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# Legislative Report

**BOMA/Suburban Chicago**

March 16, 2018

The Senate adjourned Friday and the House was not in session this week. Both chambers are on a three week break and are set to return Monday, April 9.

Reminder, the General Primary Election is March 20.

## **GOVERNOR VETOES GUN STORE LICENSING BILL**

### [Tribune](#)

Republican Gov. Bruce Rauner on Tuesday vetoed a bill that would have required the state to license and regulate gun shops, drawing sharp criticism from Democrats who contended the decision was designed to appeal to conservative voters ahead of next week's primary election.

Rauner called the proposal "duplicative" because the federal government already licenses firearms retailers. He said adding another layer of oversight would be costly for businesses and "do little to improve public safety." Lawmakers approved the plan a couple of weeks ago in the wake of the killing of Chicago police Cmdr. Paul Bauer and the high school shooting in Parkland, Fla.

"The core issue is not which guns to legally ban or regulate," Rauner said in his veto message to lawmakers. "We have ample proof that such narrowly focused legislative responses make for good political cover. But they do little to stop the illegal flow of guns into Illinois or prevent people from committing thousands of crimes in our state each year with illegal guns."

Supporters of the bill, though, said it was the governor who put politics first to shore up a conservative base amid a primary challenge from Republican state Rep. Jeanne Ives of Wheaton. She has hammered Rauner for signing bills to expand taxpayer funding of abortions and provide protections for immigrants living in Illinois illegally. Ives voted against the licensing bill and had called on Rauner to veto it.

The governor's veto came a day before students across the country are planning a walkout Wednesday morning to protest gun violence. Democratic lawmakers and staff at the Capitol plan to have their own demonstration to show solidarity, and the Senate also is expected to consider additional gun control measures, including bills to extend the waiting period to buy assault-style rifles and ban bump stocks.

While there have been growing calls to restrict access to firearms following a series of high-profile shootings, the state licensing bill has been more than a decade in the making as public officials grapple with how to address persistent violence in some Chicago neighborhoods.

Though the federal Bureau of Alcohol, Tobacco, Firearms and Explosives already licenses gun shops, critics have said those efforts don't go far enough. They say the agency doesn't have enough agents to properly inspect firearms dealers in Illinois and Indiana. They point to data that show a large percentage of weapons found at crime scenes in Illinois come from a handful of sellers.

Under federal rules, sellers must conduct background checks on those seeking to buy firearms, keep transaction records so guns used in crimes can be traced to their point of purchase, and make sure that safety locks are provided with every handgun. The stores also are subject to inspections.

The proposed state rules would be more restrictive. Anyone who sells, leases or transfers 10 or more firearms a year would have to be licensed by the Illinois Department of Financial & Professional Regulation, a cost that would be limited to \$1,000 every five years.

Dealers and their employees would have to take training to make sure they know how to properly conduct background checks, store guns, prevent thefts and thwart straw purchases, in which someone buys a gun on behalf of a person who is barred from doing so.

Retailers also would be required to install video surveillance systems and conduct more regular inventory. Before they could receive a license, sellers would have to pass an inspection and obtain written approval from their county sheriff. Owners and employees would also be required to pass the same background checks as those seeking to make a purchase, and state regulators could require workers to undergo fingerprinting, provide a recent photograph and sign a release for other records.

Big-box retailers where gun sales make up less than 20 percent of overall sales would be exempt, which has prompted some to argue the measure would harm smaller, independent business owners.

#### **BILL BANNING AUDITORS TO REPORT UNCLAIMED PROPERTY**

Senate Bill 2901 would ban audits of unclaimed property by auditors being funded on a contingency basis. The bill is supported by the Illinois Chamber of Commerce and drew the ire of the State Treasurer.

#### ***State Treasurer Michael Frerichs***

Crooked businesses would be able to keep taxpayer money without fear of punishment if legislation pushed by the Illinois Chamber of Commerce and supported by Gov. Bruce Rauner becomes law, Illinois Treasurer Michael Frerichs said today.

SB2901 would outlaw the use of auditors to ensure that businesses are properly reporting unclaimed property to the state of Illinois. Examples of unclaimed property include unpaid life insurance benefits, forgotten bank accounts, and unclaimed rebate checks. If enacted into law, not only would hundreds of millions of dollars be kept by dishonest businesses instead of paid to the rightful owners, honest businesses would be at a competitive disadvantage simply by following the rules.

Illinois holds more than \$2 billion in unclaimed property. Of that, more than one-fourth, or \$612 million, is a direct result of audits. Illinois' current system of audits began under then-treasurer Judy Baar Topinka, a Republican the chamber of commerce previously supported and a person Rauner called one of the state's "all-time greats".

"On what planet does keeping something that you know does not belong to you deserve to be protected by special legislation," Frerichs said. "Honest mistakes happen. That is why every industry in America uses audits. If this legislation comes to pass, it would be impossible to identify which companies were following the rules, regardless of their intent."

Audit success stories inside the Illinois Treasurer's Office include:

Between 2011 and 2015, audits identified more than \$550 million in unpaid life insurance death benefits that should have been paid. In some cases, the insured had been deceased for decades.

In 2016, Sprint agreed to surrender \$2.3 million owed to 32,000 Illinois residents who did not cash rebate checks. In that same year, Radio Shack agreed to surrender uncashed rebates worth \$140,000 owed to 5,000 Illinois residents. Audits identified these rebates still owed to Illinois residents.

In 2018, Chicago-based Kemper Corp. reversed course and dropped a lawsuit to block audits after previously indicating in federal filings that their position "creates a risk of reputational damage."

In 2017, Rauner tried to kill the Life Insurance Reform Act by issuing an amendatory veto that effectively prohibited the use of outside auditors. Lawmakers wisely rejected that proposal because it would have gutted Illinois' unclaimed property law. SB 2901 again attempts to eliminate the use of audits.

### ***Illinois Chamber of Commerce***

Treasurer Frerichs' press conference held earlier today inaccurately depicted the contents of SB 2901. Firstly, the legislation does not take away the treasurer's ability to use auditors and saying so is simply inaccurate.

Chamber initiative, SB 2901, allows all types of audits except for those funded on a contingency basis. That is those audits conducted by an outside firm where the firm is compensated based on how much revenue they can extract from businesses. Contingency firms typically are only compensated by the amount of revenue they identify creating a tremendous incentive that puts businesses at a disadvantage.

Secondly, the problems the Illinois Chamber is seeking to address were included as part of the massive tax increase pushed through the Legislature and vetoed by the governor in 2017. The purpose of the tax increase was a massive revenue grab and the provisions the treasurer defends are part of that grab.

When it comes to auditing businesses, the treasurer has options. He should use its office's existing resources more efficiently; hire outside auditors who are paid on a regular fee basis, not by how much revenue they can extract; or the Treasurer's Office could return the unclaimed property program to the successful administration of the Illinois Department of Financial & Professional Regulation.

### **RICH MILLER'S WEEKLY COLUMN**

House Speaker Michael Madigan cares most about three House votes: The votes every two years for both the next Speaker and the House rules; and the vote every ten years on the new state legislative district maps.

But, prying control of those maps away from Speaker Madigan and Senate President John Cullerton is next to impossible, as proponents of a constitutional amendment to do so have found. Drawing the new map is the ultimate way to reward your friends and punish your enemies. (Keep in mind here that I am NOT talking about congressional maps. That should be part of a national solution.)

Anyway, when I watched video of JB Pritzker pressed by reporters in Chicago about how much he really supported a truly independent remap process, it didn't seem to me that he was willing to go to the wall for his beliefs.

We've seen this movie before. Former Gov. Pat Quinn talked a good game about reforming the state legislative map-making process and then signed the remap legislation drafted by Madigan and Cullerton.

I decided to test Pritzker's resolve by asking him, and the rest of the gubernatorial candidates, whether they'd veto any legislative redistricting legislation that wasn't truly independent. Pritzker pledged his veto while Chris Kennedy and Sen. Daniel Biss both said they wouldn't take such a pledge. (Gov. Bruce Rauner and Rep. Jeanne Ives also said they'd veto.)

Kennedy and Biss are just flat-out wrong here.

A governor cannot cajole the House Speaker and the Senate President into giving up control of "their" maps to people they don't know and trust. Quinn tried that and totally failed. The only way the leaders

will take this step is if they believe there is a credible chance that the Republicans could draw the new maps.

How could that happen? If a governor vetoes the remap bill and he's not overridden and the resulting process winds up deadlocked (as it always has before), that'll force a drawing out of Abe Lincoln's hat to decide which party gets control.

The map-making powers aren't completely about the leaders maintaining numerical control of their respective chambers — although building in lots of extra partisan cushion with gerrymandering is most certainly right at the top.

This is also about their own districts, particularly for Madigan. Let somebody else draw the map and he might wind up in a district with few precincts in his beloved 13th Ward. He lives close to Chicago's southwestern border, so his new district could wind up being heavily suburban and more anti-Madigan. Who really knows? And that unanswerable question is the whole point of Madigan making sure anything independent is kept as far away as possible from drawing the next map.

Sen. Biss dismissed my question by claiming that the Illinois Constitution puts legislators, their staffs and their allies into the map-making process. Actually, the Constitution just says the General Assembly has to pass a new redistricting bill every ten years. The legislature can always pass a bill to set up an independent remap system, free from involvement by the powers that be.

Illinois doesn't need a constitutional amendment to have an independent map-drawing process.

"Instead of pledging to veto," Biss wrote, "as governor, I would advocate for a true independent redistricting process." Right. Just like Pat Quinn. You'll get what you'll get, and you'll eat it and you'll like it.

Chris Kennedy came up with the surprisingly lame excuse that taking a pledge to veto a district map which isn't independently drawn "fails to take into account the situation which may exist at a time of passage."

Um, huh? What "situation" might that be? If you believe that voters should choose their legislators and not the other way around, you gotta be willing to go to bat for them. This isn't like holding the budget hostage, which can actually get people killed. This is about recognizing when you've got the upper hand in a purely political battle.

It just seems weird to me that the two guys who are currently strutting around the state loudly demanding that Madigan step down as party chairman are so loathe to upset the Velvet Hammer on this topic.

At the same time, a candidate who seems afraid to even utter Madigan's name is willing to say he'll back up his words with deeds in order to challenge one of Speaker Madigan's most powerful weapons. Hey,

you may not trust Pritzker to actually follow through, but at least we have him on record, unlike those other two guys.

## LEGISLATIVE WATCH LIST

- HB4062**     **CONS FRAUD-SCHOOL DATA** (DELUCA A) Amends the Consumer Fraud and Deceptive Business Practices Act. Defines "online real estate database provider". Provides that if an online real estate database provider includes, in its information concerning residential real property located in the State of Illinois, certain information on the quality of schools in which the residential real property is located, the online real estate database provider must use the most recent information available prepared by the State Board of Education. Provides that a violation of those provisions is an unlawful practice within the meaning of the Act.
- Current Status:* 3/6/2018 - House Consumer Protection, (First Hearing)  
      *Recent Status:* 2/27/2018 - House Consumer Protection, (First Hearing)1/30/2018 - House Consumer Protection, (First Hearing)
- HB4202**     **INC TX-RATES** (BENNETT T) Amends the Illinois Income Tax Act. Provides that, for taxable years beginning on or after January 1, 2019, the rate of tax shall be 5% for corporations (currently, 7%). Makes conforming changes concerning distributions to the Local Government Distributive Fund. Effective immediately.
- Current Status:* 1/16/2018 - Referred to House Rules  
      *Recent Status:* 1/16/2018 - FIRST READING  
                          12/20/2017 - Filed with the Clerk by Rep. Thomas M. Bennett
- HB4203**     **MUNI CD-ANNEXATION LIMITATION** (ANDERSSON S) Amends the Illinois Municipal Code. Provides that an action contesting whether territory annexed by a municipality is contiguous shall be commenced no later than 10 years after the date the annexation ordinance is recorded. Makes conforming changes. Effective immediately.
- Current Status:* 3/7/2018 - House Real & Personal Property Law Subcommittee, (First Hearing)  
      *Recent Status:* 3/7/2018 - House Judiciary - Civil, (First Hearing)2/28/2018 - To Real & Personal Property Law Subcommittee
- HB4268**     **HOME REPAIR-CONSUMER NOTICES** (THAPEDI A) Amends the Home Repair and Remodeling Act. Provides that "residence" means a single-family home or dwelling or a multiple-family home or dwelling containing 6 or fewer apartments, condominiums, town houses, or dwelling units, used or intended to be used by the consumer as his or her dwelling place (instead of "by occupants as dwelling places"). In the home repair consumer rights pamphlet, replaces notice language concerning lien waivers with the following: "Illinois law requires that, before payment, your contractor give you a sworn statement which lists: (1) all the persons or companies your contractor hired to work on your home and their addresses; and (2) the amounts previously paid, the amounts about to be paid, and the total amount owed after the payment to these persons or companies. The sworn statement should be fully completed, signed, and notarized. When the contractor's sworn statement lists an amount due or to become due to a subcontractor, or when a subcontractor gives you notice of an amount due to the subcontractor, you must retain sufficient funds to pay that subcontractor. Subcontractors give the contractors lien waivers when they are paid. Ask your contractor for copies of these lien waivers. If your contractor tells you he or she needs a payment from you in order to pay subcontractors, you have the right to pay the subcontractors directly."

**Current Status:** 3/8/2018 - House Committee Amendment No. 1 Filed with Clerk by Rep. Andr? Thapedi

**Recent Status:** 3/8/2018 - House Committee Amendment No. 1 Filed with Clerk by Rep. Andr? Thapedi  
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**HB4293** **INC TX-INVESTMENT SERVICES** (WELCH E) Amends the Illinois Income Tax Act. Imposes a privilege tax on partnerships and S corporations engaged in the business of conducting investment management services. Provides that the tax shall be imposed at the rate of 20% of the fees calculated by reference to the performance of the investment portfolio funds and not from the investment itself. Defines "investment management services".

**Current Status:** 3/8/2018 - House Growth, Reform, and Fairness Subcommittee, (First Hearing)

**Recent Status:** 3/8/2018 - House Revenue & Finance, (First Hearing)3/1/2018 - House Growth, Reform, and Fairness Subcommittee, (First Hearing)

**HB4306** **CONCEAL CARRY-BUSINESS LICENSE** (REICK S) Amends the Firearm Concealed Carry Act. Provides that a municipality, including a home rule unit, may not revoke, suspend, or refuse to renew a business license or otherwise interfere with a business license issued by the municipality to a business owner, including the holder of a retail liquor license issued under the Liquor Control Act of 1934, because the business owner lawfully permits a concealed carry licensee to carry firearms into his or her business establishment. Effective immediately.

**Current Status:** 1/26/2018 - Referred to House Rules

**Recent Status:** 1/26/2018 - FIRST READING  
1/23/2018 - Filed with the Clerk by Rep. Steven Reick

**HB4363** **CONTRACTOR EXPENDITURE REPORTS** (JIMENEZ WOJCICKI S) Amends the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. Provides that any contractor awarded a contract under the Act shall be required to make periodic reports to the contracting State agency on all expenditures made to achieve compliance with the provisions of the Act. Provides for the required contents of the report. Provides remedies for a contractor's non-compliance with the commitment to businesses owned by minorities, women, or persons with disabilities under the Act. Provides additional terms by which a contracting State agency may terminate a contract under the Act. Allows a contracting State agency to have access to a contractor's books and records for compliance purposes.

**Current Status:** 3/7/2018 - House State Government Administration, (First Hearing)

**Recent Status:** 2/28/2018 - House State Government Administration, (First Hearing)2/14/2018 - Assigned to House State Government Administration

**HB4378** **MUNI-HOME RULE TAX LIMITATION** (CABELLO J) Amends the Illinois Municipal Code. Provides that on and after the effective date of this amendatory Act, a home rule unit may not impose any tax increase or levy any new or additional tax without prior referendum approval. Limits home rule powers.

**Current Status:** 1/30/2018 - Referred to House Rules

**Recent Status:** 1/30/2018 - FIRST READING  
1/30/2018 - Filed with the Clerk by Rep. John M. Cabello

**HB4390 CRIM CD-CRIMINAL BUILDING MGMT (WILLIS K)** Amends the Criminal Code of 2012. Defines "commercial property", "dangerous condition", "first responder", "management or operational control", "person", and "serious bodily injury". Provides that first responder endangerment is committed when a person knowingly creates a dangerous situation and intentionally conceals the dangerous condition in a commercial property under his or her management or control and the dangerous condition is the primary cause of death or serious bodily injury of a first responder during the course of his or her official duties. Provides that first responder endangerment is a Class 4 felony.

House Committee Amendment No. 1 - Replaces everything after the enacting clause. Amends the Criminal Code of 2012. Creates the offense of first responder endangerment. Provides that a person commits the offense when he or she knowingly creates a dangerous condition and intentionally conceals the dangerous condition in a commercial property under his or her management or operational control and the dangerous condition is found to be the primary cause of the death or serious bodily injury of a first responder in the course of his or her official duties. Provides that a violation is a Class 4 felony. Defines various terms.

**Current Status:** 3/9/2018 - Referred to Senate Assignments

**Recent Status:** 3/9/2018 - FIRST READING  
3/9/2018 - Chief Senate Sponsor Sen. Martin A. Sandoval

**Notes:** Chicago has been working hard on and Ron actually testified in hearings on this one. This may be a bill that we could actually team up with Chicago on. The bill has serious ramifications if it passes and you work for a landlord who does not want to spend money.

**HB4431 FIRE DIST-EQUIP REIMBURSEMENT (HOFFMAN J)** Amends the Fire Protection District Act. In provisions regarding fixing, charging, and collecting fees for services rendered by a fire district against persons, businesses, and other entities who are not residents of the fire protection district, provides that additional charges may be levied to reimburse the district for equipment and apparatus utilized in response to the call for assistance where it can be demonstrated by the district that the additional equipment or apparatus was needed in the circumstances presented, but the rate per vehicle shall not exceed \$100 per hour. Effective immediately.

**Current Status:** 1/31/2018 - Referred to House Rules

**Recent Status:** 1/31/2018 - FIRST READING  
1/31/2018 - Filed with the Clerk by Rep. Jay Hoffman

**HB4490 MUNICIPAL REVENUE REFERENDUM (CABELLO J)** Amends the Illinois Municipal Code. Provides that, on and after the effective date of this amendatory Act, home rule municipalities and non-home rule municipalities may not impose any tax increase or levy any new or additional tax without prior referendum approval. Limits home rule powers. Effective immediately.

**Current Status:** 2/7/2018 - Added Chief Co-Sponsor Rep. Allen Skillicorn

**Recent Status:** 2/2/2018 - Referred to House Rules  
2/2/2018 - FIRST READING

**HB4538 PROP TX-NATURAL DISASTER (HAYS C)** Amends the Property Tax Code. In a Section granting a natural disaster homestead exemption, removes language providing that the square footage of the rebuilt residential structure may not be more than 110% of the

square footage of the original residential structure as it existed immediately prior to the natural disaster. Removes provisions providing that the taxpayer's initial application for a natural disaster homestead exemption must be made no later than the first taxable year after the residential structure is rebuilt. Provides that, if the square footage of the rebuilt structure exceeds 110% of the square footage of the original residential structure as it existed immediately prior to the natural disaster, then the amount of the natural disaster homestead exemption is the equalized assessed value per square foot of the rebuilt structure multiplied by 110% of the square footage of the original residential structure as it existed immediately prior to the natural disaster minus the base amount. Provides that the amendatory Act is retroactive to the 2012 taxable year. Sets forth provisions concerning the valuation of farm improvements that have been rebuilt following a natural disaster. Effective immediately.

**Current Status:** 3/8/2018 - House Property Tax Subcommittee, (First Hearing)

**Recent Status:** 3/8/2018 - House Revenue & Finance, (First Hearing)3/1/2018 - To Property Tax Subcommittee

**HB4564** **MUNI CD-FREE SNOW REMOVAL** (JONES T) Amends the Illinois Municipal Code. Provides that a municipality shall provide free snow removal at the residence of a person with a disability, senior, or veteran when one inch or more of snow accumulates on the ground. Provides that a person with a disability, senior, or veteran may receive free snow removal under these provisions only after he or she registers with the municipality providing the following information to the municipality: identification; proof of current residence; and, if applicable, signing a statement affirming that he or she is a person with a disability or a veteran. Defines terms. Limits home rule powers. Effective July 1, 2019.

**Current Status:** 2/6/2018 - Referred to House Rules

**Recent Status:** 2/6/2018 - FIRST READING  
2/6/2018 - Filed with the Clerk by Rep. Thaddeus Jones

**HB4569** **ABOVEGROUND FUEL STORAGE** (PARKHURST L) Amends the Gasoline Storage Act. Provides that each facility used for: (i) agricultural purposes at an agriculture site; (ii) refueling construction equipment at a construction site; or (iii) parking, operating, or maintaining a commercial vehicle fleet may store up to 12,000 gallons of any single type of fuel for dispensing in aboveground storage tanks that are constructed of steel, made vapor tight, and outside of buildings. Effective immediately.

House Committee Amendment No. 1 - Replaces everything after the enacting clause. Amends the Gasoline Storage Act. Provides that a facility used for: (i) agricultural purposes at an agricultural site; (ii) refueling construction equipment at a construction site; (iii) parking, operating, or maintaining a commercial vehicle fleet; or (iv) fueling at railway yards, may store an aggregate total of 12,000 gallons of fuel for dispensing in aboveground storage tanks, as long as the facility complies with all other requirements of the rules of the Office of the State Fire Marshal. Effective immediately.

**Current Status:** 3/14/2018 - Added as Alternate Chief Co-Sponsor Sen. Michael Connelly

**Recent Status:** 3/9/2018 - Referred to Senate Assignments  
3/9/2018 - FIRST READING

**HB4774** **LOCAL-LOWEST RESPONSIBLE BID** (KIFOWIT S) Amends the Counties Code. In provisions regarding determination of the lowest responsible bidder in purchases by a county with fewer than 2,000,000 inhabitants for services, materials, and equipment, a local company that bids within 5% to 10% of the lowest bid, if that lowest bid is made by a non-local company, is the lowest responsible bidder. Provides that if more than one local

company's bid is within 5% to 10% of the lowest bid made by a non-local company, the county board shall award the contract to the lowest responsible bidder among the local company bids. Defines "local company" as a company or business entity located within the contracting county or any contiguous county in the State that has the majority of its regular, full-time workforce located within the contracting county or contiguous county. Amends the Township Code. Makes similar changes in provisions concerning construction contracts and contracts for services, materials, equipment, or supplies. Amends the Illinois Municipal Code. Makes similar changes in provisions concerning purchasing and public works contracts in municipalities of less than 500,000.

**Current Status:** 2/13/2018 - Referred to House Rules

**Recent Status:** 2/13/2018 - FIRST READING

2/13/2018 - Filed with the Clerk by Rep. Stephanie A. Kifowit

**HB4775 INC TX-PROPERTY TAXES** (ANDRADE, JR. J) Amends the Illinois Income Tax Act. Creates a deduction in an amount equal to the difference between (i) the amount paid by the taxpayer in property taxes during the taxable year and (ii) \$10,000, but not to exceed \$5,000 per taxpayer in any taxable year. Effective immediately.

**Current Status:** 2/13/2018 - Referred to House Rules

**Recent Status:** 2/13/2018 - FIRST READING

2/13/2018 - Filed with the Clerk by Rep. Jaime M. Andrade, Jr.

**HB4798 INCOME TAX-LLC** (WELCH E) Amends the Illinois Income Tax Act. Provides that a Personal Property Tax Replacement Income Tax in an additional amount equal to 7.5% of its net income shall be imposed on limited liability companies. Deletes language that exempts investment partnerships from a Personal Property Tax Replacement Income Tax.

**Current Status:** 2/14/2018 - Referred to House Rules

**Recent Status:** 2/14/2018 - FIRST READING

2/13/2018 - Filed with the Clerk by Rep. Emanuel Chris Welch

**HB4804 PROP TX-SINGLE BIDDER** (SOSNOWSKI J) Amends the Property Tax Code. Requires county collectors to adopt a single bidder rule sufficient to prohibit a tax purchaser from registering more than one related bidding entity. Provides that violation of a single bidder rule is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense. Provides that a second or subsequent offense shall operate as a bar to any future participation in tax sales within Illinois. Effective immediately.

**Current Status:** 2/14/2018 - Referred to House Rules

**Recent Status:** 2/14/2018 - FIRST READING

2/13/2018 - Filed with the Clerk by Rep. Joe Sosnowski

**HB4878 BIDS-OCCUPATION/USE EXEMPTION** (SEVERIN D) Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. Provides that if an in-State retailer or serviceman bids on a purchase order or contract to provide materials, equipment, or supplies to a municipality with a population under 1,000,000, and that purchase order or contract involves an amount in excess of \$25,000, then the municipality may apply to the Department of Revenue for a certificate of exemption from the taxes imposed under specified local provisions of the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act for the in-State retailer or serviceman, or a third-party supplier of the retailer or serviceman, with respect to the materials, equipment, or supplies covered by the bid if: at least one other bid is received from an out-of-State retailer or serviceman; the in-State retailer or serviceman demonstrates the necessity of the exemption in order to submit the lowest responsible bid,

including substantive proof furnished by the retailer or serviceman to the municipality or the Department of Revenue; and the in-State retailer provides an itemized estimate of cost to the corporate authorities of the municipality. Defines terms. Makes confirming changes in the following Acts and Codes: the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, the Counties Code, the Illinois Municipal Code, the Salem Civic Center Law of 1997 of the Civic Center Code, the Metropolitan Pier and Exposition Authority Act, the Flood Prevention District Act, the Metro-East Park and Recreation District Act, the Local Mass Transit District Act, the Regional Transportation Authority Act, and the Water Commission Act of 1985. Effective immediately.

**Current Status:** 3/5/2018 - Assigned to House Revenue & Finance

**Recent Status:** 2/14/2018 - Referred to House Rules  
2/14/2018 - FIRST READING

**HB5505 REALTY LICENSES-BOARDS** (MCCOMBIE T) Amends the Auction License Act, the Community Association Manager Licensing and Disciplinary Act, the Real Estate License Act of 2000, and the Real Estate Appraiser Licensing Act of 2002. Makes changes to the terms for members of the Auction Advisory Board, the Community Association Manager Licensing and Disciplinary Board, the Real Estate Administration and Disciplinary Board, and the Real Estate Appraisal Administration and Disciplinary Board. Provides that the members' terms shall be for 4 years and the term expires upon completion of the term. Provides that the Community Association Manager Licensing and Disciplinary Board that are serving on the Board on the effective date of the amendatory Act may serve the remainder of their unexpired terms. Provides that no member of the Real Estate Administration and Disciplinary Board shall be reappointed to the Board for a term that would cause his or her cumulative service to the Board to exceed 10 years (rather than 12 years). Makes changes to the appointment process for vacancies on the Auction Advisory Board, the Community Association Manager Licensing and Disciplinary Board, and the Real Estate Appraisal Administration and Disciplinary Board. Effective immediately.

**Current Status:** 3/7/2018 - Assigned to House Business & Occupational Licenses

**Recent Status:** 2/16/2018 - Referred to House Rules  
2/16/2018 - FIRST READING

**Notes:** If bill passes, need to inform BOMA members as all third party managers have this license

**HB5508 HOMELESS BILL OF RIGHTS** (FORD L) Amends the Bill of Rights for the Homeless Act. Provides that if a unit of local government determines that a person experiencing homelessness is living in a public space and requires that person to vacate the public space, the unit of local government shall: (i) provide a 48-hour notice to vacate to that person; (ii) offer to call a paramedic for medical treatment; (iii) offer to provide transportation to the nearest homeless shelter; and (iv) allow the person to collect all personal property and offer bags to transport the personal property.

**Current Status:** 2/16/2018 - Referred to House Rules

**Recent Status:** 2/16/2018 - FIRST READING  
2/16/2018 - Filed with the Clerk by Rep. La Shawn K. Ford

**Notes:** Limits a Landlord recourse to contact Law Enforcement or the municipality if they have homeless gathering on public property. If you call for assistance there will be ramifications to village thereby reducing the likelihood that they will want to assist.

**HB5543 MUNI-POWERS/HOME RULE REVENUE** (SKILLICORN A) Amends the Illinois Municipal Code. Gives non-home rule municipalities with a population of more than 2,000 the power

to exercise all power provided to home rule units under Section 6 of Article VII of the Illinois Constitution, except for the powers to tax, to impose fees, and to incur debt. Provides that a home rule municipal retailer's occupation tax may be imposed up to a 1% increment if the corporate authorities of a home rule municipality by ordinance or resolution call for the submission to the electors of the municipality the question of whether the municipality shall impose such a tax or increase the rate of such a tax (rather than only shall be imposed in 1/4% increments). Effective immediately.

**Current Status:** 2/16/2018 - Referred to House Rules

**Recent Status:** 2/16/2018 - FIRST READING

2/16/2018 - Filed with the Clerk by Rep. Allen Skillicorn

**HB5565** **PROP TX-RATE-REDUCED LUNCH** (MAYFIELD R) Amends the Property Tax Code. Provides that the aggregate tax rate extended against property located in a municipality in which at least 60% of the households qualify for the national school lunch program shall not exceed 3.5%. Provides that, if the county clerk is required to reduce the rate extended against property in accordance with those provisions, the county clerk shall proportionally reduce the extension for each taxing district in which the property is located. Effective immediately.

**Current Status:** 3/7/2018 - Assigned to House Revenue & Finance

**Recent Status:** 2/16/2018 - Referred to House Rules

2/16/2018 - FIRST READING

**HB5603** **MUNI CD-FREE SNOW REMOVAL** (JONES T) Amends the Illinois Municipal Code. Provides that a municipality shall provide free snow removal at the residence of a person with a disability, senior, or veteran when one inch or more of snow accumulates on the ground. Provides that a person with a disability, senior, or veteran may receive free snow removal under these provisions only after he or she registers with the municipality providing the following information to the municipality: identification; proof of current residence; and, if applicable, signing a statement affirming that he or she is a person with a disability or a veteran. Defines terms. Limits home rule powers. Repeals the provisions 3 years after the effective date of the Act.

**Current Status:** 2/16/2018 - Referred to House Rules

**Recent Status:** 2/16/2018 - FIRST READING

2/16/2018 - Filed with the Clerk by Rep. Thaddeus Jones

**SB1435** **INC TX-SOUNDPROOFING** (MURPHY L) Amends the Illinois Income Tax Act. Creates an income tax credit in an amount equal to the amount paid by the taxpayer during the taxable year for the purpose of purchasing acoustical materials, other materials, labor, and professional services to soundproof a residential home located at an eligible address against aircraft noise generated by an airport governed by the provisions of the Permanent Noise Monitoring Act. Provides that the credit may not reduce the taxpayer's liability to less than zero; however, the credit may be carried forward. Provides that the credit is exempt from the Act's automatic sunset provisions. Effective immediately.

**Current Status:** 1/30/2018 - Senate Revenue, (First Hearing)

**Recent Status:** 1/26/2018 - Added as Chief Co-Sponsor Sen. Don Harmon

1/24/2018 - Re-assigned to Senate Revenue

**SB1791** **PROP TAX-VALUATION** (STADELMAN S) Amends the Property Tax Code. Provides that in all cases where a change in assessed valuation greater than \$300,000 is sought, the Property Tax Appeal Board shall make an independent determination of valuation. Provides criteria for determining which comparable properties are to be used, together with

requirements and criteria for making the independent determination of valuation. Makes a conforming change. Effective immediately.

**Current Status:** 1/30/2018 - Senate Revenue, (First Hearing)

**Recent Status:** 1/24/2018 - Re-assigned to Senate Revenue  
1/24/2018 - Referred to Senate Revenue

**SB1792** **PROP TX-COMPLAINT-DISCLOSURE** (STADELMAN S) Amends the Property Tax Code. In provisions concerning hearings before the board of review or the Property Tax Appeal Board, provides that the complainant or appellant shall make timely disclosure to the assessor and the board or review or Property Tax Appeal Board, as applicable, of all relevant evidence or information known to the complainant or appellant, including, in cases where a change in assessed valuation over \$300,000 is sought, all appraisals prepared in anticipation of filing a complaint or appeal. Effective immediately.

**Current Status:** 1/30/2018 - Senate Revenue, (First Hearing)

**Recent Status:** 1/24/2018 - Re-assigned to Senate Revenue  
1/24/2018 - Referred to Senate Revenue

**Notes:** Directly related to SB 1791 – Owner must make timely disclosure•

**SB1793** **PROP TX-COMPARABLES** (STADELMAN S) Amends the Property Tax Code. Provides that, with respect to non-residential property, neither the board of review nor the Property Tax Appeal Board may consider comparable real property sales made subject to a private restriction or covenant in connection with the sale or rental of the property if that private restriction or covenant substantially impairs the use of the comparable property as compared to the property subject to assessment, or if that private restriction or covenant materially increases the likelihood of vacancy or inactivity on the property. Effective immediately.

**Current Status:** 1/30/2018 - Senate Revenue, (First Hearing)

**Recent Status:** 1/24/2018 - Re-assigned to Senate Revenue  
1/24/2018 - Referred to Senate Revenue

**Notes:** Related to 1791 and 1792 – non-residential properties

**SB1794** **PROP TX-APPRAISAL DATABASE** (STADELMAN S) Amends the Property Tax Code. Provides that the Department of Revenue, with the assistance of the Office of Appraisals, shall maintain a database of all appraisals introduced as evidence in hearings before the Property Tax Appeal Board or the board of review. Provides that the database must be searchable by certain specified parameters. Effective immediately.

**Current Status:** 1/30/2018 - Senate Revenue, (First Hearing)

**Recent Status:** 1/24/2018 - Re-assigned to Senate Revenue  
1/24/2018 - Referred to Senate Revenue

**SB2211** **FIRE SPRINKLER - DATABASE** (HARMON D) Amends the Fire Sprinkler Contractor Licensing Act. Provides that an individual who performs inspection and testing of fire sprinkler systems and control equipment must possess on his or her person a photo identification card issued by the State Fire Marshal as proof of compliance with the Act. Provides that the photo identification card shall be issued by the State Fire Marshal annually at a fee determined by the State Fire Marshal by rule. Provides that all inspections and testing of fire sprinkler systems and control equipment must be recorded on an inspection report issued by the State Fire Marshal and provides requirements for the inspection reports. Provides that all fire sprinkler systems must be affixed with a pre-printed label bearing specified information that shall be purchased by the licensed

contractor from the State Fire Marshal. Provides that a copy of the inspection report must be forwarded to the State Fire Marshal within 24 hours after completion of the inspection. Provides that the fees for an inspection form and photo identification card shall be determined by the State Fire Marshal by rule. Provides that the State Fire Marshal has the power and duty to establish a database of all persons involved in the inspection or testing of existing fire sprinkler systems or control equipment.

**Current Status:** 3/14/2018 - Senate Licensed Activities and Pensions, (First Hearing)

**Recent Status:** 2/15/2018 - Postponed - Licensed Activities and Pensions  
2/14/2018 - Senate Licensed Activities and Pensions, (First Hearing)

**Notes:** Currently postponed but we need to make sure it does not resurface  
" it will be another inspection fee just like the State Certification inspection of elevators

**SB2224 REPEAL/RESTORE VARIOUS-SB9** (MCCARTER K) If and only if Senate Bill 9 of the 100th General Assembly becomes law in the form in which it was amended by House Amendment No. 3, repeals the State Tax Lien Registration Act and the Revised Uniform Unclaimed Property Act created by that bill. Repeals provisions of Senate Bill 9 of the 100th General Assembly that would have repealed the Uniform Disposition of Unclaimed Property Act on January 1, 2018. Changes various Acts by restoring language deleted by Senate Bill 9 of the 100th General Assembly and deleting language added by Senate Bill 9 of the 100th General Assembly. Effective immediately.

**Current Status:** 1/30/2018 - Added as Chief Co-Sponsor Sen. Dan McConchie

**Recent Status:** 1/30/2018 - Senate Revenue, (First Hearing)1/24/2018 - Assigned to Senate Revenue

**SB2242 EMPLOYEE SICK LEAVE BENEFITS** (MULROE J) Amends the Employee Sick Leave Act. Permits an employee to use personal sick leave benefits for leave an employee is entitled to under the Victims' Economic Security and Safety Act. Permits an employer to limit the use of personal sick leave benefits for leave an employee is entitled to under the Victims' Economic Security and Safety Act. Provides that the Employee Sick Leave Act does not limit or extend the period of leave to which an employee is entitled under the Victims' Economic Security and Safety Act, regardless of whether the employee receives sick leave compensation during that leave. Effective immediately.

**Current Status:** 1/24/2018 - Assigned to Senate Labor

**Recent Status:** 10/18/2017 - Referred to Senate Assignments  
10/18/2017 - FIRST READING

**SB2475 RIVER EDGE ZONE-QUALIFICATIONS** (MCCONNAUGHAY K) Amends the River Edge Redevelopment Zone Act. Provides that, on and after the effective date, the Department of Commerce and Economic Opportunity may certify as a River Edge Redevelopment Zone any area that meets the qualifications set forth in the Act.

**Current Status:** 3/1/2018 - Assigned to Senate Revenue

**Recent Status:** 1/30/2018 - Referred to Senate Assignments  
1/30/2018 - FIRST READING

**SB2502 USE/OCC TX-NOTIFICATIONS** (BERTINO-TARRANT J) Amends the Use Tax Act and the Service Use Tax Act. Provides that retailers and servicemen that do not collect the taxes under those Acts shall make the following reports and notifications: (1) a notification with each purchase made to an Illinois purchaser that use tax is due on certain purchases

at retail made from the retailer and that the State requires the purchaser to file a use tax return; and (2) an annual notification to each Illinois purchaser detailing the total amount paid by the purchaser for Illinois purchases at retail during the previous calendar year. Provides that, if a purchaser has otherwise failed to file a return with the Department of Revenue and remit the proper amount of tax due, and if the purchaser receives a notification from a retailer under the provisions of the amendatory Act, then that purchaser must file a return and pay the tax by April 15 of the year in which the notification is received. Effective immediately.

**Current Status:** 3/1/2018 - Senate Committee Amendment No. 1 Assignments Refers to Revenue

**Recent Status:** 2/27/2018 - Senate Committee Amendment No. 1 Referred to Assignments  
2/27/2018 - Senate Committee Amendment No. 1 Filed with Secretary by Sen. Jennifer Bertino-Tarrant

**SB2621 MECHANICS LIENS-SUBCONTRACTORS (MULROE J)** Amends the Mechanics Lien Act. Deletes language providing that a subcontractor shall, within 90 days after the completion his or her obligations under the contract between the contractor and the subcontractor, or, if extra or additional work or material is delivered thereafter, within 90 days after the date of completion of such extra or additional work or final delivery of such extra or additional material, cause a written notice of his or her claim and the amount due. Provides instead that a subcontractor shall, within 90 days after the completion of the work or extra work or materials are furnished under the contractor's contract with the owner, cause a written notice of his or her claim and the amount due.

**Current Status:** 3/14/2018 - Postponed - Judiciary

**Recent Status:** 3/13/2018 - Senate Judiciary, (First Hearing)2/27/2018 - Postponed - Judiciary

**Notes:** extends the time which contractor may file a lien " under current they must file within 90 days " under proposed bill they will just have to notify of intent to possibly file within 90 days.

**SB3121 INC TX-SALES FACTOR (NYBO C)** Amends the Illinois Income Tax Act. For the purpose of calculating the sales factor when allocating business income of persons other than residents, removes provisions providing that the sale is in this State if the property is shipped from an office, store, warehouse, factory or other place of storage in this State and the purchaser is not taxable in the State of the purchaser. Removes provisions concerning purchasers who are doing business on a premises owned or leased by a person who has independently contracted with the seller for the printing of newspapers, periodicals or books. Removes provisions providing that sales of tangible personal property are not in this State if the seller and purchaser would be members of the same unitary business group but for the fact that either the seller or purchaser is a person with 80% or more of total business activity outside of the United States and the property is purchased for resale.

**Current Status:** 2/27/2018 - Assigned to Senate Revenue

**Recent Status:** 2/15/2018 - Referred to Senate Assignments  
2/15/2018 - FIRST READING

**SB3215 PROP TX-SALE IN ERROR (BARICKMAN J)** Amends the Property Tax Code. In provisions concerning sales in error, provides that, in cases where improvements upon the property sold have been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy, the court may order the holder of the certificate of purchase to assign the certificate to the county collector, upon request of the county collector. Provides that the

county collector may further assign the certificate to the county, acting as trustee for taxing districts, or to a taxing district having an interest in the taxes sold. Provides that, if the certificate of purchase is assigned to the county delinquent tax agent because the improvements have been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy, then the county delinquent tax agent shall extend the redemption period by 36 months.

**Current Status:** 3/14/2018 - Senate Revenue, (First Hearing)

**Recent Status:** 2/27/2018 - Assigned to Senate Revenue  
2/16/2018 - Referred to Senate Assignments

**SB3216** **CIV PRO-FORECLOSURE LIMITATION** (BARICKMAN J) Amends the Code of Civil Procedure. Provides that actions for the recovery of real property following a foreclosure shall be brought within 3 years after possession is taken. Provides that every person in the actual possession of lands or tenements, under claim and color of title, as a purchaser following a foreclosure, and who for 3 successive years continues in possession, and also, during such time, pays all taxes legally assessed on the lands or tenements, shall be held and adjudged to be the legal owner of the lands or tenements, to the extent and according to the purport of his or her paper title. In the Section concerning strict foreclosure of an omitted subordinate interest, provides that "omitted subordinate interest" includes a person who was a named party in a foreclosure action over which the court lacked personal jurisdiction due to defective service of process, or was a party over which the court initially had personal jurisdiction but whose judgment was vacated due to lack of personal jurisdiction over a co-defendant. Provides that a foreclosure proceeding may be reopened as to the defendant and co-defendants only if the defendant was a named party in the foreclosure action over which the court lacked personal jurisdiction due to defective service of process, and after the foreclosure proceeding is reopened, if the defendant is unsuccessful in defeating the foreclosure action, then the defendant or its co-defendants shall have the option to redeem the property. Provides that the redemption period shall extend 90 days after the entry of the order if the defendant has not been in possession of the real estate for a period of 6 months prior to the entry of the order. Provides that nothing in the Section concerning strict foreclosure affects any existing right that the holder of the certificate of sale or any person who acquired title following a judicial sale or any subsequent successor, assignee, transferee, or grantee of such a person may have against the defendant or the real estate. Makes other changes. Contains a statement of legislative purpose. Adds language concerning applicability and severability. Effective immediately.

**Current Status:** 2/27/2018 - Assigned to Senate Judiciary

**Recent Status:** 2/16/2018 - Referred to Senate Assignments  
2/16/2018 - FIRST READING

**SB3393** **REAL ESTATE ACT-SPONSOR CARDS** (ALTHOFF P) Amends the Real Estate License Act of 2000. Removes provisions relating to sponsor cards issued by sponsoring brokers to managing brokers, brokers, or leasing agents. Adds provisions requiring a sponsoring broker to notify the Department of Financial and Professional Regulation within 24 hours of a sponsorship of a licensee in a manner provided by rule. When a licensee's employment with a sponsoring broker is terminated, requires the licensee and sponsoring broker to notify the Department of the termination within 24 hours in a manner provided by rule. Provides that the failure to provide that notification shall subject the sponsoring broker or licensee to discipline. Adds provisions regarding the Department's recognition of a sponsorship by a sponsoring broker. Makes conforming and other changes. Effective immediately.

**Current Status:** 3/14/2018 - Senate Licensed Activities and Pensions, (First Hearing)

**Recent Status:** 2/27/2018 - Assigned to Senate Licensed Activities and Pensions  
2/16/2018 - Referred to Senate Assignments

**Notes:** Make sure if this passes that we inform our members as all third-party managers this license

**SB3394 PROF LICENSING-VARIOUS-MIN AGE** (ALTHOFF P) Amends the Community Association Manager Licensing and Disciplinary Act, the Home Inspector License Act, and the Real Estate License Act of 2000. Reduces the minimum age requirement for licensure as a community association manager, supervising community association manager, home inspector, broker, or managing broker to 18 years of age (rather than 21 years of age). Makes a conforming change. Effective immediately.

**Current Status:** 3/14/2018 - Senate Licensed Activities and Pensions, (First Hearing)

**Recent Status:** 2/27/2018 - Assigned to Senate Licensed Activities and Pensions  
2/16/2018 - Referred to Senate Assignments

**Notes:** Make sure if this passes that we inform our members as all third-party managers have this license

**SB3561 BLDG COMMISSION-DESIGN-BUILD** (MUNOZ A) Amends the Public Building Commission Act. Changes various repeal dates from June 1, 2018 to June 1, 2023 in provisions concerning allowing public building commissions to use the design-build delivery method for public projects. Makes conforming changes.

**Current Status:** 3/14/2018 - Senate State Government, (First Hearing)

**Recent Status:** 2/27/2018 - Assigned to Senate State Government  
2/16/2018 - Referred to Senate Assignments

**SB3572 PROP TX-HOUSING-DISABILITIES** (CONNELLY M) Amends the Property Tax Code. Provides that, beginning with the 2019 levy year, improvements to residential real property that are designed to provide living quarters for a person with a disability or special needs shall not increase the assessed valuation of the property during any taxable year in which the person uses the property as his or her primary residence. Effective immediately.

**Current Status:** 2/27/2018 - Assigned to Senate Revenue

**Recent Status:** 2/16/2018 - Referred to Senate Assignments  
2/16/2018 - FIRST READING