

# Legislative Report

**BOMA/Suburban Chicago**

April 13, 2018

The Illinois General Assembly returned to session this week after a three-week spring break. The House was in Session all five days while the Senate was in Session three days. Both chambers return to session on Tuesday, April 17th.

Roughly eight weeks remain in the spring legislative session which is scheduled to adjourn on May 31st. Friday, April 10th, was the deadline to pass substantive legislation out of committees in both chambers. However, deadline extensions are likely on some of the legislation that remains pending at the committee level.

It was an extremely busy week in the capital. Both chambers considered hundreds of bills at the committee level in addition to considering legislation for final passage.

## GOVERNOR OUTLINES LEGISLATIVE AGENDA

On Monday, Governor Rauner outlined his legislative agenda for the remainder of the spring session. Rauner said that he wants the General Assembly to send him a full fiscal year's balanced budget that "lives within our means" without raising taxes. To begin the budget making process, Rauner is asking the General Assembly to formally establish revenue estimates. Rauner is also calling on the General Assembly to approve pension reform, provide property tax relief through enacting mandate relief for local governments (including consolidation, restricting prevailing wage and addressing school mandates), enhance public safety, make infrastructure improvement and enact term limits.

Rauner's agenda did not mention paying off the bill backlog which currently stands at \$8.3 billion or fixing the trouble Quincy Veteran's home.

The Governor and the four legislative leaders met on Thursday for the first time since February 14th. Prior to the meeting, the Governor asked the four leaders to name legislators to negotiate the budget on their behalf, adopt revenue estimates and pass a full year budget with no tax increases. Reaction to the meeting was mixed.

The Democratic leaders were critical of the Governor following the meeting. Senate President Cullerton called the Governor a "hypocrite" for wanting to spend the tax revenue that the Governor vetoed last year. Speaker Madigan indicated that he is ready to work in a bi-partisan fashion with Republican legislators like he did last year to end the budget crisis. Madigan noted that he would welcome Governor Rauner to that process if he is ready to accept responsibility and manage the state and be an honest partner in the budget process. Republican leaders characterized the meeting as "progress" noting the Democratic leaders agreed to appoint budget negotiators and adopt revenue estimates.

## ILLINOIS SENATE URGES RAUNER TO REJECT TRUMP BORDER CALL

[Associated Press](#)

The Illinois Senate is urging Gov. Bruce Rauner to reject a presidential call to send National Guard troops to help secure the U.S.-Mexican border.

The Democratic-controlled Senate voted 33-22 Thursday to adopt a resolution urging the GOP governor not to comply if President Donald Trump makes a request.

Chicago Democratic Sen. Martin Sandoval sponsored the resolution a day after Rauner said he'd deploy troops if the Republican president asks. Sandoval says National Guard troops are needed at home and criticized similar moves by former GOP President George W. Bush and Democratic President Barack Obama.

Mattoon GOP Sen. Dale Righter says national security issues should be left to Washington.

Arizona, New Mexico and Texas have pledged state troops and Democratic California Gov. Jerry Brown acquiesced on Wednesday.

## GOVERNOR SIGNS 5G WIRELESS BILL

*Rauner Press Release*

On Friday, Governor Rauner signed Senate Bill 1451 to to standardize and streamline regulation of small wireless cell facilities, paving the way for 5G wireless and other technology in Illinois.

Small cells are lower-profile wireless signal alternatives to traditional cell towers that can be attached to existing structures. Their deployment will help lay the foundation required to support the technologies of the future, such as the next generation wireless systems known as 5G.

Besides faster internet and devices, Accenture has forecast that 5G and smart cities investments will create nearly 100,000 jobs and bring in nearly \$9 billion in investment to Illinois over the next seven years.

The legislation affects all areas of the state except the city of Chicago. Ohio and Texas have also passed similar measures.

The legislation boosts "small cell technology" that will expand 5G service to many more locations around the state.

But local municipalities across the state oppose the proposal. They say it is a handout to big businesses and will lead to higher taxes for residents.

But it caps the rates that local governments can charge companies who want to install those towers... and Springfield officials say that's an unfair limit on the city's publicly-owned utility.

Springfield's Mayor [Jim Langfelder](#)...

First - the bill usurps municipal authority of public infrastructure for private profits. Currently wireless companies have agreements with local governments for small cell installations or they can pay for their own cell tower infrastructure. This bill is just an end around to create greater profits for the wireless companies on the backs of municipalities and taxpayers.

Second - the bill is another hit to municipalities' budgets. This year the State implemented a sales tax administration fee and reduced the city's portion of the state income tax. Those changes for the City of Springfield are projected to reduce revenues by over \$2 million. This bill eliminates the City's ability to properly recover ongoing costs associated with installing and maintaining public infrastructure.

Third - the bill preempts home-rule. By eliminating the rights of home-rule, you are essentially opening "Pandora's Box" which would allow other industries to do the same. The bill should honor the exemption of home-rule municipalities.

Finally - the City of Springfield is unique in that we have our own municipally owned utility (CWLP) from which we generate and distribute electricity and water. During the extremely difficult two-year state budget impasse, we kept the lights and water on while outstanding bills peaked at approximately \$15 million.

## **DEPARTMENT OF CORRECTIONS NEEDS \$420 MILLION TO GET THROUGH JUNE**

[State Journal-Register](#)

The Illinois Department of Corrections needs an extra \$420 million to get through the remainder of the budget year, which ends June 30, agency officials told the Senate Appropriations Committee Wednesday morning.

Without additional funding, corrections officials said they would be unable to send "tens of thousands" of vouchers to the comptroller's office, which would leave several vendors without payment. The department has been bleeding \$4 million a month in prompt-pay interest.

"The supplemental is needed because of obligations we have had to expend to keep our operation running during the budget struggles," said IDOC director John Baldwin. "We are constantly doing major conversations with all of our vendors to keep providing us products and services."

The request would be covered under a \$1.1 billion supplemental spending bill the governor's office outlined in early February to cover "unappropriated liabilities" from the previous fiscal year. The state did not have a budget in place for the previous fiscal year but kept spending money through a variety of court orders, consent decrees and automatic spending.

Several senators were frustrated by the apparent nonchalant demeanor of Baldwin and IDOC chief financial officer Jared Brunk, who did not discuss the money request until a few minutes into their presentation. Lawmakers said the agency has downplayed the severity of the situation.

"This is a budget hearing. If you need that money, I would respectfully suggest that you come here and you advocate for it first thing out of the box," said state Sen. Dale Righter, R-Mattoon.

State Sen. Andy Manar, D-Bunker Hill, said he had "heard more from the inmates about the need for a supplemental than I have from both of you sitting at this table."

"Instead of opening up your remarks here painting pictures of gardens and of things of that nature, I would paint a picture of the dire nature of what is happening in terms of your management of an incredibly important agency in state government," Manar said.

Brunk said the agency has cut all it can from the request and they cannot wait until late May, when lawmakers typically pass supplemental bills, for the lifeline.

"I can tell you definitively as CFO, every single thing in that supplemental falls under the five-alarm fire," Brunk said.

Senators said corrections officials would likely find allies in the legislature to fill the hole, but they had to be more proactive in their outreach.

And ahead of an expected meeting on Thursday between Gov. Bruce Rauner and legislative leaders, state Sen. Heather Steans, D-Chicago, questioned why the urgent need for an appropriation was left off the governor's list of priorities.

"My understanding is that the governor's going to be having a leaders meeting," Steans said. "If this is the nature of the situation, I don't know why that wouldn't be high that list of items that he was discussing with the leaders. It seems to merit that."

IDOC officials are also asking for about \$1.4 billion for the next budget year, which starts July 1. That amount is a slight decrease from this year. They said if they receive their requested amount, there will be no need for a supplement next year.

## RICH MILLER'S WEEKLY COLUMN

J.B. Pritzker appears to have chosen a solid message for the fall campaign. The overall theme at the successful Democratic gubernatorial candidate's press conference the day after he won the primary race was "Bruce Rauner is a failed governor." The message is also the primary subject of his online advertising push against Rauner.

Not coincidentally, that's pretty much the exact same message Rauner successfully used against former Democratic Gov. Pat Quinn four years ago. "Pat Quinn failed." Period. End of story. Whatever the question was, the answer was: "Pat Quinn failed." When will you release your complete tax returns? "Pat Quinn failed." What about the questions about your company's business practices? "Pat Quinn failed." What color is the sky? "Pat Quinn failed."

Rauner avoided answering an awful lot of questions with that response back in the day. When he's properly managed, the man knows how to stay on message, and it worked phenomenally well in 2014.

Gov. Rauner's message since he's taken office has been a variation of blaming House Speaker Michael Madigan. No budget? "Madigan." State fairgrounds deteriorating? "Madigan." Sky isn't blue today? "Madigan."

And because he's stayed so perfectly on message, Rauner has completely framed the current political debate. What did Pritzker's top two Democratic primary opponents use against the frontrunner the most? "Madigan." What question does Pritzker get whenever a reporter interviews him? "Madigan?" Pritzker has to change the subject. He has the answer, but he's just not using it yet. He's still allowing Rauner to control the campaign.

"Obviously you're going to keep getting asked about this," I said to Pritzker hours after his post-election press conference to denounce Rauner as a failure. "The governor says you're Madigan's hand-picked candidate. The governor says if you win, Madigan will run the state. And you have said you're going to be independent. But how?"

"Bruce Rauner's got nothing else to talk about," Pritzker replied. "He has for the last three and a half years, he's tried to trash Democrats by throwing the Speaker at them." And then he said, "I've been an independent leader my whole life. I don't think that any of that sticks to me."

OK, stop right there. Nobody in Voter Land has any clue whatsoever about Pritzker's life. They mainly know what they see on TV. And for the next several months, the TV ads they'll see will be about how Pritzker is Madigan's corrupt stooge.

The "right" answer is: "Bruce Rauner's got nothing else to talk about because he's a failed governor." If you're going to have a campaign theme, then for crying out loud use it so incessantly that we all get completely sick and tired of hearing it. Then — and only then — will you know it's working.

Pritzker eventually did slip in the word “failed,” but only in relation to Rauner’s failure to win his primary by more than a tiny margin.

The big worry expressed by several Democratic insiders who otherwise support Pritzker is that the nominee may not be tough enough, mean enough and single-minded enough to really take it to Rauner, who we all know by now is willing to say and do whatever crazy thing it takes to win – up to and including calling Rep. Jeanne Ives, of all people, a Madigan pawn. Beating a guy like that requires strict message discipline, even in a “blue” state in a “blue” year. Blithely treading water through November risks a 2016-style ending.

So, I asked Pritzker about this. I’ve heard more than one Democrat, I told him, who wished he would show more meanness. Does he believe he has what it takes to really take it to Rauner?

“I absolutely have what it takes to beat Bruce Rauner,” Pritzker said. “He’s an utter and complete disaster as a governor. I’m gonna make that clear.”

Then make it as clear as that with every answer to every question, man.

Pritzker used to tell the story about when Rauner attacked him the first day he publicly expressed an interest in running for governor. “Well,” his wife said, according to Pritzker, “we’ll just have to crush him like the roach he is.” Pritzker admitted that he hadn’t used that story in a long time, but said he will be “equally explicit as we move forward to make sure people know what it is that we intend to do in the general election.”

That’s a lot of garbly words instead of just: “Rauner failed.” He’s got a winning message. He should use it.

## 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:* 4/13/2018 - Rule 19(a) / Re-referred to Rules Committee

*Recent Status:* 4/9/2018 - House Consumer Protection, (First Hearing)3/6/2018  
- 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:** 4/13/2018 - Rule 19(a) / Re-referred to Rules Committee

**Recent Status:** 4/10/2018 - House Real & Personal Property Law Subcommittee, (First Hearing)4/10/2018 - House Judiciary - Civil, (First Hearing)

**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:** 4/13/2018 - House Bills on Second Reading

**Recent Status:** 4/12/2018 - Added Chief Co-Sponsor Rep. Carol Ammons  
4/12/2018 - House Bills on Second Reading

**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:** 4/13/2018 - Rule 19(a) / Re-referred to Rules Committee

**Recent Status:** 4/11/2018 - House Revenue & Finance, (First Hearing)4/11/2018  
- 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:** 4/13/2018 - Rule 19(a) / Re-referred to Rules Committee

**Recent Status:** 4/12/2018 - House State Government Administration, (First Hearing)4/10/2018 - House State Government Administration, (First Hearing)

**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:* 4/13/2018 - Rule 19(a) / Re-referred to Rules Committee

*Recent Status:* 4/11/2018 - House Revenue & Finance, (First Hearing)4/11/2018  
- House Property Tax Subcommittee, (First Hearing)

**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:* 4/12/2018 - Added as Alternate Co-Sponsor Sen. Michael E. Hastings

*Recent Status:* 3/14/2018 - Added as Alternate Chief Co-Sponsor Sen. Michael Connelly  
3/9/2018 - Referred to Senate Assignments

**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:* 4/13/2018 - House Bills on Second Reading

*Recent Status:* 4/12/2018 - House Bills on Second Reading  
4/11/2018 - Placed on Calendar 2nd Reading - Standard Debate

**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:** 4/13/2018 - Rule 19(a) / Re-referred to Rules Committee

**Recent Status:** 4/12/2018 - To Sales and Other Taxes Subcommittee

4/11/2018 - House Revenue & Finance, (First Hearing)

**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:** 4/13/2018 - House Bills on Second Reading

**Recent Status:** 4/12/2018 - House Bills on Second Reading  
4/11/2018 - Placed on Calendar 2nd Reading - Short Debate

**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:** 4/13/2018 - House Bills on Second Reading

**Recent Status:** 4/12/2018 - House Bills on Second Reading  
4/11/2018 - Added Chief Co-Sponsor Rep. Carol Ammons

**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:** 4/13/2018 - Rule 19(a) / Re-referred to Rules Committee

**Recent Status:** 4/12/2018 - House Cities & Villages, (First Hearing)4/9/2018 - House Cities & Villages, (First Hearing)

**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:** 4/13/2018 - Rule 19(a) / Re-referred to Rules Committee

**Recent Status:** 4/12/2018 - To Property Tax Subcommittee  
4/11/2018 - House Revenue & Finance, (First Hearing)

**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:** 4/13/2018 - Rule 19(a) / Re-referred to Rules Committee

**Recent Status:** 4/12/2018 - To Local Government Subcommittee  
4/12/2018 - House Cities & Villages, (First Hearing)

**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:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018

**Recent Status:** 1/30/2018 - Senate Revenue, (First Hearing)1/26/2018 - Added as Chief Co-Sponsor Sen. Don Harmon

**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:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018

**Recent Status:** 1/30/2018 - Senate Revenue, (First Hearing)1/24/2018 - Re-assigned 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:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018

**Recent Status:** 1/30/2018 - Senate Revenue, (First Hearing)1/24/2018 - Re-assigned 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:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018

**Recent Status:** 1/30/2018 - Senate Revenue, (First Hearing)1/24/2018 - Re-assigned 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:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018

**Recent Status:** 1/30/2018 - Senate Revenue, (First Hearing)1/24/2018 - Re-assigned 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:** 4/18/2018 - Senate Licensed Activities and Pensions, (First Hearing)

**Recent Status:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018  
4/12/2018 - Postponed - Licensed Activities and Pensions

**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:** 4/13/2018 - Rule 3-9(a) / Re-referred to Assignments

**Recent Status:** 1/30/2018 - Added as Chief Co-Sponsor Sen. Dan McConchie  
1/30/2018 - Senate Revenue, (First Hearing)

**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:** 4/13/2018 - Rule 3-9(a) / Re-referred to Assignments

**Recent Status:** 1/24/2018 - Assigned to Senate Labor  
10/18/2017 - Referred to Senate Assignments

**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:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018

**Recent Status:** 3/1/2018 - Assigned to Senate Revenue  
1/30/2018 - Referred to Senate Assignments

**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:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018

**Recent Status:** 4/12/2018 - Postponed - Revenue  
4/11/2018 - Senate Committee Amendment No. 1 Postponed - Revenue

**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:** 4/12/2018 - Senate Bills on Second Reading

**Recent Status:** 4/12/2018 - Senate Bills on Third Reading  
4/11/2018 - Placed on Calendar Order of 2nd Reading April 12, 2018

**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:** 4/13/2018 - Rule 3-9(a) / Re-referred to Assignments

**Recent Status:** 2/27/2018 - Assigned to Senate Revenue  
2/15/2018 - Referred to Senate Assignments

**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:** 4/13/2018 - Senate Floor Amendment No. 1 Referred to Assignments

**Recent Status:** 4/13/2018 - Senate Floor Amendment - Filed No. 1 Filed with Secretary by Sen. Jason A. Barickman  
4/12/2018 - Placed on Calendar Order of 2nd Reading April 17, 2018

**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:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018

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

**SB3284**

**BUSINESS TAX CREDIT-HOPE ZONES (SIMS E)** Creates the Community Renewal and Revitalization Act. Provides for the qualifications for and designation of Health, Opportunity, Prosperity, and Empowerment (HOPE) Zones. Provides for a HOPE Zone tax credit and other credits and benefits going to businesses operating in HOPE Zones. Provides for the powers and duties of the Department of Commerce and Economic Opportunity under the Act. Provides for State incentives regarding public services and physical infrastructure. Provides for State regulatory exemptions in HOPE Zones. Provides for State and local regulatory alternatives under the Act. Amends the Illinois Income Tax Act to allow for a specified tax credit for wages paid to qualified ex-offenders in HOPE Zones. Modifies the term "qualified ex-offender" to include a person hired by a taxpayer 5 years (currently, 3 years) after being released from an Illinois adult correctional center. Amends the Small Business Job Creation Tax Credit Act to allow a specified tax credit for businesses operating in HOPE Zones. Provides that the Department shall limit the monetary amount of credits awarded under the Act to no more than \$100,000,000 (currently, \$50,000,000).

**Current Status:** 4/13/2018 - Rule 2-10 Committee Deadline Established As April 27, 2018

**Recent Status:** 4/10/2018 - Senate Committee Amendment No. 1 Assignments  
Refers to Revenue  
4/5/2018 - Senate Committee Amendment No. 1 Referred to  
Assignments

**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:** 4/13/2018 - Rule 3-9(a) / Re-referred to Assignments

**Recent Status:** 3/14/2018 - Senate Licensed Activities and Pensions, (First Hearing)2/27/2018 - Assigned to Senate Licensed Activities and Pensions

**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:** 4/12/2018 - Placed on Calendar Order of 2nd Reading April 17, 2018

**Recent Status:** 4/12/2018 - Do Pass as Amended Licensed Activities and Pensions; 008-000-000  
4/11/2018 - Senate Committee Amendment No. 1 Adopted

**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:** 4/12/2018 - Senate Bills on Third Reading

**Recent Status:** 4/11/2018 - Senate Bills on Third Reading  
4/10/2018 - Placed on Calendar Order of 3rd Reading April 11, 2018

**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:** 4/13/2018 - Rule 3-9(a) / Re-referred to Assignments

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