website.

MUNICIPAL AUTHORITY

HB 4075 (Rep. Zalewski, Sen. Munoz)—STATE RIDESHARING REGULATIONS—HB 4075 imposes state regulations on ridesharing services. The bill provides that vehicles used in commercial ridesharing arrangements must have proof of financial responsibility. The bill preempts home rule power to regulate. A procedural hold was placed on the bill to prevent it from advancing to the Governor despite having passed both chambers. **IML OPPOSES**

HB 5354 (Rep. Meier, Sen. Trotter) (P.A. 98-0643)—HOME KITCHEN INSPECTION AUTHORITY—HB 5354 provides that the Department of Public Health or the health department of a unit of local government may inspect a home kitchen operation in the event of a complaint or disease outbreak. The bill specifies that the provision concerning home kitchen operations applies only to a home kitchen operation located in a municipality, township, or county where the local governing body has adopted an ordinance authorizing the direct sale of baked goods as described in the provision concerning cottage food operations. Effective June 10, 2014.

HB 5666 (Rep. DeLuca, Sen. Cullerton)—SOLID WASTE HAULING PROGRAM—HB 5666 requires any municipality located in Cook County or the collar counties that has never awarded a commercial franchise agreement for waste hauling to delay awarding a franchise for a minimum of three years after an ordinance is adopted stating the municipality's intent. After three years, the municipality may only award a franchise if the recycling standards of at least 50% of all non-residential businesses have contracted for recycling services. This legislation also preempts home rule.

HB 5709 (Rep. DeLuca, Sen. LaHood)—REAL ESTATE - VALUATION WAIVER—HB 5709 reduces the cost of obtaining right-of-way or temporary easements by allowing municipal employees, with the proper training, to complete federal valuation waivers for right-of-way or temporary easements if the value of the parcel or easement

is under \$10,000 without hiring a licensed appraiser. **IML SUPPORTS**

SB 1778 (Sen. Althoff, Rep. Moeller)—CREATES RESALE DEALERS ACT—SB 1778 creates the Resale Dealers Act to impose regulations on resale dealers. The bill authorizes counties or municipalities to impose stricter regulations than provided under state law. Every resale dealer deliver to local law enforcement each day, a legible and exact copy from the resale dealer's record book that lists all personal property and any other valuable items purchased during the preceding day, including the exact time when the personal property or valuable items were received or purchased and a description of the person or persons that sold or left the property or items in pledge. The bill permits law enforcement agencies to place a hold order on property in the possession of a resale dealer under certain circumstances and that the resale dealer shall be required to turn such property over to law enforcement.

SB 3176 (Sen. Trotter, Rep. Davis)—MODULAR DWELLING AND MOBILE STRUCTURE SAFETY ACT—SB 3176 amends the Illinois Manufactured Housing and Mobile Home Safety Act to change the title of the Act to the Illinois Modular Dwelling and Mobile Structure Safety Act. The bill provides that nothing in the Act prohibits a city, town, village, township, or county from adopting construction standards for mobile structures or modular dwellings under local ordinances, provided such ordinances incorporate the rules adopted under the Act and are approved by the Department of Public Health.

MUNICIPAL LIABILITY

HB 4157 (Rep. Berrios, Sen. Martinez)—SEXUAL HARASSMENT OF UNPAID INTERNS—HB 4157 amends the Illinois Human Rights Act to provide that "employee" includes unpaid interns under provisions concerning sexual harassment in the workplace.

SB 2829 (Sen. Link, Rep. Zalewski)—ADMINISTRATIVE APPEALS—SB 2829 would amend the Code of Civil Procedure to provide that in a successful appeal under the Administrative Review Law of an adverse decision by a unit of local government, the court shall award the plaintiff all reasonable costs, including court costs and attorney's fees, associated with the appeal. The bill provides that if the court finds the decision by the unit of local government was clearly erroneous or that the plaintiff's rights to due process were abridged, the court may award the plaintiff all reasonable costs associated with the entire case dating back to the inception of the administrative proceeding.

MUNICIPAL OFFICERS

HB 3659 (Rep. Franks, Sen. Sandoval)—CTA/RTA COTERMINOUS EMPLOYMENT RESTRICTIONS—HB 3659 amends the Metropolitan Transit Authority Act to prohibit employees and members of the Chicago Transit Board from holding any other office or employment under the Federal, State or any County or any municipal government, or any other unit of local government. The bill makes corresponding changes in the Regional Transportation Authority Act that apply to members serving on the Regional Transportation Authority Board and the Commuter Rail Board.

HB 5623 (Rep. Sandack, Sen. Harmon)—E-MAIL ADDRESSES FOR ELECTED OFFICIALS—HB 5623 amends the Local Records Act to provide that each unit of local government or school district other than Chicago that maintains an Internet website other than a social media or social networking website shall post to its website for the current calendar year a mechanism, such as a uniform, single email address, for members of the public to electronically communicate with elected officials of that unit of local government or school district. The bill requires the information to be easily accessible from the unit of local government's or school district's home page through a hyperlink. The bill limits home rule powers.

SB 3314 (Sen. Syverson, Rep. Cabello)—MUNICIPAL CLERK TRAINING ACT—SB 3314 extends the provisions of the Act to deputy municipal clerks. The bill reduces the number of ex-officio members of the Municipal Clerk Training Institute Committee to one member (currently, 9 members). The bill also provides that the ex-officio member's term may be designated by the governing board of any Illinois university or college at the request of the Executive Board of the Municipal Clerks of Illinois. **IML SUPPORTS**

MUNICIPAL UTILITIES

SB 2657 (Sen. Haine, Rep. Williams)—EPA ADMINISTRATIVE AND POLICY CHANGES—SB 2657 amends the Public Water Supply Operations Act. The bill defines "Class A community water supply", "Class B community water supply", "Class C community water supply", and "Class D community water supply". The bill provides that the Illinois Environmental Protection Agency may adopt rules that classify or reclassify community water supplies as Class A, Class B, Class C, or Class D community water supplies. The bill provides that a community water supply that cannot be clearly classified under a specified provision or Agency rules shall be considered individually and designated, in writing, by the Agency, as a Class A, Class B, Class C, or Class D community water supply. The bill makes a change to qualifications for receiving Water Supply Operator Certificates. The bill amends the Illinois Lake Management Program Act to repeal a provision that established the Task Force on the Conservation and Quality of the Great Lakes.

SB 3507 (Sen. McCarter, Rep. Kay)—RESTRICTIONS ON TAP ON FEES—SB 3507 would restrict the amount townships and municipalities may charge for water and sewer tap on fees. Specifically, the charge may only be up to a 2 month average of the estimated cost of the charge for supplying water or sewer services. The impact of this would be that charges for a water tap would likely be reduced to under \$100. This fee would not even cover the actual cost of installing the water tap. Additionally, this fee in

several communities is used for the repayment of loans for new water or sewer plants and for future repairs. If these fees are mandated to be reduced, it is likely municipalities will have to raise other fees or raise their water and sewer rates. The IML is requesting that the Governor amendatorily veto SB 3507 by removing all references to restricting municipal tap on fees. **IML OPPOSES**

PENSION BENEFITS

HB 3902 (Rep. Beiser, Sen. Haine)—PUBLIC EMPLOYEE BENEFITS—HB 3902 amends the IMRF Article of the Illinois Pension Code. In the definition of "employee," excludes contributors to a Taft-Hartley pension plan to which the participating municipality is required to contribute as the person's employer based on earnings from the municipality; does not apply to persons in service before the effective date.

HB 4691 (Rep. Phelps, Sen. Hastings)—IMRF TRANSFERS INTO NEW DOWNSTATE POLICE PENSION FUND—HB 4691 amends IMRF to provide how pension credits are to be transferred to a newly-created Article 3 (police) pension fund.

HB 5592 (Rep. Andrade, Sen. Martinez)—IMRF-REVERSIONARY ANNUITY—HB 5592 amends the IMRF Article of the Illinois Pension Code. In a provision authorizing the election of a reversionary annuity: (i) deletes the requirement that the election be made at the time retirement annuity begins; and (ii) provides that the election is irrevocable.

HB 5696 (Rep. Poe, Sen. Althoff)—IMRF OMITTED SERVICE—HB 5696 amends the IMRF statute to include provisions regarding omitted service, removing obsolete references to closed transfer windows, and no longer requiring an election if there is only one certified candidate.

SB 1922 (Sen. Raoul, Rep. Madigan) (P.A. 98-0641)—REFORMS TO CHICAGO MUNICIPAL AND LABORER'S PENSION FUNDS—SB 1922 amends the Chicago Municipal and Chicago Laborers' Articles of the Illinois Pension Code. The bill establishes the City's required annual

contribution to the Fund, caps the current pension levy at the full required city contribution amount, creates a payment obligation to the Fund, provides for enforcement through mandamus, and authorizes withholding from State grants in the case of nonpayment. The bill incrementally increases employee contributions. For Tier 1 members, including current retirees, the bill reduces the annual increase in retirement annuity, delays the initial annual increase by one year for new retirees, and eliminates the annual increases in 2017, 2019, and 2025 (with exceptions). For Tier 2 members, the bill reduces the minimum retirement age by 2 years, delays the initial annual increase in retirement annuity by one year, and eliminates the annual increases in 2025. Effective June 9, 2014.

SB 3309 (Sen. Tarrant, Rep. Walsh)—CORRECTING ERRONEOUS PENSION OVERPAYMENTS—SB 3309 amends the downstate police and fire pension funds to allow corrections to mistaken benefit awards. The bill provides for recalculation of the benefit, payment of any underpayment, and in certain cases recovery of an overpayment. It also amends the Social Security Enabling Act (Article 20 of the Code) to authorize the election of optional Medicare coverage by the downstate and Chicago police and firefighter pension funds. **IML SUPPORTS**

PROPERTY TAX

HB 5938 (Rep. Beiser, Sen. Koehler)—MANUFACTURED HOMES DEEMED REAL PROPERTY—HB 5938 creates the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. The bill provides that manufactured homes are deemed to be real property and sets forth certain conditions that must be met to convey or voluntarily encumber a manufactured home as real property. The bill makes changes concerning the taxation of mobile homes and manufactured homes located outside of mobile home parks.

SB 0333 (Sen. Harmon, Rep. Currie)—ERRONEOUS HOMESTEAD EXEMPTIONS—SB 333 amends the Property Tax Code. In a Section concerning erroneous homestead exemptions, provides for

the collection of, and imposes penalties and interest on, the erroneous exemption principal amount (instead of the back taxes due and owing). The bill defines "erroneous exemption principal amount" as the total amount of property tax principal that would have been billed to a property index number but for the erroneous homestead exemption or exemptions a taxpayer received.

SB 0336 (Sen. Trotter, Rep. Turner)—REHAB/REVITALIZE TAX CREDIT ACT—SB 336 amends the Property Tax Code. The bill creates the Community Stabilization Assessment Freeze Pilot Program. The bill provides that the chief county assessment officer in any county may reduce the assessed value of certain improvements to residential real property for 10 taxable years after the improvements are put in service if certain conditions are met. The bill provides for how that the reduction in the equalized assessed value of the improvements is calculated.

SB 0345 (Sen. Hastings, Rep. Riley)—SOCIAL SECURITY AND MEDICARE PROPERTY TAX LEVIES—SB 345 amends the Property Tax Code to provide that the levies authorized under the Illinois Pension Code for social security or Medicare shall not be considered new rates. The bill provides that the amendatory Act does not authorize a taxing district to increase its limiting rate or aggregate extension without first obtaining referendum approval.

SB 0347 (Sen. Holmes, Rep. Cloonen)—CALCULATION OF PROPERTY TAX RATES—SB 347 amends the Property Tax Code to provide that rates may be calculated beyond 3 decimal points to allow the extension to be as close to the levy requested as possible.

SB 2778 (Sen. Biss, Rep. Mitchell)—PROPERTY TAX JUDGMENT AND ORDER OF SALE DATES—SB 2778 amends the Property Tax Code to provide that all applications for judgment and order of sale for taxes and special assessments on delinquent properties shall be made by (i) July 1, 2015 for tax year 2013, (ii) May 1, 2016 for tax year 2014, (iii) by March 1, 2017 for tax year 2015,

and (iv) within 90 days after the second installment due date for tax year 2016 and each tax year thereafter.

SB 2854 (Sen. Jones, Rep. Rita)—ERRONEOUS PROPERTY TAX ASSESSMENTS AND OVERPAYMENTS—SB 2854 amends the Property Tax Code. In a Section concerning refunds for erroneous assessments or overpayments, the bill makes the following changes applicable to Cook County: (i) allows the claimant to recover the costs of suit, and (ii) provides that the total amount of taxes and interest refunded for claims for which the right to a refund arose prior to January 1, 2009 shall not exceed \$2,500,000 per year.

SB 3147 (Sen. Hunter, Rep. Currie)—EXTENSION OF HOUSING OPPORTUNITY ABATEMENT PROGRAM—SB 3147 amends the Property Tax Code to provide that the housing opportunity abatement program applies to tax years 2004 through 2024 (now 2014).

SB 3259 (Sen. Frerichs, Rep. Hays)—VALUATION OF COMMERCIAL AND INDUSTRIAL PROPERTY—SB 3259 amends the Property Tax Code to create a special valuation method for commercial or industrial property that (i) is owned and used by a small business and (ii) has been rebuilt following a natural disaster occurring in taxable year 2013 or any taxable year thereafter.

PUBLIC HEALTH & SAFETY

HB 2453 (Rep. Bradley, Sen. Cullerton) (P.A. 98-0634)—CHICAGO 9-1-1 SURCHARGE—HB 2453 amends the Department of State Police Law. The bill creates a Division of the Statewide 911 Administrator to develop, implement, and oversee a uniform statewide 911 system for all areas of the State outside of municipalities having a population of more than 500,000. The bill amends the Emergency Telephone System Act to permit the corporate authorities of a municipality with a population of 500,000 or more to impose a monthly surcharge until July 1, 2015, but not greater than the highest monthly surcharge imposed as of January 1, 2014 by a

county or municipality. The bill amends the Wireless Emergency Telephone Safety Act to set forth surcharge collection amounts and distribution procedures. The bill requires the Illinois Commerce Commission to create uniform accounting procedures that any emergency telephone system board, qualified governmental entity, or unit of local government imposing a wireless carrier surcharge must follow. Effective June 6, 2014. **IML SUPPORTS**

HB 4442 (Rep. Davis, Sen. Raoul) P.A. 98-0686—TRAFFIC STUDY REPEAL DATE EXTENSION—HB 4442 replaces the removal of the July 1, 2015 repeal date for the Section requiring a traffic stop statistical study with a 4-year extension of the repeal date. Effective June 30, 2014.

HB 4743 (Rep. Moffitt, Sen. Bivins)—VEHICLE IMPOUNDMENT RELEASE PROCEDURES FOR COUNTIES—HB 4743 amends the Illinois Vehicle Code to provide that counties may adopt administrative procedures for the release of impounded vehicles. Municipalities already possess this authority. The bill also provides that counties and municipalities that do not wish to set up an administrative review of the hearing officer's decisions shall direct appeals to the circuit court having jurisdiction over the county or municipality.

HB 5085 (Rep. Leitch, Sen. LaHood)—CULTIVATION OF INDUSTRIAL HEMP AUTHORIZATION—HB 5085 amends the Cannabis Control Act to provide that an institution of higher education or the Department of Agriculture may grow or cultivate industrial hemp under certain conditions. The bill provides that if an institution of higher education decides to conduct research, then, prior to conducting the research, the institution of higher education shall notify the Department of Agriculture and any local law enforcement agency in writing.

HB 5688 (Rep. Burke, Sen. Munoz)—LAW ENFORCEMENT-ARMOR VESTS—HB 5688 creates the Law Enforcement Officer Bulletproof Vest Act. The bill provides that each law enforcement

agency within the State shall provide a bulletproof vest for every law enforcement officer of that agency who is employed as a new recruit by that agency on or after the effective date of the Act as part of the officer's initial equipment issue. The bill does not apply to a law enforcement agency if certain conditions are met.

SB 1381 (Sen. Koehler, Rep. Gordon)—FLASHING YELLOW RIGHT-OF-WAY—SB 1381 amends the Vehicle Code to allow a vehicle or pedestrian to enter an intersection under direction of a flashing yellow traffic-control signal, but yield to pedestrians and other vehicles already lawfully within the intersection. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow indication is first displayed.

SB 2583 (Sen. Noland, Rep. D'Amico)—PROCESS FOLLOWING VIOLATION OF TRAFFIC LAWS—SB 2583 amends the Illinois Vehicle Code to provide that residents of this State who are cited by a police officer for violating a traffic law or ordinance shall have the option of (1) being taken without unnecessary delay before a court of jurisdiction or (2) executing a written promise to comply with the terms of the citation by signing at least one copy of a Uniform Traffic Ticket prepared by the police officer. For a traffic violation that is a petty offense as defined by the Unified Code of Corrections, no bond shall be required and personal recognizance shall be acceptable unless prohibited by law. The procedure for traffic violations that are not petty offenses shall be governed by Supreme Court Rules.

SB 2695 (Sen. Koehler, Rep. Unes)—LAW ENFORCEMENT EMPLOYEE MISUSE OF INFORMATION—SB 2695 amends the Criminal Code of 2012 concerning official misconduct. The bill provides that an employee of a law enforcement agency commits misconduct when he or she knowingly uses or communicates, directly or indirectly, information acquired in the course of employment, which obstructs, impedes, or prevents the investigation,

apprehension, or prosecution of any criminal offense or person. The bill provides that an employee who violates this provision is guilty of a Class 3 felony and shall forfeit his or her office or employment.

SB 2808 (Sen. Biss, Rep. Williams) — LOCATION SURVEILLANCE RESTRICTIONS — SB 2808 creates the Freedom from Location Surveillance Act. The bill provides that a law enforcement agency shall not obtain current or future location information pertaining to a person or his or her effects without first obtaining a court order based on probable cause to believe that the person whose location information is sought has committed, is committing, or is about to commit a crime or the effect is evidence of a crime, or if the location information is authorized under an arrest warrant issued under the Code of Criminal Procedure of 1963 to aid in the apprehension or the arrest of the person named in the arrest warrant.

SB 2928 (Sen. Link, Rep. Osmond) — LAW ENFORCEMENT COLLECTION AND TRANSPORT OF CONTROLLED SUBSTANCES — SB 2928 amends the Environmental Protection Act to allow a law enforcement agency to collect, store, and transport controlled substances from residential sources to a site or facility permitted by the Illinois Environmental Protection Agency. The bill requires such collected controlled substances to be managed in accordance with the Environmental Protection Act, its corresponding rules and permits, and federal and State laws and regulations.

SB 2937 (Sen. Biss, Rep. Williams) — DRONE SURVEILLANCE AND LAW ENFORCEMENT — SB 2937 amends the Freedom from Drone Surveillance Act. The bill provides that, except as provided in the Act, a law enforcement agency may not acquire information from or direct the acquisition of information through the use of a drone owned by a private third party. The bill allows use of a drone without a search warrant, if a law enforcement agency is using a drone during a disaster or public health emergency. The use of a drone does not require an official

declaration of a disaster or public health emergency prior to use. The drone may be used to obtain information necessary for the determination of whether or not a disaster or public health emergency should be declared, to monitor weather or emergency conditions, to survey damage, or to otherwise coordinate response and recovery efforts. The use of a drone is permissible during the disaster or public health emergency and during subsequent response and recovery efforts.

SB 3096 (Sen. Hastings, Rep. Lang) — CALIBRATION OF AUTOMATED SPEED CAMERAS — SB 3096 amends the Illinois Vehicle Code to provide that calibration of automated speed enforcement systems shall be conducted on an annual basis.

SB 3225 (Sen. Morrison, Rep. Unes) — VETERANS' AWARENESS TRAINING FOR LAW ENFORCEMENT — SB 3225 amends the Illinois Police Training Act. It provides that the Illinois Law Enforcement Training Standards Board may conduct or approve a training program in veterans' awareness for law enforcement officers of local government agencies. This legislation encourages each local government agency to designate an individual to respond to veterans' issues.

SB 3411 (Sen. Manar, Rep. Hoffman) (P.A. 98-0650) — TICKET QUOTAS — SB 3411 would provide that a county or municipality may not require a law enforcement officer to issue a specific number of citations or warnings within a designated period of time. The bill also provides that a county or municipality may not, for purposes of evaluating a law enforcement officer's job performance, compare the number of citations or warnings issued by the law enforcement officer to the number of citations or warnings issued by any other law enforcement officer who has similar job duties. The bill limits home rule powers. Effective January 1, 2015.
IML OPPOSES

SB 3414 (Sen. Steans, Rep. Harris) — EMS-EMT CHANGES — SB 3414 amends the Emergency Medical Services (EMS) Systems Act to change

several EMT designations. The bill also provides that a valid First Responder license shall continue to be valid and shall be recognized as an Emergency Medical Responder license until the First Responder license expires, provides that all EMS Systems and licensees shall be fully compliant with the National EMS Education Standards, as modified by the Department of Public Health in administrative rules, within 24 months after the adoption of the administrative rules. In a provision amending the AIDS Confidentiality Act, the bill provides that informed consent is not required to perform a test for HIV if an emergency medical responder or pre-hospital registered nurse is involved in an accidental contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV.

SB 3434 (Sen. Morrison, Rep. Burke)—SEIZURE AND FORFEITURE OF WATERCRAFT—SB 3434 amends the Criminal Code of 2012 to provide for the seizure and forfeiture of a watercraft used with the knowledge and consent of the owner in the commission of specified offenses.

REVENUE & FINANCE

HB 0961 (Rep. DeLuca, Sen. Cullerton)—PROMPT PAYMENT OF LGDF PROCEEDS—HB 961 provides that the local portion of income tax proceeds are deposited within 60 days into the Local Government Distributive Fund for allocation rather than being placed into the General Revenue Fund. This bill would alleviate the problem of the State being late in tax disbursements to local governments. **IML AGENDA**

HB 2317 (Rep. Zalewski, Sen. Harmon) (P.A. 98-0628)—PROPERTY TAX BILL DELIVERY AND VEHICLE SELLING PRICE DEFINITION—HB 2317 amends the Property Tax Code to provide that property tax bills may be sent via e-mail only if the property owner or taxpayer has requested in writing to have the bill sent via e-mail. The bill also amends the Use Tax Act and the Retailers' Occupation Tax Act to make changes to the definition of "selling price" with respect to vehicles that are sold on or after July 1, 2014 for

the purpose of leasing the vehicle for a defined period of longer than one year. Effective January 1, 2015.

HB 3885 (Rep. Manley, Sen. Tarrant)—ACCESS TO IDOR SALES TAX INFORMATION—HB 3885

provides that the Department may provide information concerning net revenues by business that is distributed to the requesting municipality insofar as the revenue is related to the requesting municipality's local share of the proceeds under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, and any locally imposed retailers' occupation tax or service occupation tax. **IML SUPPORTS**

SB 0220 (Sen. Kotowski, Rep. Madigan) (P.A. 98-0674)—FY2015 BUDGET IMPLEMENTATION ACT—SB 220 creates the FY2015 Budget Implementation Act. The bill provides that the purpose of the Act is to make the changes in State programs that are necessary to implement the Governor's FY2015 budget recommendations. The bill preserves LGDF revenue. Effective June 30, 2014.

SB 1812 (Sen. Link, Rep. Brauer)—DEPOSIT OF PUBLIC FUNDS INTO DEMAND DEPOSIT ACCOUNTS—

SB 1812 amends the Public Funds Deposit Act. The bill provides that, in addition to other investments permitted by law, any treasurer or other custodian of public funds may deposit those funds into demand deposit accounts. The bill excludes those deposits from statutory requirements pertaining to the eligibility of a bank to receive or hold public deposits, and to the pledging of collateral by a bank to secure public deposits, if (i) the public agency initiates the investment at or through a bank located in Illinois and (ii) the invested public funds are at all times fully insured by an agency or instrumentality of the federal government.

SB 2612 (Sen. Kotowski, Rep. Currie)—SALES TAX ADMINISTRATION AND MODERNIZATION—SB

2612 makes numerous changes concerning the administration of sales tax by the Illinois Department of Revenue. It allocates certain tax

proceeds to pay for additional auditors by the Department. It creates the "Use and Occupation Tax Reform Task Force" for the purpose of conducting a study on modernizing State and local use and occupation taxes in Illinois. It contains provisions concerning the location where a retail sale is deemed to have taken place in the case of: over-the-counter sales; sales of food, beverages, and other tangible personal property through a vending machine; and sales of minerals. Finally, it imposes penalties on municipalities and other units of government that do not file reports with the Department concerning sales-tax-rebate agreements. The penalties are \$20 per day for each day that the report is overdue and any subsequent rebate agreement is invalid if the report is not filed.

SB 2690 (Sen. Manar, Rep. Moffitt) (P.A. 98-0662)— INCREASED FIRE TRUCK LOAN AMOUNT — SB 2690 amends the Illinois Finance Authority Act to provide that loans for the purchase of fire trucks or brush trucks may not exceed \$350,000 (now, \$250,000) to any fire department or fire protection district. Effective June 23, 2014. **IML SUPPORTS**

SB 3027 (Sen. Link, Rep. Currie)— MOBILE HOME ADMINISTRATIVE SALE IN ERROR — SB 3027 amends the Mobile Home Local Services Tax Enforcement Act to provide that the county collector may declare an administrative sale in error under certain circumstances.

SB 3447 (Sen. Noland, Rep. Crespo)— STATE TREASURER FEE ON LOCAL REVENUE DISTRIBUTIONS — SB 3447 amends the County Motor Fuel Tax Law in the Counties Code and the Home Rule Municipal Use Tax Act in the Illinois Municipal Code to provide that the State Treasurer shall retain 2% of the amount to be paid to each county or municipality under those provisions (not including credit memoranda or refunds) to cover the costs incurred by the Department of Revenue in administering and enforcing those provisions. The bill provides that the 2% shall be transferred to the Tax Compliance and Administration Fund. **IML OPPOSES**

TIF & ENTERPRISE ZONES

HB 3924 (Rep. Mautino, Sen. Rezin)— TIF EXTENSION—OTTAWA — HB 3924 creates a tax increment allocation financing extension for an ordinance adopted on December 29, 1993 by the City of Ottawa. **IML SUPPORTS**

HB 4185 (Rep. Harris, Sen. Murphy)— TIF EXTENSION—ARLINGTON HEIGHTS — HB 4185 creates a tax increment allocation financing extension for an ordinance adopted on July 1, 2002 by the Village of Arlington Heights. **IML SUPPORTS**

HB 4286 (Rep. Cabello, Sen. Stadelman)— TIF EXTENSION—MACHESNEY PARK — HB 4286 creates a tax increment allocation financing extension for an ordinance adopted on February 11, 1991 by the Village of Machesney Park. **IML SUPPORTS**

SB 0504 (Sen. Mulroe, Rep. Martwick) (P.A. 98-0667)— TIF EXTENSION - CHICAGO AND NAPERVILLE — SB 504 creates a tax increment allocation financing extension for ordinances adopted by the City of Chicago and the Village of Naperville. Effective June 25, 2014. **IML SUPPORTS**

TRANSPORTATION

HB 3794 (Rep. Madigan, Sen. Manar)— CAPITAL INFRASTRUCTURE PROGRAM — HB 3794 includes one billion dollars for spending on those road and bridge projects already included within IDOT's 5-year plan. Of interest to municipalities is that \$100 million has also been earmarked for local road repair projects. **IML SUPPORTS**

HB 4385 (Rep. Walsh, Sen. Hastings)— IDOT VEHICLE SALE TO LOCAL GOVERNMENTS — HB 4385 will allow the Department of Transportation to sell any self-propelled motorized equipment in excess of 25 horsepower and attachments to units of local government upon a determination by the Department of Central Management Services that this equipment will not be re-allocated to other State agencies. **IML SUPPORTS**

HB 4386 (Rep. Walsh, Sen. Harris)—PROHIBITION ON OPERATING COMMERCIAL MOTOR VEHICLES—

Among other provisions, HB 4386 provides that an employer or commercial motor vehicle owner shall not allow or require an employee to drive a commercial motor vehicle if he or she knows or should reasonably know (rather than just knowingly) that the employee has (1) had their license suspended, revoked, or cancelled by any state; (2) has lost the privilege to operate a commercial motor vehicle in any state; (3) has been disqualified from driving a commercial motor vehicle; (4) has more than one driver's license except as provided by the Uniform Commercial Driver's License Act; or (5) is subject to or in violation of an "out-of-service" order.

HB 4956 (Rep. Sullivan, Sen. Link)—QUICK-TAKE AUTHORITY - VILLAGE OF MUNDELEIN—

HB 4956 provides that quick-take proceedings may be used for a period of no longer than one year after the effective date by the Village of Mundelein for the acquisition of property and easements and making other public utility improvements, including the construction of a bike path.

HB 5326 (Rep. Mayfield, Sen. Cunningham)—PERMANENT VEHICLE REGISTRATION PLATES FOR LOCAL GOVERNMENT VEHICLES—

HB 5326 amends the Illinois Vehicle Code to provide that permanent vehicle registration plates shall be issued for a one-time fee of \$8 to vehicles owned by counties, townships, or municipal corporations used for the purpose of community workplace commuting as defined by rule by the Secretary of State. The bill provides that the Secretary has discretion over the design and color of these plates and may adopt rules to implement these provisions.

SB 2620 (Sen. Sandoval, Rep. Rita)—HIGHER WEIGHT LIMITATIONS FOR SEWER REPAIR VEHICLES—

SB 2620 amends the Illinois Vehicle Code to provide that the weight limitation for a 3 or 4 axle vehicle (including when laden) operated or hired by a municipality within Cook, Lake, McHenry, Kane, DuPage, or Will County

being operated for the purpose of performing emergency sewer repair that would normally be subject to a weight limitation less than 66,000 pounds shall have a weight limitation of 66,000 pounds or the vehicle's gross vehicle weight rating, whichever is less. The bill provides that this exception to the standard weight formula does not apply on the National System of Interstate and Defense Highways, bridges, or other elevated structures constituting a part of a highway.

SB 3139 (Sen. McCann, Rep. Davidsmeyer)—TRUCK WEIGHT LIMITS FOLLOWING PROPANE SUPPLY DISASTER DECLARATION—

SB 3139 amends the Illinois Vehicle Code to provide the circumstances under which a propane transportation truck can exceed the vehicle weight limits during an emergency propane supply disaster.

SB 3224 (Sen. Hutchinson, Rep. Madigan)—BONDING INCREASE FOR TRANSPORTATION PROJECTS—

SB 3224 amends the General Obligation Bond Act to increase the total authorization for General Obligation Bonds by \$600,000,000. The bill increases the bond authorization for use statewide for State or local highways, arterial highways, freeways, roads, bridges, and structures separating highways and railroads and roads, and for grants to counties, municipalities, townships, or road districts for planning, engineering, acquisition, construction, reconstruction, development, improvement, extension, and all construction-related expenses of the public infrastructure and other transportation improvement projects which are related to economic development in the State of Illinois by \$1,100,000,000, and eliminates the \$500,000,000 bond authorization for the purpose of providing financial assistance to new electric generating facilities. **IML SUPPORTS**

SB 3574 (Sen. Sandoval, Rep. Mayfield)—NATURAL/PROPANE GAS VEHICLES EXCEEDING ROAD WEIGHT LIMIT—

SB 3574 amends the Illinois Vehicle Code to provide that vehicles or a combination of vehicles fueled by natural or propane gas may exceed the weight limits of the Illinois Vehicle Code by 2,000 pounds except

when on an interstate highway and so long as they do not exceed any posted weight limits.

UTILITIES

HB 2427 (Rep. Gabel, Sen. Harmon)—RENEWABLE ENERGY SUPPLEMENTAL PROCUREMENT PROCESS—

HB 2427 amends the Illinois Power Agency Act to provide for a supplemental procurement process for the procurement of renewable energy credits from new or existing photovoltaics.