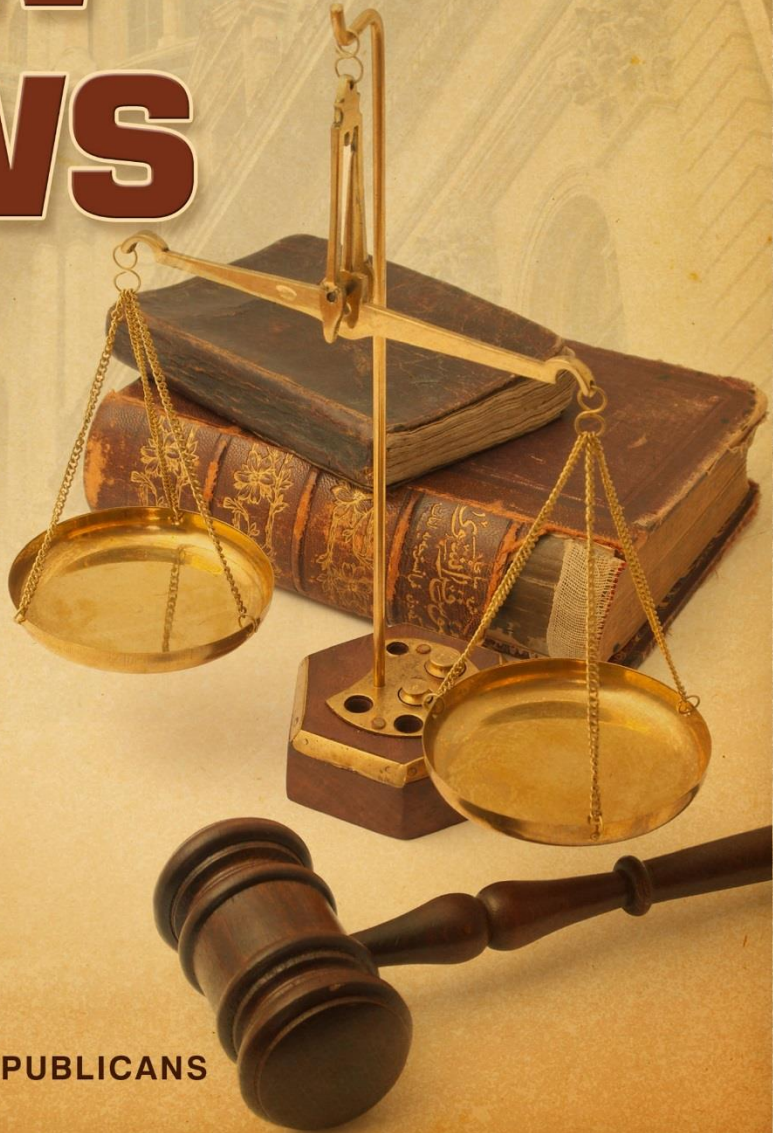


# 2014 NEW LAWS



ILLINOIS SENATE REPUBLICANS

## New Laws for 2014

More than 200 new laws take effect on January 1, 2014, including measures targeting distracted driving and developing the rules and regulations associated with the state's new medical marijuana law.

Additional laws will increase the transparency of the state grant process, and many motorists will be happy to learn the state speed limit will soon increase to 70 miles per hour on most Illinois interstates.

### **Ban Political Use of State Grants**

Though state grants account for hundreds of millions of taxpayer dollars each year, it is extremely difficult to track these funds and what they are being used for.

Two new laws sponsored by Senate Republican Leader Christine Radogno (R-Lemont) will not only make it easier to review how grant monies are being used, but ensure the dollars aren't being used in an inappropriate manner—such as furthering someone's political ambitions.

Beginning Jan. 1, Senate Bill 2380 will restrict state grant dollars from being used for prohibited political activities.

To more easily track state grants, Senate Bill 2381 requires the state's Chief Information Officer to develop a system to collect state financial data, including information specific to the management and administration of grant funds, and make the information available on [www.data.illinois.gov](http://www.data.illinois.gov) for public review.

The new laws were introduced in response to a four-month [2012 CNN investigation](#) that revealed millions of taxpayer-financed grant dollars had been used by Gov. Pat Quinn's Neighborhood Recovery Initiative grant program to finance a variety of questionable

activities. The money was used to pay teenagers to march in a parade with the Governor, hand out flyers promoting inner peace, take field trips to museums, and attend yoga classes. The Neighborhood Recovery Initiative program is being audited by the state's Auditor General.

### **Distracted Driving: Cell Phone Ban**

Illinois joins roughly a dozen other states with laws banning the use of cell phones while driving. Though the state already has a prohibition in place for texting and driving, once House Bill 1247 takes effect Illinois residents will no longer be allowed to talk on cell phones when driving, unless using hands-free technology.

A survey conducted by the National Highway Traffic Safety Administration found that at any given daylight moment across America, approximately 660,000 drivers are using cell phones or manipulating electronic devices while driving. Proponents say the new law will cut down on distracted driving, making Illinois' roads safer.

Violators of the law will be fined \$75 for a first offense. Fines of as much as \$150 could be issued for repeat offenses as well as facing a moving violation on their driving record. Drivers are still allowed to make calls in an emergency.

Another law will increase penalties for accidents involving someone who was using a cell phone or other communication device while behind the wheel. House Bill 2585 increases penalties for drivers who were distracted by these types of devices, if it led to a motor vehicle accident resulting in serious injury or permanent disability. These were previously considered a petty offense; however, as of January 1, those convicted could be charged with a felony,

carrying penalties of up to 3 years in prison and a fine of up to \$25,000.

### **70 mph Speed Limit Takes Effect**

Illinois' speed limit will soon be in line with most of the country. Senate Bill 2356 increases the maximum speed limit to 70 miles per hour (mph) on most interstates and toll highways.

Sponsored by Sen. Jim Oberweis (R-Sugar Grove), the new law updates speed limits to reflect the reality of current driving speeds in Illinois and other states.

Interstates were designed for a higher rate of speed, and currently there are 34 states with speed limits of 70 mph or higher. Fifteen states have speed limits of 75 mph and one state has a speed limit of 85 mph. All of Illinois' neighboring states, except Wisconsin, have speed limits of 70 mph; however, the Wisconsin Assembly also recently voted to increase the speed limit to 70 mph on many state highways.

Although the law goes into effect January 1, the Illinois Department of Transportation has said it may take until mid-January before Interstate speed limit signs are updated across the state.

At the request of the Illinois State Police, Senate Bill 2356 also lowers the threshold to increase the penalty for speeding from a petty offense to a misdemeanor. Speeding in excess of 26 miles per hour but less than 35 mph (currently 31-40 mph) will be a Class B misdemeanor. Speeding in excess of 35 mph (currently 40 mph) will be a Class A misdemeanor.

Senate Bill 2356 allows Cook County; the collar counties around Chicago; and Madison County and St. Clair County near St. Louis, to opt out of the higher speed limit via ordinance.

### **Medical Marijuana in Illinois**

Last summer, Illinois' new medical marijuana law was signed. House Bill 1 legally allows

authorized patients to use medical marijuana grown by an approved cultivation center and purchased from a registered dispensary.

Once the new law takes place on January 1, the Illinois Department of Public Health, the Illinois Department of Financial and Professional Regulation, and the Illinois Department of Agriculture will have 120 days to develop the rules that will allow them to carry out their responsibilities dictated by House Bill 1. This will include developing a registry of patients who are allowed to use marijuana, and establishing the rules and regulations governing medical marijuana cultivation centers and dispensaries.

House Bill 1 extends only to patients suffering from approximately 30 specific diseases and conditions. As one of the most strictly drafted medical marijuana laws in the country, doctors will be prohibited from prescribing the drug for generalized conditions such as "chronic pain" or "severe nausea."

Proponents stressed that the bill strictly limits the drug to only those with serious illnesses, emphasizing that medical marijuana has been shown to alleviate pain, nausea and improve appetite for many patients with terminal or debilitating diseases.

However, opponents raised a number of concerns, citing evidence that marijuana is a "gateway" drug that opens the door to abuse of more harmful drugs and reiterating apprehensions raised by law enforcement officials; no local, state or federal law enforcement support the measure. They also pointed out House Bill 1 conflicts with federal law, and would create an additional layer of bureaucracy in Illinois to regulate cannabis.

Senate Republicans have posted a detailed explanation of House Bill 1 and the associated regulations included in the bill at the [official Senate Republican website](#).

## Complete Listing

*A listing of all new laws scheduled to go into effect on January 1, follows.*

*Not all measures approved by the General Assembly go into effect on the first of the year. Bills which contain a specific effective date within the language of the measure and bills that carry an “immediate” effective date can go into effect at other times of the year.*

*However, January 1 is the default date for a new law to become effective if there is no specific language specifying when it will become effective.*

*Under the Illinois Constitution, the legislature must set a “uniform effective date” for laws passed prior to June 1 of a calendar year. That uniform effective date, which is January 1, applies if the legislation does not otherwise specify when the law becomes effective.*

### Agriculture, Animals and Hunting

**Tethering Dogs (HB 83/PA 98-0101):** Provides standards for dog owners to lawfully tether a dog outdoors. Exempts walking with a leash, cultivating agriculture products and shepherding or herding livestock. Violations would be a Class B misdemeanor (up to six months in jail and/or a \$1500 fine). Concerns were raised because the minimum tethering distance could make it impossible for homeowners with small yards to comply with the law.

**Unlawful Wildlife Possession (SB 1170/PA 98-0119):** Makes it illegal to possess any wildlife or wildlife parts taken unlawfully in Illinois, any other state or any other country, whether or not the animal is indigenous to Illinois. This is an attempt by conservation police to help other states and countries with cases involving wildlife or wildlife parts that have been illegally taken. Other states and countries are able to prosecute these offenders, while Illinois is not.

**Wildlife Disposal (SB 1620/PA 98-0183):** Makes it unlawful for any person having control over harvested game mammals, game birds, or migratory game birds that have a bag limit to waste or destroy usable meat of the game. Usable meat is defined as the breast meat of the game bird or migratory game bird and the hind ham and front shoulders of a game mammal. Provides it is unlawful to leave, dump or abandon wildlife carcass on highway—this is targeting situations where outfitters are killing deer, removing the head/antlers as a trophy and then dumping the carcass.

**Animal Fights (HB 3388/PA 98-0311):** Establishes a training program in animal fighting awareness for law enforcement officers. Would help law enforcement officers to identify animal fighting operations and respond appropriately. Training would include non-lethal ways to subdue a dog.

**Commercial Fishing (HB 1650/PA 98-0336):** Requires commercial fishermen and individuals assisting commercial fishermen to obtain a sport fishing license in addition to a commercial fishing license. Allows watercraft to be used as a primary collection device for commercial fish by licensed commercial fishermen, as long as it is tagged with a commercial watercraft device tag and is licensed by the State and in compliance with Coast Guard boating regulations. The bill exempts persons taking Asian Carp by boat for non-commercial purposes.

**Puppy "Lemon Law" (SB 1639/PA 98-0509):** Creates a lemon provision, in which a customer may receive monetary compensation, up to the cost of the pet, if a veterinarian finds that a diseased dog or cat was sold by a pet shop. Requires pet shops to inform pet owners and the Illinois Dept. of Agriculture of any potential diseases if there is a breakout in the pet shop. Customers can choose which

warranty that would apply (pet shop warranty or lemon law provisions). Opponents raised concerns that the measure applied only to pet shops and not other sellers of animals when pet shops only account for 14% of all dogs and cats sold in the state.

## **Business, Commerce, Labor and Licensure**

**Subcontractors (HB 923/PA-0105):** Requires contractors to report payments to any subcontractors or independent contractors to the Department of Labor. The legislation was strongly opposed by small business because it is drafted to apply only to non-union contractors. It is viewed as an additional burden on small businesses, requiring them to disclose proprietary information on what they pay their business partners – information that is not required to be disclosed by other employers.

**Employee Classification (HB 2649/PA 98-0106):** Seeks to address the practice of misclassifying employees as independent contractors in the construction industry. Imposes substantial penalties, cease and desist orders, and debarment orders against employers found to have misclassified employees as independent contractors. Also imposes individual liability onto corporate officers and agents that "knowingly permit such employer to misclassify its employees." Exempts groups that are "responsible bidders" from having to comply with these new requirements. Opponents have raised concerns that the measure is largely targeted at making it more difficult for non-union contractors to win contracts.

**Opened Wine Bottles (SB 722/PA 98-0145):** Provides that Illinois wineries may permit a patron to remove an opened and partially consumed bottle of wine for off-premise consumption. The wine must be resealed in a tamper-proof package.

**Prevailing Wage Reports (HB 2540/PA 98-0173):** Deletes language requiring copies of prevailing wage reports to be filed with the Secretary of State. The Secretary of State has no responsibility over prevailing wage rates and the filing simply duplicates information already filed with the Illinois Department of Labor.

**Optometrist Definition (SB 1876/PA 98-0185):** Replaces an outdated definition of "therapeutic optometrist" with "optometrist."

**Payday Loan Fines (HB 1323/PA 98-0209):** Amends the Payday Loan Reform Act and Consumer Installment Loan Act by allowing the state's financial regulation agency to establish standards, procedures, and fines for violations of the acts. The loan industry is seeking this legislation because they feel that the lack of clear rules and standards has led to unequal treatment among lenders.

**Professional Licensure Privacy (HB 1338/PA 98-0211):** States that when the Department of Financial and Professional Regulation (DFPR) issues a license or a certificate that is required to be displayed at a place of business, the license or certificate can not include the individual's home address on the face of the license.

**Automotive Service Contracts (HB 1460/PA 98-0222):** Expands the definition of service contracts to include repair/replacement of tires/wheels, removal of dents, repair of windshield, key replacement, and use of protective chemicals or devices.

**Barber School Licensure (HB 2210/PA 98-0238):** This is designed to bring state statute into compliance with new US Department of Education regulations governing federal student aid programs. It prohibits anyone from operating a school or college of barbering unless they are licensed by the Department of Financial and Professional Regulation. All schools must be a post-secondary school.

**Electronic Signatures (SB 1826/PA 98-0289):**

This measure allows for the use of an electronic signature for plans submitted by architects, engineers and land surveyors when submitting computer-prepared plans.

**Restricts Rebuttable Presumption for EMT/Paramedics (SB 1847/PA 98-0291):**

Amends the Workers' Compensation Act. Provides that the rebuttable presumption that certain health conditions arose out of and in the course of employment that applies to paramedics and emergency medical technicians (EMTs) applies only to public employees that spend their time responding to emergencies.

**Hispanic Employment (HB 3270/PA 98-0329):**

Creates the Hispanic Employment Advisory Council in the Department of Central Management Services. Aimed at increasing Hispanic hiring.

**Motorcycle Dealers (HB 2508/PA 98-0424):**

Prohibits motorcycle manufacturers from requiring motorcycle dealers to use manufacturer approved floor fixtures for the display of any product that is not a product of the manufacturer; purchase lighting fixtures that are to be installed in the dealership only from the manufacturer's approved vendors; or relocate to a new or alternate facility.

**Workplace Violence (HB 2590/PA 98-0430):**

Creates the Workplace Violence Prevention Act. Allows an employer to seek an order of protection to prevent further violence or threats of violence to an employee. This would be used in cases where the employee has been threatened or attacked at their place of work or there is a credible threat of violence at the workplace. This could include cases where domestic violence spills over to the workplace and cases where a worker is threatened by a disgruntled customer or former employee, but it also would include instances where the person making the threat has no connection to either the business or the employee.

**Funeral Directors (HB 2616/PA 98-0432):**

Allows an owner who is not licensed under the Funeral Directors and Embalmers Licensing Code to interact with clients while a licensed funeral director is present.

**Prevailing Wage Records (HB 3223/PA 98-0482):**

Imposes a number of new burdens on non-union contractors requiring them (but not union contractors) to track and submit a significant amount of new information on their certified payroll for work performed on a public works project. These added reporting requirements will discourage competition for publicly financed projects, which could be more costly for taxpayers.

**Commercial Code (SB 2186/PA 98-0498):** Brings the state's Uniform Commercial Code into conformance with the federal Electronic Funds Transfer Act.

**Facebook Privacy (SB 2306/PA 98-0501):** The bill creates a very narrow exception for employers in the insurance industry to monitor a business-related social media website created by an employee. The legislation was needed to allow an employer to access an employee's social media account when the employer is required under Illinois insurance laws or federal law to monitor employee communications.

**Home Office Cost Statement Submission (SB 2353/PA 98-0505):** Requires corporations that own chains of nursing homes to submit a copy of the federal Home Office Cost Statement to the Department of Public Health. Requests for the statement would be accessible under the Freedom of Information Act.

**Wage Claims (SB 1568/PA 98-0527):** Increases penalties for employers that violate the Illinois Wage Payment and Collection Act. Also expands the Department of Labor's jurisdiction over claims under the Wage Payment and Collection Act, including claims of \$3,000 or less.

**Labor Relations Board (SB 1830/PA 98-0535):** Clarifies that the Board has the authority, but not the obligation, to set the pay rates of arbitrators and to establish suspension and dismissal procedures. A recent audit by the Auditor General found that the Board was required to set fees for the mediation panel. However, since the Board was created in 1984 it has never set the fees of the arbitrators. Instead, the arbitrators have always set their own fees. This would give the Board the ability to continue the current practice without violating the law.

**Mine Electrician Licensure (SB 2255/PA 98-0543):** Creates certificates of competency for mine electricians. Applicants for a certificate must have at least one year of experience of electrical work in a coal mine or related industry, and pass an exam. Defines a "qualified mine electrician" as an individual who has completed the required classroom instruction from an approved college or university and can produce evidence of at least one year of experience in performing electrical work in a coal mine or related industry. The underlying bill was a shell.

**Auctioneer/Real Estate Licensure (SB 92/PA 98-0553):** Allows an auctioneer without a real estate license to perform certain activities regarding a real estate auction, as long as the auctioneer holds an auction license and obtains a Real Estate Auction Certification. The bill allows auctioneers without a real estate license to participate in real estate auctions by partnering with someone who has a real estate license.

## Children and Families

**Redeploy Illinois (HB 2401/PA 98-0060):** Allows Cook County to participate in the "Redeploy Illinois" program, and have access to "Redeploy Illinois" funds. Twenty-eight counties currently participate in the program, which provides financial incentives to keep youth in the local

community rather than commit them to the Department of Juvenile Justice.

**Foster Parents (HB 2659/PA 98-0249):** Allows foster parents and relatives who are caregivers to challenge the Department of Children and Family Services' (DCFS) placement of a child or children. Defines a foster parent to include a relative selected by DCFS to provide care for a minor. Also allows relatives who have been foster parents for a child to have input in a return home decision.

**Child Support (HB 2473/PA 98-0417):** Clarifies that persons who repeatedly fail to obey court-ordered child support can be jailed for contempt of court. In 2012, P.A. 97-0848 (HB 5434) enacted protections in response to people being jailed as a part of collection efforts. Proponents cast it as preventing people from being incarcerated for unpaid debts, but neglected to recognize that body attachments are issued for contempt of court, not for failing to pay debts. HB 2473 fixes one of the unintended consequences of P.A. 97-0848 (HB 5434).

**Adoptions (HB 2809/PA 98-0455):** Simplifies legal language related to foreign and interstate adoptions by Illinois residents, by ensuring that Illinois' policies mesh with federal guidelines, and by providing changes to the adoption appeal process.

**Divorce (HB 2992/PA 98-0462):** Authorizes a right of first refusal to care for a minor child (or children) when the parent who has "parenting time" (i.e. time with the children) will use substitute childcare for the child (or children). Such an agreement could be reached via arbitration, collaborative law or a judicial decree. For example, if a divorced parent would need to send a child to day care or a babysitter, the other parent would have a right to instead take care of the child during that time.

**Credit Report (HB 3380/PA 98-0486):** Allows the guardian of a minor child or a person with disabilities to request a security freeze on the credit report of the minor child or person with disabilities. A court order would be required for the security freeze if the minor is 18 or older.

**Abused and Neglected Children (SB 1207/PA 98-0487):** Amends the Abused and Neglected Child Act, changing the term “subject of a report” to “perpetrator” in several areas. Also clarifies the time period granted to the subject or perpetrator to request that a report be removed or a hearing held if the state does not take action.

**Child Protection (SB 1686/PA 98-0532):** Modifies the definition of “unfit person” to allow the use of any nine-month period to show that a parent is not making reasonable progress to correct problems that are needed before the child is returned to the home. This will give flexibility in the period of time that the parent’s behavior is being monitored so that the Department of Children and Family Services and prosecutors won’t have to wait for a second nine-month period to pass before seeking to have the parent declared unfit and proceeding to adoption.

**Guardians (SB 1565/PA 98-0568):** Allows for the termination of a short-term guardianship of a minor at the conclusion of specified judicial proceedings. The termination of such guardianships must be in the best interest of the minor child. All parties, including the short-term guardian, must be notified if the court vacates a short-term guardianship.

## Consumers

**Condominium Agreements (SB 1606/PA 98-0282):** Provides that once a developer turns over ownership to a condominium association, the condominium agreements can only be amended by a vote of two-thirds of condominium owners, unless a higher

percentage is in the condominium agreement. However, the higher number could not exceed three-fourths of all owners.

**Housing Cooperatives (HB 2527/PA 98-0302):** Requires an open meeting and a vote of members prior to the dissolution of a residential housing cooperative.

**No Indoor Tanning for Minors (HB 188/PA 98-0349):** Prohibits a tanning facility from permitting any person younger than 18 to use tanning equipment that emits ultraviolet (UV) radiations. Provides for exemptions, such as devices used to apply chemicals to the skin to achieve a bronze color, known as a spray-on, mist-on, or sunless tan.

**Community Manager Licensure (HB 595/PA 98-0365):** Creates licensure for a “supervising community association manager.” Community associations are generally condominium, townhouse and homeowner associations.

**Cell Phone Ban (HB 1247/PA 98-0506):** Bans the use of cell phones while driving. Exempts hands-free devices. A first offense will be considered a non-moving violation. A second or subsequent offense will be a moving violation recorded on one’s driving record, and it will be a primary stop offense. Tickets will range from \$75 for a first offense to \$150 for a fourth or subsequent offense.

**Landowner Liability (SB 1042/PA 98-0522):** Codifies and improves the statutes as a result of a decision from the Illinois Supreme Court in Hall v. Henn, which affected landowner liability for people on their land.

Prior to the Hall Case, state law was adopted that was meant to encourage property owners to make land and water areas available to the public for recreational or conservation purposes by limiting their liability toward persons entering thereon for such purposes. In the Hall case, Tim and Sue Henn built and maintained a sled run on their property. The Friel family



asked if they and the Hall family could use the sled run. During the use of the run, Ellen Hall was knocked unconscious, fractured her arm, and tore a ligament in her knee on some icy steps leading to the top of the run. When Ellen Hall sued, the lower circuit court ruled in favor of the landowners.

However, on appeal to the Supreme Court, Hall argued to the Court that the legal protections to landowners should be limited to circumstance in which the land is held out to the entire public at large for all recreational purpose. According to the plaintiff, the Act should not immunize a landowner if a specific person requested permission prior to the use of the land for a recreational purpose. With a tortured construction of the word “public” and expressing concern over the broad scope of the Act, the Supreme Court ruled that the Act would be limited in a manner argued by the plaintiff.

The bill extends liability coverage to landowners who open their property to the public, and expands the number of covered activities the public may engage in while on the landowner’s property. This coverage does not extend to landowners who open their property to only invited guests.

**Meth Lab Mobile Homes (SB 2101/PA 98-0540):** Requires that owners and operators of mobile home parks must tell a potential buyer if a unit was used as a methamphetamine lab. Applies only in cases where police or other law enforcement officials have informed the mobile home park operator that the home was used as a meth lab. Also requires the potential buyer to notify the mobile home park operator that he or she intends to purchase the home.

**Reloadable Fund Cards (SB 1829/PA 98-0545):** Requires the issuer of a reloadable funds card (such as a reloadable pre-paid debit card) to disclose fees to the consumer in written or electronic form upon issuance. Prior to

purchase of card, fee disclosures may be verbally explained to the consumer. Specifies disclosure requirements, disclosure formatting, required disclosures to be on the card, and federal Electronic Fund Transfer Act compliance provisions.

## **Crime, Courts, Corrections and Law Enforcement**

**Flash Mobs (SB 1005/PA 98-0014):** Provides that using electronic communications to solicit or commit the offense of mob action may be used by the court to impose an extended term sentence upon conviction. Addresses the growing problem of social media and electronic communication being used to gather a “flash mob” to commit batteries, robberies and thefts.

**Juvenile Court (HB 2404/PA 98-0061):** Would require 17-year-olds charged with most felonies to be charged in juvenile court rather than adult court. Would not apply to a number of violent felonies including first degree murder, aggravated criminal sexual assault, aggravated battery with a firearm; armed robbery committed with a firearm; aggravated vehicular hijacking with a firearm or the sale or possession of certain weapons on school property. Any felony would still be eligible to be sent to adult court following a hearing in juvenile court.

**Juvenile Supervision (HB 3172/PA 98-0062):** Amends the continuance under supervision section of the Juvenile Court Act to track the procedure followed in adult criminal court. This allows a judge to place a minor on supervision after adjudication, while protecting the State’s Attorney’s right to object to supervision before going to trial.

**Unlawful Clouding of Title (HB 2905/PA 98-0098):** Increases the penalty for unlawful clouding of title from a Class A misdemeanor to a Class 4 felony. Unlawful clouding of title is an apparent claim or encumbrance, such as a lien,

that, if true, impairs the right of the owner to transfer his or her property free and clear of the interests of any other party. The Class 4 felony penalty increase would apply for a second or subsequent offense or if the cloud on the title has a value that exceeds \$10,000.

**Drunken Boating (SB 1479/PA 98-0103):** Applies implied-consent laws to boating by providing that any person who operates a motorboat and who has been involved in a fatal accident or accident with serious injuries is assumed to have given consent for a blood alcohol test.

**Vacating Convictions (HB 821/PA 98-0133):** Clarifies and streamlines the procedure for a petitioner who has been granted a certificate of innocence after having been found actually innocent. The bill allows the court making the finding of actual innocence to issue a certificate, rather than requiring another court appearance.

**Sealing of Felony Offenses (HB 3061/PA 98-0142):** Significantly expands the classes and types of felony offenses that can be sealed under current law. This will prevent employers from being able to access the criminal history of those with serious offenses in their background. Among the offenses that could be sealed would be Class 3 and Class 4 felony conviction records for theft, retail theft, deceptive practices, and forgery.

**Passport Confiscation Crimes (SB 39/PA 98-0143):** Provides that a judge shall (1) order the confiscation of a person's passport or (2) impose travel restrictions for any defendant arrested for first degree murder or other "violent crime", if the judge determines that this will reasonably assure the appearance of the defendant. Though the bill as introduced applied to only non-U.S. citizens, as amended the bill allows a judge to confiscate the passport of both citizens and non-citizens. This bill is similar to legislation introduced last year in

reaction to a series of articles in the Chicago Tribune citing nearly a dozen instances in which suspects charged with murders, rapes and other violent crimes have fled American jurisdiction to avoid prosecution.

**Child Abduction Evidence (SB 1814/PA 98-0160):** Allows evidence of prior offenses of child abduction that involve the luring of a child to be introduced in a trial to prove a propensity of the defendant.

**House Arrest (SB 1854/PA 98-0161):** Allows a person who is sentenced to jail on a misdemeanor or probationable felony to be considered committed to the custody of the Sheriff and may serve their sentence at home, i.e. "house arrest," through an electronic home detention program under the terms and conditions of the Sheriff.

**Second Chance Prohibition (HB 3010/PA 98-0164):** Creates a "Second Chance Probation" program that allows for many felony offenses to be removed from the offender's record as soon as five years after the convict successfully completes the terms of probation. The probation is only available if both the defendant and the State's Attorney consent. It is not available on violent offenses.

**Patricia's Law (HB 1010/PA 98-0169):** Creates "Patricia's Law," prohibiting a trial judge from giving court supervision for offenses arising under the Illinois Vehicle Code or similar local ordinance if the violation was the proximate cause of the death of another person. This legislation is in direct response to the Patricia McNamara tragedy where she was killed by a distracted driver, who rammed into her car after running through a stop sign. The driver, was fined and sentenced to court supervision, which means no conviction will appear on his record. The prohibition against court supervision in a fatal traffic accident only applies when the defendant's driving abstract

contains a prior conviction or supervision for a moving violation or a suspension, revocation, or cancellation of his or her license.

**Anatomical Gifts (HB 2339/PA 98-0172):** Brings Illinois into compliance with federal law and would refine various definitions within the Act.

**Sex Offense Statute of Limitations (HB 1063/PA 98-0379):** Allows for an unlimited statute of limitations in felony sex offenses where the victim is under 18, but only in cases where there is corroborating physical evidence is available or an individual who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act fails to do so.

**Domestic Battery Penalties (HB 958/PA 98-0187):** Increases the penalty for domestic battery to a Class 3 felony if the defendant has three prior convictions under the Code for domestic battery and to a Class 2 felony if the defendant had four or more prior convictions under the Code for domestic battery. This is an initiative to increase the penalty for individuals repeatedly convicted of domestic battery charges and prevent judges from imposing lighter sentences, such as probation or conditional discharge, in recurring cases of domestic violence.

**Crimes Against Police (HB 2893/PA 98-0263):** Creates an alert system called the "Crimes Against Police Officers Advisory," administered by the State Police, to send out alerts when an offender is at large who is suspected of committing or attempting to commit crimes against a police officer. It would be similar to other emergency alert systems, such as child abduction alerts.

**Residential Arson (HB 3011/PA 98-0265):** Allows for the offense of residential arson to be commenced at any time, rather

than within 3 years after the commission of the offense as stipulated in current law.

**Sex Offender Prohibitions (HB 3023/PA 98-0266):** Prohibits a child sex offender from being present in a playground or recreation area within any publicly accessible privately owned building when children are present unless the offender is a parent or guardian of a child there. This would include places such as the play area at McDonald's.

**E-notification of Felony Release (HB 3029/PA 98-0267):** Allows for the electronic notification of any release of any person who has been convicted of a felony to the appropriate State's Attorney, sheriff, law enforcement agency, or public housing agency if they have provided the Department of Corrections with an accurate e-mail address.

**Eavesdropping (HB 3038/PA 98-0268):** Aligns civil remedies for eavesdropping with the criminal violation by including "electronic communications." The bill is intended to shield certain legitimate conduct (the exercising of parental rights and the gathering of news by journalists) from subjecting the person to civil liability for eavesdropping.

**Statute of Limitations for Civil Child Sex Abuse Cases (SB 1399/PA 98-0276):** Provides that a civil case based on childhood sexual abuse may be commenced at any time.

**DUI Blood Test Reimbursement (SB 1849/PA 98-0292):** Allows reimbursement up to \$500 for costs associated with a blood test when a person refuses to submit to a breath test when a defendant is found guilty or pleads guilty to a DUI. The goal is to defray the costs of employing a medical professional to perform the test. Also requires a police officer to request a blood draw if he or she suspects that a motor vehicle driven by or in actual physical control of a person under the influence of

alcohol or drugs has caused the death or personal injury to another.

**Unauthorized Video Recording (SB 1851/PA 98-0293):** Provides that prosecution for the offense of unauthorized video recording may be commenced within one year after the discovery of the offense by the victim of that offense. This is to allow for the prosecution of offenders in cases where the victim discovers the offense after the general limitations period has run. In many cases the victim may not become aware of the offensive videotaping at the time of the offense or even during the general limitations period. These illegal videos and photographs can turn up years later to haunt victims.

**Damaging a Grave (SB 2231/PA 98-0315):** Enhances penalties for criminal damage (and defacement) to property if the property damages or defacement is made to graves, gravestones, or markers that memorialize or honor a person or group, including police officers, fire fighters, veterans, or historic figures.

**Contractor Violations (HB 922/PA 98-0328):** Allows the Department of Labor to bring an action against a contractor up to five (currently two) years after a violation of the Prevailing Wage Act is alleged to have occurred. Requires contractors and subcontractors who participate in public works projects to keep records for five (currently three) years from the date of the last payment. Requires a public body to keep records for five (currently three) years. Authorizes contractors to retain records in electronic (currently paper) format.

**Nicotine Sales to Youth (SB 1756/PA 98-0350):** Prohibits the sale of alternative nicotine products to persons under age 18, such as electronic cigarettes that contain nicotine.

**Cash Register Crime (HB 49/PA 98-0352):** Provides that any person who knowingly sells,

purchases, installs, transfers, possesses, uses, or accesses any device or software meant to falsify electronic cash register records is guilty of a Class 3 felony.

**Tasers (HB 131/PA 98-0358):** Requires police training in the use of tasers. Also would require random inspections of police departments concerning their use of tasers, with a subsequent report to be given to the Governor and General Assembly, along with any legislative recommendations.

**Child Pornography Fines (HB 181/PA 98-0359):** Allows the State Police to receive all or part of the fine collected for child pornography charges if the agency investigated or assisted in the investigation of the crime.

**Nurse Protections (HB 801/PA 98-0369):** Provides that the battery of a nurse while in the performance of his or her duties is enhanced to an aggravated battery (Class 3 felony). Under current law, battery of a nurse would not be an aggravated battery and would therefore be a Class A misdemeanor.

**Sexual Assault (HB 804/PA 98-0370):** Expands the definition of "sexual penetration" to include acts where a perpetrator forces the victim to use his or her hands on his genitalia for sexual gratification or the perpetrator uses his or her hands on a male victim's genitalia. In addition, creates the offense of failure to report sexual abuse of a child. Also includes an act in the "predatory criminal sexual assault of a child" statute to include contact, however slight between the sex organ or anus of one person and the part of the body of another if the accused is 17 years or older and the victim is under 13 years of age. This legislation was introduced in response to the Penn State football sex abuse scandal where the assistant coach sexually abused minors on the university campus for years, despite the fact employees

were said to have witnessed the abuse and didn't report the actions. The bill also provides specifications about other illegal sexual acts that were not initially included in the definition of sexual penetration.

**Victim Statements (HB 827/PA 98-0372):** Requires States Attorneys to inform crime victims or their families of the right to make a victim impact statement at a sentencing hearing. Designed to assure that all family members know they have a right to make a statement.

**Court Fee (HB 830/PA 98-0373):** Adds service, process and court costs to those cost that can be included in an additional fee of 30% that can be charged on top of the 30% fee that can already be charged against an offender for unpaid fines, fees, costs, restitution, judgments, etc. No more than 1/3 of the 30% additional fee charged to the offender (10%) can be paid to a collection agency.

**Electronic Tracking Prohibition (HB 1199/PA 98-0381):** Provides that a person or entity may not use an electronic tracking device to determine the location or movement of a person. The idea is to prevent stalkers, spouses and other individuals from putting a tracking device on another individual's car without their consent.

**Recording Crime Enhanced Penalties (HB 1309/PA 98-0385):** Enhances a misdemeanor battery to a felony aggravated battery when it is recorded with the intent to disseminate the recording. Allows for an extended term sentence when a defendant commits any felony and knowingly records it with the intent to disseminate the recording. This legislation was introduced in response to a situation in which a 62-year-old woman was beaten to death by a group of individuals who allegedly attacked the victim for the purpose of making a video of the attack, which they immediately posted online.

**Sex Crime Victims (HB 2471/PA 98-0416):** Allows the victim of a sex crime to be identified by initials or description in court documents to protect the victim's identity.

**Child Pornography (HB 2647/PA 98-0437):** Provides that the possession of each individual film, videotape, photograph, or other similar visual reproduction or depiction by computer in violation of the child pornography statute constitutes a single and separate violation. Also provides a narrow carve-out in the mandatory consecutive sentencing provisions for possession of child pornography where the child depicted is over the age of 13 to avoid the problem of disproportionate sentencing due to mandatory consecutive sentencing.

**Sexual Assault (HB 3128/PA 98-0476):** Modifies the provisions prohibiting men who father a child through sexual assault or sexual abuse in order to: deny visitation or custody if found to have committed an act of non-consensual sex in fathering the child (currently must have a conviction of a sex offense in fathering the child); allow the mother or guardian of the child to decline support and maintenance obligations from the father; deny the father inheritance rights from the child without mother's consent; deny visitation to the father's immediate family; and allow the mother to use the non-consensual sexual conduct to deny custody or visitation.

**Cell Phone Penalties (HB 2585/PA 98-0507):** Increases the penalties in accident cases where the individual is texting, using a cell phone or watching a video device, and that action is determined to have been a cause of a crash that results in an injury or death.

**Criminal Interrogations (SB 1006/PA 98-0547):** Requires interrogations of the following criminal charges to be video- recorded (for both minors and adults):

- predatory criminal sexual assault of a child;

- aggravated arson;
- aggravated kidnapping;
- aggravated vehicular hijacking;
- home invasion;
- aggravated battery;
- aggravated criminal sexual assault; and
- armed robbery.

Any statement of the accused taken during an interrogation that has not been recorded is inadmissible at trial. Current law does not allow police to record any interrogation other than for charges of homicide or driving under the influence that resulted in death of another person.

**Civil Suit Settlements (SB 1912/PA 98-0548):** Creates penalties and deadlines for failure to promptly pay an agreed-upon settlement in civil suits. The payment must be made within 30 days or the court may issue a judgment that would include any additional costs incurred in obtaining the judgment, and interest at the statutory rate. Opponents raised concerns about why this measure is needed, since it only applies to cases that have been settled and presumably, that settlement would already include an agreement on the payment of damages. Concerns were also raised that the measure, while being portrayed as optional, is in fact mandatory because it places the penalties and deadlines into state law. Most employer groups were opposed to the measure and raised concerns that it further damages Illinois fragile business climate.

**Criminal Record Removal Fee (SB 115/PA 98-0555):** Amends the Consumer Fraud and Deceptive Business Practices Act to provide that it is an unlawful practice for any person engaged in publishing or otherwise disseminating criminal record information through a print or electronic medium, to solicit or accept the payment of a fee or other consideration to remove, correct, or modify said criminal record information.

**Civil Code (SB 1044/PA 98-0557):** Amends several technical portions of the Civil Code of Procedures dealing with collections, garnishments and revival of judgments.

**Pilot Program for Youth Offenders (SB 1192/PA 98-0558):** Makes permanent and statewide the Aftercare Pilot Program for Youth Offenders. The program is intended to make sure the Department of Juvenile Justice can continue to provide case managed supervision, post-treatment and services to paroled youth. Depending on their offense, the parolee would be placed in any of several programs, including substance abuse treatment, family counseling, and alternative placements. The Pilot Program has been operating only in Cook, DuPage, Lake, Will and Kane counties. This bill would expand the program to all 102 Illinois counties.

**Drone Restrictions (SB 1587/PA 98-0569):** Prohibits law enforcement from using drones to gather evidence or information, except when authorized by a search warrant or in specifically enumerated emergency situations. Requires evidence be destroyed after 30 days unless part of an ongoing crime. Requires annual reporting.

**County Inmate Transfers (SB 1843/PA 98-0575):** Seeks to ensure that the correct county is reimbursed for the fees associated with the transfer of a juvenile offender by defining “transfer case” in the Probation and Probation Officers Act. Clarifies that jurisdiction over an offender may be transferred between circuit courts in Illinois; the probation department within the transfer jurisdiction may impose probation fees upon receiving the offender; and after the transfer has occurred, all probation fees must be paid to the probation department in the jurisdiction that has received the transfer (not the original jurisdiction).

**Arrests Outside of Jurisdiction (SB 1852/PA 98-0576):** Allows peace officers to conduct temporary questioning or make an arrest

outside of their jurisdictions, if the officer is engaged in the investigation of criminal activity that occurred in the officer's primary jurisdiction and the temporary questioning or arrest relates to, arises from, or is conducted as part of that investigation. This was an initiative of the DuPage County State's Attorney in response to a court decision that ruled that, unless officers see offenders commit an offense in their jurisdictions, they can't rely on the information they receives from officers in another jurisdiction to make the arrest. Previously, the law had been that when police officers are working together, knowledge of each is knowledge of all for determining whether an arresting officer had probable cause to arrest a defendant.

**Courtroom Skyping (SB 1968/PA 98-0579):**

Permits foundational testimony business records to be introduced as evidence in open court through contemporaneous audio and video transmission, such as Skype, from out of state.

## Education

**Gangs in Schools (HB 2768/PA 98-0059):** Adds illegal use or possession of weapons and illegal gang activity to the list of criminal actions that require a principal to call on law enforcement agencies when the safety and welfare of students and teachers are threatened. This is already required in Chicago, but current law only states that it is the responsibility of the principal to use proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol in school districts outside Chicago. HB 2768 also specifically includes illegal gang activity as a criminal offense for which courts and law enforcement agencies must report to the principal of a public school whenever a student has been detained.

**Student Online Privacy (HB 64/PA 98-0129):** States that a post-secondary school cannot request or require a student (or his parent/guardian) to provide any account information, including passwords, in order to gain access to social networking sites. However, this does not apply when a post-secondary school has cause to believe that a student's account on a social networking website contains evidence that the student has violated school disciplinary rule or policy. Also requires elementary and secondary schools to provide notification to students and their parents that they have the ability to request or require account information, including passwords, in order to gain access to social networking sites, if the school has reasonable cause to believe that the student's account contains evidence that the student violated disciplinary rules or policy. The notification must be published in the disciplinary rules, policies or handbook.

**Zion School District (HB 160/PA 98-0131):**

Introduced to benefit Zion Elementary School District #6, this measure would give school districts more flexibility to access a dedicated Tort Immunity Fund and use the funds for educational purposes only. Applies only under certain conditions, requires a public hearing and expires in 2016.

**Community Colleges (HB 3067/PA 98-0269):**

Adds an exemption to the lowest responsible bidder requirement for community colleges for contracts for the purchase of perishable foods and perishable beverages. This will bring the community colleges in line with public universities and K-12.

**Bring Parents to School Day (HB 129/PA 98-0304):**

Creates a "Bring Your Parents to School Day" on the first Monday in October of each year. Allows a school board to permit the

parents or guardians of students to attend class with their children and meet with teachers and administrators during the school day.

**Teacher Basic Skills (HB 490/PA 98-0361):**

Requires applicants seeking a Professional Educator License to pass a test of basic skills before the license is issued. Also requires that all applicants completing Illinois teacher education programs must pass the basic skills test prior to starting their student teaching or starting the final semester of their internship, unless it is required earlier by the institution.

**Sex Education (HB 2675/ PA 98-0441)** This bill requires that all school districts that provide sex education courses must use an approved curriculum chosen by the State Board of Education. School districts have the option to not offer sex education, but if they do, it must be "comprehensive" and approved by the state. Opponents raised concerns that the decision as to what is an appropriate curriculum would be taken away from local school boards and given to the state. Concerns were also raised that this would actually discourage some school districts from providing sex education because the state-mandated curriculum may not be considered appropriate by the local school district.

**Training to Identify Mental Illness (HB 3070/ PA 98-0471):** Requires that school guidance counselors, teachers, school social workers, and other school personnel who work with pupils in grades 7 through 12 be trained to identify the warning signs of mental illness and suicidal behavior (instead of just suicidal behavior).

**Bacterial Meningitis Immunization (HB 3190/ PA 98-0480)):** Requires DPH to adopt a rule requiring students to receive a bacterial meningitis immunization upon entrance of 6th and 12th grade.

**School Board Evaluations/Dismissals (SB 1762/ PA 98-0513):** Amends the School Code and Illinois Educational Labor Relations Act consistent with the language, intent and

implementation of SB 7 by clarifying 1) the collective bargaining public posting process under which each party's latest proposal is posted for public view, 2) attainment of contractual continued service for a teacher in a new school district, 3) date when school district waivers from statutory evaluation ratings terminate and 4) establishment of list of teachers, placement of part-time teachers and required annual meeting of district committee regarding honorable dismissals through reduction in force. Also makes several grammatical changes.

## Election Issues

**17 Year-Olds Vote in Primary (HB 226/ PA 98-0051):** Allows a 17 year-old who will be 18 years old by the general election to vote in the preceding primary election.

## Energy/Utilities

**Water Rate Hikes (HB 576/PA 98-0191):** Spells out notice requirements for water and sewer utilities with greater than 15,000 total customers when a rate hike occurs.

**Electric Aggregation (HB 1745/PA-0404):** Makes it clear that County electric aggregation only applies to unincorporated areas and does not apply to city areas that have already adopted aggregation via referendum. This was the intent of the original law in 2009 (HB 722/PA 96-176).

**Utility Market Settlement Services (SB 105/ PA 98-0554):** Creates new Market Settlement Services for electric utilities with rules and regulations that allow an electric utility to provide unbundled power to large retail customers (400 KW or over) that are not served by that electric utility. An electric utility (ComEd or Ameren) providing a Market Settlement Service shall be permitted to recover its reasonable and prudent initial implementation and start-up costs from these customers. The measure includes a settlement agreement



between RESA (Retail Energy Suppliers Association) and ComEd from a ComEd rate case in which ComEd agreed to reform its cancel/re-bill procedure. ComEd believes it needs statutory authority to effectuate these changes.

**Exelon Decision Cleanup (SB 2243/PA 98-0583):** This would return the treatment of electricity, water, and gas and their producers to the pre-*Exelon* decision status quo and not subject electricity, water, and gas to the imposition of sales tax.

## Environment

**Composting Pilot Permits (SB 850/PA 98-0146):** Allows the Illinois Environmental Protection Agency to issue an 18 month pilot permit to two waste transfer stations in Elgin and Stickney to allow them to accept landscape materials and food scrap for composting.

**EPA Permits (HB 2036/PA 98-0237):** Requires the Illinois Environmental Protection Act (IEPA), by January 1, 2014, to maintain permit-related information on its website, including a yearly report detailing the number of permits received and issued by IEPA, and the average number of days for permit issuance.

**Asphalt Shingle Recycling (SB 1925/PA 98-0296):** Allows the Illinois Environmental Protection Agency to revoke Beneficial Use Determination permits for unlawful asphalt shingle recycling practices. Beneficial Use Determinations are permits authorized by the IEPA that allow waste materials to be recycled or otherwise used in a way that is beneficial to health and the environment.

**Littering Fine (HB 3081/PA-0472):** Amends the Litter Control Act to add a minimum fine of \$50 for littering.

**Cigarettes = Litter (HB 3243/PA 98-0483):** Includes cigarettes in the definition of "litter,"

so people could be fined for inappropriately disposing of their cigarette butts.

**Disposal of Asphalt Roofing Shingles (SB 2226/PA 98-0542):** States landfills cannot accept for disposal load of whole or processed asphalt roofing shingles (unless commingled with other construction material) if they are located within a 25 mile radius of an asphalt shingle recycling center. Additionally, requires the recycling centers to submit reports on the amounts of shingles received in a calendar year to the EPA. Landfills are neutral on the amendment.

## Ethics and Transparency

**Community Associations (HB 1773/PA 98-0232):** This was requested by the Illinois Lake Community Association to clarify that a Common Interest Community Association cannot enter into a contract with a current board member or with a corporation for which a board member or member's family controls 25% of the corporation's interests.

**Lobbyist Disclosure (HB 2943/PA 98-0459):** Requires that lobbyists that have another lobbyist as a client must disclose the name and address of the ultimate beneficiary of their lobbying efforts. Also provides that expenditure reports must include the ultimate beneficiary of the expenditures made if one lobbyist has another lobbyist as a client. In recent years it has become increasingly common for lobbyists working on major issues to contract with other lobbyists to assist them. This can create a confusing and difficult to decipher chain, where a lobbyist "A" lists that he or she is lobbying on behalf of lobbyist "B," who in turn is registered as lobbying on behalf of lobbyist "C." Without following that chain, it can be difficult to determine what clients of lobbyist "C" are actually also the clients of lobbyist "A."

**Ethics and State Grants (SB 2380/PA 98-0588)** Grant recipients cannot use any funds for

prohibited political activity. This grew out of a [Cable News Network investigation](#) into the Neighborhood Recovery Initiative, which found, among other things, that grant funds handed out prior to the 2010 election were used to pay teens to walk in a parade, clearly a political activity, with Governor Quinn shortly before the 2010 election.

## Gaming

**Electric Charity Raffle Games (HB 1140/PA 98-0111):** This legislation attempts to clarify that electronic charity raffle games are not considered a video game under the Video Gaming Act. In some towns, players pay bartenders to add credit onto the game machines and then cash out the winnings—designated charities receive a percentage of the money. Currently these machines are legal under the Illinois Raffles Act.

**Expansion of Charitable Games (HB 996/PA -0377):** Expands the Charitable Game Act to:

- Increase the number of games which an operator can manage from four to 12;
- Expands the maximum number of events that may be held in any one location to one per month (currently eight per year);
- Increases the maximum bet from \$10 to \$20 on a house banked game;
- Increases the size of potential cash winnings by a single participant from \$250 to \$400;
- Clarifies that an unlimited amount of noncash prizes may be awarded to a single winner;
- Allows a municipality to provide 48 (rather than 16) charitable games nights a year on its premises;
- Increases the tax paid to 5% of net proceeds of the charitable games (currently 3% of the gross proceeds);
- Gives the Gaming Board the discretion to contract with more than one independent outside testing laboratory

to do the examination of gaming machines and associated equipment.

**Defibrillators at Race Tracks (HB 2506/PA 98-0423):** Requires that horse race tracks have at least two automated external defibrillators (AEDs) that are in operation and accessible when backstretch workers are present at their racing facilities. One AED must be placed in the paddock of their racing facility and one AED must be placed on the backstretch of the racing facilities.

## Health and Human Services

**DPH Disclosure Requirement Change (SB 1321/PA-0087):** Establishes that the Illinois Department of Public Health (DPH) is no longer required to disclose information on the stages of presentation and the diagnostic and treatment status information from the Prostate and Testicular Cancer Program in the Department's Annual Report.

**Illinois Diabetes Commission Reports (HB 2199/PA 98-0097):** Requires the State Diabetes Commission to submit a report to the General Assembly every other year. Would require the Department of Healthcare and Family Services (HFS) to cooperate with DPH to implement recommendations from the committee report.

**Medical Marijuana (HB 1/PA 98-0122):** Establishes the "Compassionate Use of Medical Cannabis Pilot Program Act." The Act authorizes a registered qualifying patient who has been issued a registry identification card by the Department of Public Health to possess up to 2.5 ounces of cannabis during a 14 day period. A patient may not possess more than 2.5 ounces at any one time.

Opponents pointed out that no local, state or federal law enforcement supported the measure; that the legislation conflicts with federal law; and that marijuana's role as a gateway drug is well documented.

The bill establishes distributing criteria for cultivation centers and requires them to be registered by the Department of Agriculture. The Department of Agriculture may approve up to 22 licensed marijuana growers, but no more than one per State Police District. Stipulates that cultivation centers may only provide medical cannabis to dispensing organizations whose purpose is to dispense cannabis and paraphernalia to qualified patients.

Dispensing organizations are to be registered by the Department of Financial and Professional Regulation (IDFPR). IDFPR may approve up to 60 dispensaries. Specifies certain qualifying diseases and illnesses, but does not include a general eligibility for chronic pain or nausea. Provides framework for employer regulation and discipline for use of cannabis in the workplace, and outlines that a patient may not drive while under the influence of medical cannabis. Creates a new provision allowing for field sobriety tests to be administered and admissible in court.

**Prisoners and Medicaid (HB 1046/PA 98-0139):** Authorizes prisoners to apply for medical assistance at any time prior to their scheduled release (rather than 30 days). One reason for this is to assure that when prisoners are released and become eligible to receive Medicaid, the state qualifies for the maximum available federal match.

**Dental Assistant Anesthetic Administration (SB 1217/PA 98-0147):** Allows dental assistants to monitor nitrous oxide and general anesthetic. A dentist may supervise a maximum of four dental assistants at a time for the monitoring of nitrous oxide.

**Advanced Practice Nursing (HB 1052/PA 98-0192):** Provides an advanced practice nurse shall not be prohibited from providing primary health care or treatment within the scope of his or her training and experience. This language

provides more flexibility and access to advanced practice nurses' services.

**Physician Discipline Files (HB 1327/PA 98-0210):** Requires physician profiles maintained by the Dept. of Financial and Professional Regulation must contain a description of any criminal convictions for felonies and Class A misdemeanors within the last 10 years, rather than the current five years.

**Mental Health Records (HB 1458/PA 98-0221):** This measure would allow an individual to consent to the release of his or her own mental health records. It would also clarify that the custodian of a mentally ill person can seek a court order to have the individual transported to a mental health facility. Current law only allows for transfer to a hospital.

**Illinois ADA Update (HB 1462/PA 98-0224):** Brings Illinois' accessibility requirements for the disabled in line with the 2010 Americans with Disabilities Act.

**Health Care Worker Badge Requirement (HB 2452/PA 98-0243):** Requires all health care facility workers who examine or treat a patient in Illinois to wear an ID badge with first name, licensure, and staff position. Current law requires this only from health care facilities licensed in Illinois. New bill would cover all facilities.

**Flu Shots (HB 3191/PA 98-0271):** Requires hospitals in the state to offer flu shots to all patients admitted from Sept. 1 to April 1 each year.

**Epilepsy Deaths (SB 1226/PA 98-0340):** Requires all autopsies in the state to include an inquiry as to whether the death was the result of a seizure or epilepsy. Also creates a definition of Sudden Unexpected Death in Epilepsy (SUDEP.)

**AIDS/ARC/HIV School Reporting Repeal (HB 61/PA-0353):** Repeals language requiring the

Illinois Department of Public Health or local health departments to report cases of AIDS, ARC, or HIV to the school an infected child attends.

**Infectious Medical Waste (HB 702/PA 98-0366):** Affects the handling of “potentially infectious medical waste” (PIMW), to grant an exemption for "sharps" (for example needles or blood testing pins) that are packaged before being disposed of, so that they are non-potentially infectious. Currently, sharps are excluded from the definition of the term “potentially infectious medical waste” (PIMW) if their infectious potential is eliminated through treatment and they are rendered unrecognizable by that treatment. Once PIMW has been treated and the sharps have been packaged properly, they can be placed in a landfill.

**Funds from Facility Closures (HB 1683/PA-0403):** Whenever a state-operated mental health or developmental disability facility is closed, the Department of Human Services (DHS) is required, at the direction of the Governor, to transfer funds from the closed facility to the appropriate line item for the new venue of care, provided the new venue is a DHS- funded provider.

**Cancer Disability (HB 1809/PA-0405):** Expands the definition of disabled within the vehicle code to include persons whose ability to walk is severely limited due to cancer.

**HFPB Jurisdiction Exemption (HB 2423/PA 98-0414):** Exempts doctors working under a contract with a facility from the jurisdiction of the Health Facilities Planning Board (HFPB). Requires that the HFPB must adopt rules changing its category of services.

**Trafficking Tattoo Removal Reimbursement (HB 2640/PA 98-0435):** Provides that victims of human trafficking may be reimbursed the cost of

removing a tattoo that was applied in connection with the commission of human trafficking.

**Out of State Transfers (HB 2760/PA 98-0448):** Would allow an out of state physician to oversee and direct home care services for patients living in Illinois while a patient is transitioned to an in-state doctor. Would allow 90 days for the transition.

**Childhood Cancer Research (HB 3003/PA-0464):** Creates the Childhood Cancer Research Advisory Board to review grant applications and make recommendations to the Illinois Department of Public Health in the awarding of grants for childhood cancer research. Prohibits members of the board from being paid or receiving reimbursement for expenses.

**New Americans (HB 3047/PA 98-0467):** Creates the Governor’s Office of New Americans, aimed at helping immigrants assimilate into society.

**Breast Cancer Reconstructive Surgery Info (HB 3175/PA-0479):** Requires the Department of Public Health (DPH) to establish a program to inform breast cancer patients, especially minorities and ethnicities, of availability and coverage of breast reconstruction, prosthetics, and other options available through surgery.

**Breast Cancer Brochure (SB 2314/PA-0502):** Requires the Department of Public Health to publish information about the impact and concerns surrounding dense breast tissue in the breast cancer brochure the Department currently publishes and distributes.

**Human Service Provider Protection (SB 1609/PA 98-0529):** Makes it a Class 3 felony to make a threat to a human services provider involving bodily harm, sexual assault, confinement, or restraint; as well as any threat that damage will occur to property. The threat must be linked to the duties of human service provider. Applies to social workers, case

workers, or investigators that work under a contract or grant from the Department of Human Services, the Department of Children and Family Services, the Department of Healthcare and Family Services, or the Department on Aging.

## Local Government

**Ambulance Service Funds (HB 438/PA 98-0199):** Allows counties with a population between 8,400-9,000 to use funds that come from an ambulance service levy for 911 services if voters approve this use through referendum. Hamilton County currently levies an ambulance tax, but does not provide a countywide ambulance service and would like to use the funds for 911 services.

**Local Bonds (HB 983/PA 98-0203):** This bill would make it easier access for taxpayers to seek backdoor referendums in cases where local governments wish to propose alternative or “double-barreled” bonds. The bill would apply to local governments with less than 500,000 in population. A referendum would be required if sought by 7.5% of registered voters or 200 registered voters, whichever is less. Extends the time allotted for taxpayers to secure a backdoor referendum from 30 days to 45 days.

**CMS Data Collection (SB 1670/PA 98-0283):** Would require Central Management Services (CMS) to distribute a spreadsheet to each State agency to facilitate the collection of data on the State's annual workforce characteristics, workforce compensation, and employee mobility. CMS would be required to annually make the data received from each State agency available on the Illinois Transparency and Accountability Portal (ITAP) or another open data site.

**Errors by Tax Collectors, Due Dates (SB 1737/PA 98-0286):** Requires that if a county collector sends a separate bill for the arrearages

of taxes due, as a result of an administrative error on the part of the county, the bill may be due no sooner than 30 days after the due date for the next installment of taxes.

**Local Government Investment (SB 1950/PA 98-0297):** This is a proposal of the Illinois Metropolitan Investment Fund (IMET), which pools money from local governments and invests them in investments permitted under statute. This would allow IMET to buy local and state government bonds for its pooled investment fund for all types of local governments (currently, just municipalities and counties).

**Water Infrastructure (SB 1869/PA 98-0330):** Updates language in the state’s Municipal Code to allow cities and villages to construct, and maintain storm sewers, detention basins and retention basins (currently drains, ditches, levees, dykes, pumping works, and machinery). An amendment allows construction of “green infrastructure” including green roofs, rain gardens, bioswales, tree boxes, porous pavement, porous pipe systems, native plantings, constructed wetlands, and cisterns. Cities and villages may also acquire land to manage runoff by infiltration, evapotranspiration, or collection.

**Sanitary District Appointments (HB 2239/PA 98-0407)** Amends the Sanitary District Act of 1917. In the event that an appropriate appointing authority fails to appoint a trustee, the appointing authority will reconvene and appoint a

**Municipal Finance (SB 2339/PA 98-0504):** Designed to protect municipalities that utilize joint insurance pools. The measure requires joint insurance pools to annually file a certification with the Director of Insurance by an independent actuary, guaranteeing that the pool’s reserves are in accordance with sound loss-reserving standards and are adequate for

the payment of claims. Grants the Director of Insurance expanded regulatory oversight of joint self-insurance pools and requires.

## Pensions and Retirement Benefits

**Roth IRA (SB 1534/ PA 98-0491):** Allows state employees with a deferred compensation plan to also participate in Roth IRA plans. The bill also instructs the Department of Central Management Services and local governments to allow designated Roth IRA contributions and in-plan rollovers to designated Roth accounts.

## Senior Citizens

**Elder Protections (SB 1287/PA 98-0120):** Would ban people from being appointed to serve as a guardian of a person or an estate of an elderly person, if they have been convicted of felony harm or threat to a minor.

## State Government, Insurance and Regulation

**Latino Family Commission (HB 3049/PA 98-0032):** Moves jurisdiction of the Illinois Latino Family Commission from the Department of Public Aid to the Department of Health Care and Family Services.

**EMT – Military Experience (HB 3186/ PA 98-0053):** Recognizes a candidate's military emergency medical training, emergency medical curriculum, and clinical experience when the Department of Public Health prescribes licensure testing requirements.

**Insurance Investments (HB 1571/PA 98-0110):** With regard to domestic mutual insurance companies and domestic stock insurance companies, the measure stipulates criteria for investments by insurance companies under the Insurance Code, requires bonds, notes or certificates of deposit to meet certain requirements to be eligible, and grants the Director of Insurance powers to refuse to

accept certain securities or refuse to accept the reported market value of certain securities.

### **Late Vehicle Titles (SB 1828/PA 98-0177):**

Authorizes the Secretary of State to charge delinquent vehicle dealer transfer fees of up to \$100 to dealers that are late giving certificate of title to the Secretary of State. Allows a Secretary of State Police investigator to issue administrative citations to new or used vehicle dealers. Adds the National Motor Vehicle Title Information Service (NMVTIS) to the list of services for which money from the Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network (CDLIS/AAMVAnet) Trust Fund may be spent.

**Insurance Communications (HB 3300/PA 98-0189):** Requires that insurance companies accommodate a reasonable request to receive communications via alternative means (e-mail, telephone, etc.) if the insured requests an alternative means of communication because disclosure of the information could endanger the insured.

**Insurance Guaranty Fund Board (HB 981/PA 98-0202):** Expands the board of directors of the Illinois Insurance Guaranty Fund to add a public member appointed by the state's Director of Insurance. The new members must be a licensed and certified public accountant or hold a Chartered Property and Casualty Underwriter (CPCU) designation from the American Institute for Chartered Property Casualty Underwriters.

**Insurance Code Changes (HB 1552/PA 98-0226):** Amends the Illinois Insurance Code to allow the Department of Insurance to electronically send a quarterly invoice for fees to insurance companies, rather than mailing the invoices. Removes a requirement that notices regarding coverage for a dependent be provided on a semi-annual basis. Also changes the date of the Department's annual report to the General Assembly from April 15 to July 1.

**Fallen Heroes (HB 1854/PA 98-0234):** Would require the Governor to order flags to be flown at half-staff when an Emergency Medical Services (EMS) crew member is killed in the line of duty.

**Capital Project Fund (HB 2613/PA 98-0245):** Clarifies that federal capital funds that are left over after the State completes a construction project must remain in a State capital fund to be used for future construction projects, rather than being used to pay off bonds.

**Fraternal Order of Police (SB 1216/PA 98-0275):** Gives the legislature greater oversight into how funds are spent by specifying that all moneys in the Fraternal Order of Police Fund are subject to appropriation by the General Assembly and distributed by the Secretary of State. These are funds raised by the sale of special Fraternal Order of Police license plates.

**9-1-1 Directory (HB 2856/PA 98-0332):** Would require the Illinois Commerce Commission to provide 9-1-1 operators with a directory of other call centers to be able to transfer calls out of their original jurisdiction.

**Title Insurance (HB 1545/PA 98-0398):** Makes several changes to the state's regulations of the title insurance industry, giving the Illinois Department of Financial and Professional Regulation (IDFPR) broader authority over other licensing, penalties, suspension or revocation of title insurance licenses. Also exempts limited liability companies from a requirement that every title insurance agent must be 18 years old.

**Electric Bid Specification (HB 2623/PA 98-0434):** Gives municipalities or other local governments that aggregate power the right to know the source of the power utilized under the aggregation.

**Yearly Budget Requirements (HB 2947/PA 98-0460):** Would require that the Governor's annual state budget submission include detailed

tables and narratives as to any projected budget surplus or a projected budget deficit for the fiscal year. Also requires an estimate of individual and corporate income tax overpayments that won't be paid back by the end of the fiscal year.

**State Budget Online (HB 2955/PA 98-0461):** Requires the state budget to be published online within 60 days of being signed into law.

**Auto Insurance (SB 1940/PA 98-0539):** Beginning with the 2016 registration year, this bill requires that mandatory insurance information must be provided before any vehicle registration can be issued. Any person that knowingly submits false insurance information shall be guilty of a Class C misdemeanor. Also requires that the remittance agents to turn this information over to the Secretary of State or face the loss or revocation of their license.

**Fine Arts Purchases (SB 1723/PA 98-0572):** Amends the CDB Act, the Illinois Procurement Code, and the Design-Build Procurement Act. Eliminates a duplicative Board charged with procuring and selecting art work to be displayed in public buildings. Makes minor changes to the Design-build Procurement Act. Clarifies what projects qualify under the Act and replaces the word "projects" with "construction projects" throughout the bill.

**Budget Transparency (SB 2106/PA 98-0580):** Creates the Governmental Transparency Task Force to create a plan to make the State budgeting process more transparent and publicly-accessible. Establishes a 16 member board comprised of appointments by the Governor and the four legislative leaders. Report due by January 1, 2015.

**Grant Transparency (SB 2381/PA 98-0589):** Increases grant transparency and gives the public greater access to information about state grants and how grant monies are distributed and used. Requires the state's Chief

Information Officer to work with state agencies to better report financial data. Would require all state grants to be posted online at data.illinois.gov, including name and zip code of the organization receiving the grant, a short description of the purpose; amount of the award, and date of the award.

This legislation was prompted in part by the controversial Neighborhood Recovery Initiative, which was the subject of an investigative report by the CNN television network. The report on the Neighborhood Recovery Initiative (NRI) found that the program paid teens to hand out fliers, take field trips to museums, march in parades with the Governor, and attend yoga classes.

The program lacked public scrutiny, guidelines and standards for the distribution of funding. The Governor moved \$94M from his FY11 discretionary lump sums to the IL Violence Prevention Authority (IVPA). After those funds were transferred from the Governor's lump sums to IVPA, the monies were further transferred to the non-appropriated IVPA Special Projects Fund. However, there was no clear way to review where the money was going and what programs it was going to. It took CNN a four-month investigation to reveal that funds were being questionably spent, and conveniently doled out just in time for the Governor's election.

## **Taxes and Fees**

**Exempts MABAS Land from Taxation (HB 1206/PA 98-0206):** This legislation exempts property owned by the board of a Mutual Aid Box Alarm System (MABAS) from taxation. MABAS works with fire services, EMS professionals, and other personnel to create a resource response plan to any location when the Governor orders a declaration of disaster.

**Department of Revenue Updates (HB 3157/PA 98-0478):** This is an Illinois Department of Revenue 2013 Omnibus Income Tax Proposal. The measure would update and streamline certain business tax forms and regulations.

**Department of Revenue Omnibus (SB 2169/PA 98-0496):** Represents the Illinois Department of Revenue's 2013 Omnibus Enforcement Proposal. Among the provisions included, the measure allows the Revenue Department to deny a certificate of registration to a retailer who is in default on taxes due, provides a six-year statute of limitation on notices of deficiency when a taxpayer understates their withholding by more than 25% and also extends the statute of limitations for certain businesses that file an Illinois return.

**Truck/SUV Rental Taxes (SB 1772/PA 98-0574):** Expands the exemption on sales taxes for rental vehicles to include trucks and SUVs used primarily for transporting passengers.

## **Transportation, Infrastructure and Vehicular Regulation/Safety**

**License Plates – Wild Turkey and Childhood Cancer (HB 2754/ PA 98-0066):** Provides for the issuance of National Wild Turkey Federation license plates. Creates the National Wild Turkey Federation Fund as a special fund in the State Treasury. An amendment was added to create a curing Childhood Cancer Fund and the Curing Childhood Cancer Plates.

**License Plates – Diabetes Awareness (HB 1815/PA 98-0096):** Creates Diabetes Awareness license plates. The fee for the plate will initially be \$40 with \$25 going toward Juvenile Diabetes research.

**IDOT Flashing Lights (HB 774/PA 98-0123):** Allows the use of red or white oscillating, rotating, or flashing lights on vehicles belonging to the Illinois Department of Transportation designated as Emergency Traffic Patrol.



**License Plates – Illinois Nurses (SB 1383/PA 98-0150):** Creates the Illinois Nurses License Plate.

**License Plates – Red Cross (SB 1439/PA 98-0151):** Creates an American Red Cross License Plate with a portion of the proceeds going into a new Red Cross Fund. Money in the Fund will be paid as grants to the American Red Cross subject to appropriation by the General Assembly.

**Window Tints (SB 1524/PA 98-0153):** Preempts home rule with respect to window tinting of automobiles. State law establishes a maximum level of tint. The intent of this bill is to prohibit municipalities from mandating a lighter tint. This would prevent motorists from being ticketed while driving in cities they don't normally visit.

**Kelsey's Law (HB 1009/PA 98-0168):** Creates "Kelsey's Law" dealing with the issuance of Graduated Driver's Licenses for minors with traffic citations. A fifteen year old girl, Kelsey, was walking with two friends on the side of the roadway one evening where there was no sidewalk. She was struck by a truck driven by a 15-year-old boy who had his instruction permit. The boy was able to obtain his Graduated Driver's License a few days later because the current form did not require him to disclose he had a pending traffic ticket.

**Secretary of State (SB 1871/PA 98-0178):** This is an omnibus measure requested by the Secretary of State dealing with out of state license cancellation, out of state traffic citations and security judgments less than \$5.

**License Plates – Illinois Police Association (HB 1817/PA 98-0233):** Provides for the issuance of the Illinois Police Benevolent and Protective Association license plates.

**Uninsured Motorists (HB 2393/PA 98-0242):** Eliminates the requirement that automobile insurers must provide information about the availability of uninsured motorist coverage when a policy is being renewed.

Buyers must still be told about uninsured motorist coverage when buying a new policy, but not every time they renew coverage.

**License Plates – Alzheimer's Awareness (HB 2822/PA 98-0259):** Creates Alzheimer's Disease awareness license plates. An additional fee of \$25 with \$10 at issuance and \$23 at renewal going into a newly created Alzheimer's Awareness Fund to be paid as grants to the Alzheimer's Disease and Related Disorders Association.

**Driving on Restricted License (SB 1735/PA 98-0285):** Increases the penalty for driving while a license is suspended or revoked if the violation results in an accident that causes personal injury or death to a Class 4 felony for a second or subsequent offense.

**License Plates – Prince Hall Masons (HB 167/PA 98-0300):** Creates the Prince Hall Freemasonry License Plate. Prince Hall Freemasonry is a branch of the US Freemasonry consisting predominately of African-Americans but welcomes other races.

**Police Privacy (SB 1693/PA 98-0323):** Would allow peace officers to provide their work address instead of a home address when applying for an Illinois Identification Card, a driver's license or instruction permit.

**Construction Zone Speeding (HB 1814/PA 98-0337):** Creates separate offenses for speeding in a construction or maintenance zone when workers are present and are not present. Removes penalty of license suspension in construction zones when construction workers are not present and no danger of hitting a construction worker exists.

**License Plates – K-9 Memorial (HB 198/PA 98-0360):** Creates the Illinois Police K-9 License Plates.

**License Plates – Public Safety Diver (HB 989/PA 98-0376):** Creates a new special license plate—the "Public Safety Diver" plate.

**License Plates – The H Foundation (HB 1238/PA 98-0382):** Provides for the issuance of The H Foundation – Committed to a Cure for Cancer license plates.

**License Plates – Retired Law Enforcement (HB 1529/PA 98-0395):** Creates the Retired Law Enforcement license plates. Creates the Illinois Sheriffs' Association Scholarship and Training Fund to receive a share of revenues from the plates.

**Motorcycle Road Guard (HB 1539/PA 98-0396):** Provides that local authorities may certify persons to act as traffic control for special events. This is intended to allow local motorcycle groups to assist police in directing traffic during special motorcycle events. The persons must be obeyed in the same manner as a police officer, fireman, or crossing guard when directing traffic.

**Sewer Cleaner Trucks (HB 1810/PA 98-0406):** Allows combination sewer cleaning jetting vacuum trucks that are registered as a Special Hauling Vehicle to carry additional weight.

**Special Hauling Vehicles (HB 2310/PA 98-0409):** Extends by 10 years the model years of Special Hauling Vehicles exempt from the federal bridge formula that regulates vehicle weights. Special Hauling Vehicles are generally special purpose trucks, such as cement mixers and multiple-axle trucks designed for hauling special cargo.

**IDOT Business Impact (HB 2382/PA 98-0412):** Requires the Illinois Department of Transportation to work with property owners, including residents, businesses, and other community members, before and during construction by considering various methods to mitigate and reduce project impacts. This could include, but would not be limited to, detour routing and temporary signage.

**License Plates – Fire Department Vehicles (HB 2641/PA 98-0436):** Allows for permanent license plates on fire trucks owned by municipalities, fire districts and Mutual Aid systems. Plates are subject to an \$8 fee and are exempt from a transfer fee but the department must report the transfer to the Secretary of State.

**Alternative Fuel Vehicles (HB 2695/PA 98-0442):** Would require 25% of state vehicles to use alternative fuels by January 1, 2016. Exempts the Illinois State Police and the Illinois Department of Corrections. Also allows the Department of Transportation to construct and maintain at least one electric vehicle charging station at each rest area on state highways.

**Car Dealer Fees (HB 2773/PA 98-0450):** Changes the fees of the Dealer Recovery Trust Fund to a graduated schedule based on the number of cars sold. This would reduce the fee for car dealers selling less than 300 vehicles in a year and keep the same fee for those selling more than 300. Allows an applicant to submit a claim to the fund within two years of the transaction (instead of within 9 months). The Dealer Recovery Trust Fund protects vehicle buyers in cases where a dealer goes out of business without paying off the balance of their customers' liens on traded-in vehicles.

**Ambulance License Renewal (HB 2777/PA 98-0452):** Allows ambulance license renewals to take place every four years. Currently this must be done each year.

**Bicycles (HB 3367/PA 98-0485):** Allows bicycles and other human powered, two wheeled vehicles to pass cars on the right. This is to prevent police in certain areas from writing citations to bicyclists when the prohibition was intended for motorcycles only.

**Truck Inspections (SB 1294/PA 98-0489):** Reduces the late penalty for meeting the semi-annual inspection requirement for intrastate trucks to a petty offense. The

minimum fine is \$95 and the maximum fine is \$250. If the violation occurs in conjunction with a motor vehicle accident, the person is guilty of a class C misdemeanor. A minimum fine of \$95 requires a court appearance.

**Speed Limits (SB 2356/PA 98-0511):** Increases the maximum speed limit to 70 mph on all interstates, toll highways and four lane divided highways. The speed limit would be 65 for other highways. Provides that Cook and the collar counties may opt out of the higher speed limit via ordinance.

**Trucking Regulation (SB 925/PA 98-0512):** Repeals the state regulation on the consecutive hours a trucker may drive. This is a cleanup bill, as current state regulations are outdated and federal law already regulates the hours truckers may drive.

**School Bus Cameras (SB 923/PA 98-0556):** Allows school buses to be equipped with automated traffic law enforcement systems. These cameras would be designed to issue citations for motor vehicles passing a stopped school bus. This applies statewide. A House amendment diverts money that was originally set to go to school districts and changes the allocation so that more money will go to the municipalities where they are located.

**Golf Cart and ATV Highway Crossing (SB 1530/PA 98-0567)** Communities may permit a person operating a non-highway vehicle, such as a golf cart or an all-terrain vehicle, to cross a State highway at an intersection of the highway with another public street, road or highway. This was requested by a community that has a highway as the major street through the town and wants to be able to allow persons to cross the highway. The bill also provides that racing shells, rowing sculls, racing canoes, and racing kayaks are not required to carry personal flotation devices as long as they are participating in an event that the Department of

Natural Resources has sanctioned as being personal flotation device optional.

**Disability Parking (SB 1929/PA 98-0577):** Requires an application for a metered exempt parking decal to provide evidence of permanent disability. Also states that exemptions from parking fees for disabled persons only apply to metered street parking and public parking areas and not publicly owned parking garages.

**Publishing Toll Violators (SB 01214/ PA 98-0559):** Provides that the Toll Highway Authority may maintain an online list of persons or entities owing the THA more than \$1,000 for tolls, fines, unpaid late fees or administrative costs that remain unpaid after the exhaustion of, or failure to exhaust, the judicial review procedures under the Administrative Review Law. Each entry may include the person or entity's name as listed on the final order of liability.

## Veterans and Military Affairs

**Military Driver Skills Exemption (HB 2563/ PA 98-0052):** Waives the Commercial Drivers License skills test requirement for an applicant who has military commercial motor vehicle experience and complies with federal rules.

**Veterans Employment (SB 204/PA 98-0054):** Allows honorably discharged veterans as well as members of the Illinois National Guard or other reserves to substitute some overseas service for the collegiate educational requirements to become a trooper with the Illinois State Police. Applies to persons awarded service medals for Southwest Asia, Kosovo, Korean Defense, Afghanistan, Iraq, or Global War on Terrorism.

**Veterans Probation Program Clarification (SB 1497/PA 98-0152):** Clarifies that eligibility for a Veterans and Service members Court program or a mental health court program (probationary programs) is limited to only those defendants

whose crime is eligible for probation. Any defendant who is ineligible for probation is not eligible for a Veterans and Service members Court program or a mental health court program.

**Veterans Priority Registration (SB 2245/PA 98-0316):** Requires public universities and community colleges to give veterans and service members the earliest possible enrollment opportunity that they offer to any class of students. This benefit must be used within 15 years after leaving military service. This is to address a problem where the federal government has been slow in reimbursing veterans. The intent is to allow veterans to submit the information to the federal government earlier.

**Naval Bases (SB 1953/PA 98-0494):** Affects the U.S. naval bases in northern Illinois. Allows the sunset of the PPV lease classification system on January 1, 2016. A PPV lease is a leasehold interest in U.S. military property that is leased to another. An amendment was adopted so that the measure would not affect Scott Air Force base near St. Louis.