

STATE OF ILLINOIS
LEGISLATIVE INFORMATION SYSTEM
100th GENERAL ASSEMBLY

100th GENERAL ASSEMBLY

Synopsis of Legislation

Legislation Passed Both Houses with Last Action

HB 01273 Rep. Kathleen Willis, Melissa Conyears-Ervin and LaToya Greenwood
(Sen. Don Harmon, Laura M. Murphy-Linda Holmes, Julie A. Morrison-Mattie Hunter-Elgie R. Sims, Jr., Kimberly A. Lightford and Heather A. Steans)

205 ILCS 5/3 from Ch. 17, par. 309

Amends the Illinois Banking Act. Makes a technical change in a Section concerning the primary powers of banks.

House Committee Amendment No. 1

Deletes reference to:

205 ILCS 5/3

Adds reference to:

205 ILCS 510/12

Replaces everything after the enacting clause. Amends the Pawnbroker Regulation Act. Provides that if, when a piece of property subject to a hold order is relinquished by a pawnbroker to a law enforcement officer upon written notice from a law enforcement officer that the property is needed for the purpose of furthering a criminal investigation, it is discovered during the pendency of such criminal investigation that the property was stolen and the owner is identified, then the property shall be returned to the owner thereof without the payment of the money advanced by the pawnbroker thereon or any costs or charges of any kind that the pawnbroker may have placed upon the same, in accordance with specified provisions of the Act.

House Floor Amendment No. 3

Adds reference to:

205 ILCS 510/9

from Ch. 17, par. 4659

Replaces everything after the enacting clause. Amends the Pawnbroker Regulation Act. Removes language providing that when a person is found to be the owner of stolen property that has been pawned, the property shall be returned to the owner without payment of money advanced to the pawnbroker or any costs or charges. Provides that stolen property subject to a hold order shall be returned to the owner without the payment. Provides that when a hold order expires, title to the property shall vest in the pawnbroker. Provides that a hold order must specify certain information concerning the criminal investigation and property subject to the hold order. Provides that a pawnbroker or its representative must sign and date a copy of a hold order as evidence of receipt of the hold order and the beginning of the 90-day hold period.

Senate Floor Amendment No. 2

Deletes reference to:

205 ILCS 510/9

Deletes reference to:

205 ILCS 510/12

Adds reference to:

100 SB1657eng, Sec. 35

Adds reference to:

100 SB1657eng, Sec. 70

Adds reference to:

100SB1657eng, Sec. 150

Replaces everything after the enacting clause. Provides that if and only if Senate Bill 1657 of the 100th General Assembly becomes law in the form in which it passed the Senate on April 27, 2017, then the Gun Dealer Licensing Act is amended by providing that the requirement that a licensee who operates the business at a permanent physical location that is open to the public, that location shall be equipped with a video surveillance system sufficient to monitor the critical areas of the business premises, including, but not limited to, all places where firearms are stored, handled, sold, transferred, or carried does not take effect until January 1, 2021, provides that a video surveillance system of the licensee's business premises may not be installed in a bathroom and may not monitor the bathrooms located in the business premises, provides the renewal period for each license shall be 5 years, and provides that an application fee or renewal fee for a dealership license or a dealer license shall not exceed \$1,000 for the 5-year period. Effective upon Senate Bill 1657 of the 100th General Assembly becoming law.

Mar 01 18 H Sent to the Governor

HB 01468

Rep. Jonathan Carroll-Juliana Stratton, Gregory Harris, Lou Lang, Mary E. Flowers, Camille Y. Lilly, Jehan Gordon-Booth, Melissa Conyears-Ervin, LaToya Greenwood, Laura Fine, Robyn Gabel, Anna Moeller, Sara Feigenholtz, Marcus C. Evans, Jr., Michelle Mussman, Litesa E. Wallace and Elizabeth Hernandez
(Sen. Julie A. Morrison-Jacqueline Y. Collins, Toi W. Hutchinson, Heather A. Steans-Ira I. Silverstein-Mattie Hunter-Kwame Raoul, Melinda Bush, Iris Y. Martinez, Daniel Biss, Laura M. Murphy, Martin A. Sandoval and Elgie R. Sims, Jr.)

720 ILCS 5/10-8 from Ch. 38, par. 10-8

Amends the Criminal Code of 2012. Makes a technical change in a Section concerning the unlawful sale of public conveyance travel tickets to a minor.

House Floor Amendment No. 1

Deletes reference to:

720 ILCS 5/10-8

Adds reference to:

720 ILCS 5/2-3.1 new

Adds reference to:

720 ILCS 5/24-3 from Ch. 38, par. 24-3

Replaces everything after the enacting clause. Amends the Criminal Code of 2012. Defines "assault weapon". Provides that a person commits the offense of unlawful sale or delivery of firearms when he or she knowingly delivers any assault weapon without withholding delivery of the assault weapon for at least 72 hours, including to a nonresident of the State while at a firearm showing or display recognized by the Department of State Police. Provides that a violation is a Class 4 felony. Effective immediately.

Mar 15 18 H Sent to the Governor

HB 04095

Rep. Gregory Harris-Juliana Stratton-Peter Breen-Litesa E. Wallace-Will Guzzardi, Elizabeth Hernandez, Michelle Mussman, Barbara Flynn Currie, Sonya M. Harper, Daniel J. Burke, Sue Scherer, Camille Y. Lilly, Sara Feigenholtz, Katie Stuart, John Connor, Sam Yingling, Deb Conroy, Linda Chapa LaVia, Jaime M. Andrade, Jr., Jay Hoffman, Emanuel Chris Welch, Silvana Tabares, Kelly M. Burke, Lawrence Walsh, Jr., Stephanie A. Kifowit, Melissa Conyears-Ervin, Kathleen Willis, Margo McDermed, Mary E. Flowers, Anna Moeller, Michael Halpin, Fred Crespo, John C. D'Amico, Frances Ann Hurley, Daniel V. Beiser, Barbara Wheeler, Ann M. Williams, Jonathan Carroll, Robyn Gabel, La Shawn K. Ford, Laura Fine, Rita Mayfield, Marcus C. Evans, Jr., Robert Rita, Natalie A. Manley, Carol Sente, Ryan Spain, Jerry Lee Long, Scott Drury, Robert Martwick, David S. Olsen and Elgie R. Sims, Jr.
(Sen. Bill Cunningham, Steve Stadelman, Thomas Cullerton-Michael E. Hastings-Daniel Biss, Neil Anderson, Michael Connelly, Paul Schimpf, Dan McConchie, Dale Fowler, Chapin Rose, Kimberly A. Lightford-Jacqueline Y. Collins, Cristina Castro, Linda Holmes, Andy Manar, Ira I. Silverstein, Scott M. Bennett, William R. Haine, Laura M. Murphy, Jennifer Bertino-Tarrant, David Koehler, Wm. Sam McCann, Mattie Hunter, Iris Y. Martinez, Steven M. Landek, Omar Aquino, Pamela J. Althoff and Elgie R. Sims, Jr.)

815 ILCS 505/2MM

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a consumer reporting agency may not impose a charge on a consumer for placing a freeze, removing a freeze, or temporarily lifting a freeze. Makes corresponding changes. Effective immediately.

House Committee Amendment No. 1

Provides that a consumer may request that a security freeze be placed on his or her credit report by at least one of telephone or electronic means at a telephone or electronic location designated by the consumer reporting agency to receive such requests.

Apr 12 18 H Sent to the Governor

HB 04223 Rep. Sara Feigenholtz-Kathleen Willis-Robyn Gabel-Jaime M. Andrade, Jr.-Linda Chapa LaVia, Steven Reick,
Gregory Harris and Carol Sente
(Sen. Heather A. Steans)

305 ILCS 5/5-5.01a

Amends the Illinois Public Aid Code. In a provision concerning the Supportive Living Facilities Program, provides that a supportive living facility includes a distinct physical and operational entity within a mixed-use building that meets certain criteria. Requires the Department of Healthcare and Family Services to accept for certification under the program any application for a site or building where some of the apartments or distinct parts of the site or building are designated for purposes other than the provision of supportive living services, but only if those other apartments or distinct parts of the site or building are not designated for the purpose of providing assisted living services as required under the Assisted Living and Shared Housing Act. Effective immediately.

House Floor Amendment No. 1

Replaces everything after the enacting clause. Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that a supportive living facility is (i) a free-standing facility or (ii) a distinct physical and operational entity within a mixed-use building that meets certain criteria (rather than a supportive living facility is either a free-standing facility or a distinct physical and operational entity within a nursing facility). Provides that subject to federal approval by the Centers for Medicare and Medicaid Services, the Department of Healthcare and Family Services shall accept for consideration of certification under the supportive living facilities program any application for a site or building where distinct parts of the site or building are designated for purposes other than the provision of supportive living services, but only if those distinct parts of the site or building: (1) are not designated for the purpose of providing assisted living services; (2) are completely separate from the part of the building used for the provision of supportive living program services, including separate entrances; (3) do not share any common spaces with the part of the building used for the provision of supportive living program services; and (4) do not share staffing with the part of the building used for the provision of supportive living program services. Effective immediately.

Apr 06 18 H Public Act 100-0583

HB 05812 Rep. William Davis-Robert W. Pritchard-Barbara Flynn Currie-Kelly M. Cassidy
(Sen. Andy Manar-Kimberly A. Lightford, Martin A. Sandoval, Mattie Hunter and Elgie R. Sims, Jr.)

105 ILCS 5/2-3.170

105 ILCS 5/18-8.15

105 ILCS 5/18-8.05 rep.

Amends the School Code. With regard to property tax relief pool grants, provides that each year, the State Board of Education shall set a threshold above which a school district may apply for property tax relief. Provides that the intended relief may not be greater than 1% of the EAV for a unit district, 0.69% of the EAV for an elementary school district, or 0.31% of the EAV for a high school district; defines "EAV". Provides that the total property tax relief allowable to a school district shall be calculated based on the total amount of reduction in the school district's aggregate extension. With regard to evidence-based funding, provides that when a school district withdraws from a special education cooperative, the portion of the base funding minimum that is attributable to the school district may be redistributed to the school district upon withdrawal. Provides that the school district and the cooperative must include the amount of the base funding minimum that is to be re-apportioned in their withdrawal agreement and notify the State Board of Education of the change with a copy of the agreement upon withdrawal. Repeals a provision governing the basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 through the 2016-2017 school years. Makes other changes. Effective immediately.

Mar 23 18 H Public Act 100-0582

SB 00193

Sen. Kwame Raoul-Terry Link-Linda Holmes-Jacqueline Y. Collins-Michael E. Hastings, Antonio Muñoz, Heather A. Steans, Scott M. Bennett, Bill Cunningham, Don Harmon, Omar Aquino, Thomas Cullerton, Iris Y. Martinez, Donne E. Trotter, Patricia Van Pelt, David Koehler, Pat McGuire, Mattie Hunter and Jennifer Bertino-Tarrant (Rep. Jay Hoffman-Martin J. Moylan-Carol Ammons-Thaddeus Jones, Lawrence Walsh, Jr., Silvana Tabares, Stephanie A. Kifowit, Litesa E. Wallace and Nicholas K Smith)

215 ILCS 5/356z.8

Amends the Illinois Insurance Code. Provides that a group or individual policy of accident and health insurance must provide coverage for medically necessary preventative physical therapy for insureds diagnosed with multiple sclerosis without any treatment limitation or calendar year maximum. Removes requirements that coverage under this provision be subject to the same waiting period, cost sharing limitation, treatment limitation, calendar year maximum, or other limitation as provided for other physical or rehabilitative therapy benefits.

Senate Committee Amendment No. 1

Deletes language in the introduced bill that provides that a group or individual policy of accident and health insurance must provide coverage for medically necessary preventative physical therapy for insureds diagnosed with multiple sclerosis without any treatment limitation or calendar year maximum. Provides that coverage concerning multiple sclerosis preventative physical therapy shall be subject to the same deductible and coinsurance requirements or other limitations as provided for other physical or rehabilitative therapy benefits covered by the policy. Provides that a group or individual policy of accident and health insurance shall offer an exception process from treatment limitations for individuals diagnosed with primary or secondary progressive multiple sclerosis. Provides requirements for the exception process and that a health insurer shall, within 72 hours after receiving an exception request, either approve or deny the request. Provides that coverage required by the provisions shall be subject to certain other general exclusions and limitations of the policy.

House Committee Amendment No. 1

Deletes reference to:

215 ILCS 5/356z.8

Adds reference to:

215 ILCS 5/1 from Ch. 73, par. 613

Replaces everything after the enacting clause. Amends the Illinois Insurance Code. Makes a technical change in a Section concerning the short title.

House Floor Amendment No. 2

Deletes reference to:

215 ILCS 5/1

Adds reference to:

15 ILCS 205/6.3 new

Adds reference to:

15 ILCS 205/6.4 new

Replaces everything after the enacting clause. Amends the Attorney General Act. Creates the Worker Protection Unit within the Office of the Illinois Attorney General to intervene in, initiate, enforce, and defend all criminal or civil legal proceedings on matters and violations relating to specified statutes. Provides further powers and requirements of the Attorney General in the Worker Protection Unit. Creates the Worker Protection Task Force. Provides for the purposes and composition of the Task Force. Provides that the Task Force shall submit a report to the Governor and the General Assembly regarding its progress no later than December 1, 2018. Repeals the Task Force December 1, 2019.

Judicial Note, House Floor Amendment No. 2 (Admin Office of the Illinois Courts)

SB 193 would neither increase nor decrease the number of judges needed in the State.

Balanced Budget Note, House Floor Amendment No. 2 (Office of Management and Budget)

The Balanced Budget Note Act does not apply to Senate Bill 193 (H-AM 2) as it is not a supplemental appropriation that increases or decreases appropriations. Under the Act, a balanced budget note must be prepared only for bills that change a general funds appropriation for the fiscal year in which the new bill is enacted.

Fiscal Note, House Floor Amendment No. 2 (Office of the Attorney General)

SB 193 (H-AM 2) would not have a significant impact on the Office of the Attorney General as the work could be covered by an existing bureau within the Office. Fiscal impact: None

Mar 02 18

S Sent to the Governor

SB 00863 Sen. Jennifer Bertino-Tarrant
(Rep. Linda Chapa LaVia)

105 ILCS 5/1A-1 from Ch. 122, par. 1A-1
105 ILCS 5/1A-2 from Ch. 122, par. 1A-2
105 ILCS 5/1A-2.1 from Ch. 122, par. 1A-2.1

Amends the School Code. Provides that, for State Board of Education appointments made after the effective date of the amendatory Act, 3 of the members of the State Board must represent the educator community. Sets forth the qualifications for these members and makes other changes with regard to the qualifications of members of the State Board.

House Committee Amendment No. 1

Deletes reference to:

105 ILCS 5/1A-1

Deletes reference to:

105 ILCS 5/1A-2

Deletes reference to:

105 ILCS 5/1A-2.1

Adds reference to:

105 ILCS 5/21B-35

Replaces everything after the enacting clause. Amends the Educator Licensure Article of the School Code. Allows for the issuance of a Professional Educator License endorsed in a teaching field or school support personnel area to an applicant who has not been entitled by an Illinois-approved educator preparation program at an Illinois institution of higher education if he or she provides evidence of completing a comparable state-approved educator preparation program, as defined by the State Superintendent of Education, among other conditions. Effective immediately.

Apr 06 18 S Public Act 100-0584

SB 01451

Sen. Terry Link, Jil Tracy and Michael E. Hastings-Bill Cunningham-Donne E. Trotter-John J. Cullerton
 (Rep. Kelly M. Burke-Peter Breen-Mike Fortner-Fred Crespo-Robert Martwick and William Davis)

New Act

55 ILCS 5/5-12001.2

Creates the Small Wireless Facilities Deployment Act. Provides for legislative intent for the Act and definitions. Provides that an authority (a unit of local government with control over rights-of-way) may not prohibit, regulate, or charge for the collocation of small wireless facilities (the installation, mounting, maintaining, modifying, operating, or replacement of small wireless facilities on or adjacent to a wireless support structure or utility pole). Provides that small wireless facilities shall be classified as permitted uses and not subject to zoning review and approval under specified circumstances. Provides requirements for applications, fees, application review, and issuance of permits for collocation of small wireless facilities. Provides that an authority may not require applications for routine maintenance or replacement of wireless facilities with wireless facilities that are substantially similar, of the same size, or smaller. Requires authorities to allow the collocation of small wireless facilities on authority utility poles under specified circumstances. Prohibits authorities from regulating the design, engineering, construction, installation, or operation of any small wireless facility in specified circumstances. Provides that a circuit court has jurisdiction to resolve all disputes arising under the Act. Prohibits an authority from requiring a wireless provider to indemnify the authority or its officers or employees and from naming the authority on a wireless provider's insurance policy. Limits home rule powers. Amends the Counties Code making conforming changes.

Senate Floor Amendment No. 3

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes: Provides that the Act does not apply to a municipality with a population of 1,000,000 or more or to electric or gas public utilities or those utilities' wireless facilities if the facilities are being used, developed, and maintained for use in providing delivery services and Smart Grid functionality or application to retail customers. Modifies several definitions and adds a definition for "micro wireless facility". Provides that small wireless facilities shall be classified as permitted uses and not subject to zoning review or approval if they are collocated outside rights-of-way in property not zoned primarily for residential use (rather than exclusively for single family residential use). Provides that an authority may reserve space on an authority's utility poles for future public safety uses or electric utility uses under specified conditions. Provides that an authority may require a wireless provider to provide on an application specific structural integrity and make-ready analysis, the location where a small wireless facility or utility pole would be installed, photographs of the location and its immediate surroundings, specifications and drawings for each proposed small wireless facility, a proposed schedule for the installation and completion of each small wireless facility, and certification that the collocation is in compliance with specified regulations. Inserts new provisions concerning requirements and standards for small wireless facilities including: collocation on new or existing utility poles or alternate structures (both public and private); height and spacing of small wireless facilities; interference with frequencies used by the authority's public safety communications or other electrical or transmissions systems; compliance with local code and zoning provisions; installation in rights-of-way; replacement of authority utility poles; maintenance of existing and removal of abandoned small wireless facilities; and insurance. Modifies provisions regarding rates for collocation on an authority utility pole and submission, fees, supporting documentation, processing, tolling, approval, and denial of applications. Provides for the combination of multiple requests to collocate small wireless facilities on the same application. Provides that collocation for which a permit is granted shall be completed within 180 days (rather than one year) after issuance of the permit. Provides that permits for operation of the facilities shall be a duration of not less than 10 years and must be renewed for equivalent durations. Adds provisions concerning installation of small wireless facilities on property controlled by a park district, forest preserve district, or conservation district. Changes provisions concerning indemnification. Provides that an authority may require a wireless provider to carry, at the wireless provider's cost and expense, specified insurance. Provides for repeal of the Act on June 1, 2020. Makes other changes.

Senate Floor Amendment No. 4

Removes language providing that any permits for work within rights-of-way shall be subject to the requirements in provisions of the Small Wireless Facilities Deployment Act concerning regulation of small wireless facilities. Provides that nothing set forth in the Small Wireless Facilities Deployment Act shall be construed to relieve any person from specified requirements, other than small wireless facilities subject to the Act. In provisions of the Small Wireless Facilities Deployment Act concerning insurance, adds an exception for a wireless provider with an existing franchise to occupy and operate in a right-of-way. Makes other changes.

Land Conveyance Appraisal Note (Dept. of Transportation)

No land conveyances are included in this bill; therefore, there are no appraisals to be filed.

Balanced Budget Note (Office of Management and Budget)

The Balanced Budget Note Act does not apply to this bill as it is not a supplemental appropriation that increases or decreases appropriations. Under the Act, a balanced budget note must be prepared only for bills that change a general funds appropriation for the fiscal year in which the new bill is enacted.

State Debt Impact Note (Government Forecasting & Accountability)

This bill would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Legislative Information System
100th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01451 (CONTINUED)

Judicial Note (Admin Office of the Illinois Courts)

This bill would neither increase nor decrease the number of judges needed in the State.

Fiscal Note (Dept. of Central Management Services)

This legislation has no fiscal impact to the Department of Central Management Services. CMS does recommend that a fiscal note be prepared by the Department of Innovation and Technology (DoIT).

Housing Affordability Impact Note (Housing Development Authority)

This bill will have no effect on the cost of constructing, purchasing, owning, or selling a single-family residence.

House Floor Amendment No. 2

Replaces everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes: Modifies definitions of "application", "small wireless facility", "utility pole", "wireless infrastructure provider", and "wireless services". Adds definitions for "historic district or historic landmark" and "public safety agency". Provides that small wireless facilities shall be subject to administrative review except regarding height exceptions or variance. Provides that small wireless facilities are not subject to zoning review or approval outside rights-of-way in property zoned exclusively for commercial or industrial use (rather than outside rights-of-way in property not zoned primarily for residential use). Provides that an authority may require a wireless provider to: provide equipment type and model numbers for the antennas and all other wireless equipment associated with the small wireless facility; provide a written certification describing the property rights, technical limits, or material cost reasons an alternate location proposed by an authority does not satisfy specified placement criteria; comply with specified written design standards; and comply with reasonable, technically feasible, and non-discriminatory design or concealment measures in a historic district or on a historic landmark. Provides for procedures in the event that a wireless provider's wireless facilities cause unacceptable interference to a public safety agency's safety communications. Provides that applications that include installation of a new utility pole to collocate a small wireless facility shall be deemed approved if the authority fails to approve or deny the application within 120 days under specified circumstances. Provides that the 180 days allowed to complete collocation after the issuance of a permit may be extended under specified circumstances. Replaces language concerning application fees by specifying that an authority may charge an application fee of \$350 to \$1,000. Provides fees may be waived for replacement of wireless facilities with wireless facilities that are substantially similar, the same size, or smaller if the wireless provider provides notice with specifications of the replaced equipment. Provides that an authority may not charge annual recurring rates for collocation on authority utility poles located outside rights-of-way. Provides that an authority or person controlling a utility pole make available rates, fees, and terms in compliance with the Act within 2 months (rather than 6 months) after the effective date of the Act. Provides that wireless providers that have existing agreements with an authority may opt to use the rates, fees, and terms as provided in the Act (rather than in the existing agreement) in specified circumstances. Specifies enforcement mechanisms to remove abandoned small wireless facilities. Changes the date the Act is repealed to June 1, 2021 (rather than June 1, 2020). Makes other changes.

Apr 12 18 S Public Act 100-0585

SB 01573

Sen. Heather A. Steans and Dave Syverson-Iris Y. Martinez-Mattie Hunter

(Rep. Gregory Harris-Patricia R. Bellock-Juliana Stratton-Sara Feigenholtz-Tom Demmer, Robyn Gabel, Ryan Spain, Camille Y. Lilly and Mary E. Flowers)

305 ILCS 5/5-5f

Amends the Medical Assistance Article of the Illinois Public Aid Code. In a provision limiting medical assistance recipients to one pair of adult eyeglasses every 2 years, provides that the limitation does not apply to an individual who needs different eyeglasses following a surgical procedure such as cataract surgery. Effective immediately.

House Committee Amendment No. 1

Deletes reference to:

305 ILCS 5/5-5f

Adds reference to:

305 ILCS 5/1-5 from Ch. 23, par. 1-5

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. Makes a technical change in a Section concerning construction of the Code.

House Floor Amendment No. 2

Deletes reference to:

305 ILCS 5/1-5

Adds reference to:

30 ILCS 500/1-10

Adds reference to:

215 ILCS 5/35A-10

Adds reference to:

305 ILCS 5/5-5.02 from Ch. 23, par. 5-5.02

Adds reference to:

305 ILCS 5/5-30.1

Adds reference to:

305 ILCS 5/5-30.6 new

Adds reference to:

305 ILCS 5/5-30.7 new

Adds reference to:

305 ILCS 5/5A-15

Replaces everything after the enacting clause. Amends the Illinois Procurement Code. Provides that certain purchase of care contracts between the Department of Healthcare and Family Services and managed care organizations shall be subject to the provisions of the Code. Amends the Risk-Based Capital Article of the Illinois Insurance Code. Provides that health maintenance organizations operating as Medicaid managed care plans under contract with the Department of Healthcare and Family Services shall not be required to include in its risk-based capital calculations any capitation revenue identified by Medicaid managed care plans as authorized under specified provisions of the Illinois Public Aid Code. Amends the Illinois Public Aid Code. In provisions concerning hospital reimbursements for inpatient services, adds provisions regarding classification of certain hospitals as children's hospitals. Provides that the Department of Healthcare and Family Services shall post an analysis of MCO claims processing and payment performance on its website every 6 months, including a review and evaluation of a representative sample of hospital claims that are rejected and denied for clean and unclean claims and the top 5 reasons for such actions and timeliness of claims adjudication, which identifies the percentage of claims adjudicated within 30, 60, 90, and over 90 days, and the dollar amounts associated with those claims; and that the Department shall post the contracted claims report required by HealthChoice Illinois on its website every 3 months. Provides that the Department shall publish on its website comprehensive written guidance on the submission of encounter data by managed care organizations; that the information shall be updated and published as needed, but at least quarterly; managed care contracts that are subject to the Illinois Procurement Code, with the exception of Medicare-Medicaid Alignment Initiative contracts and those contracts procured under the State of Illinois Medicaid Managed Care Organization Request for Proposals on January 24, 2018; that the Department shall publish on its website provider fee schedules on both a portable document format (PDF) and EXCEL format; and that the portable document format shall serve as the ultimate source if there is a discrepancy. Contains provisions concerning the recoupment of payments made to MCOs that are subject to a disallowance, deferral, or adjustment of federal matching funds. Effective immediately, but the Act does not take effect at all unless Senate Bill 1773 of the 100th General Assembly, as amended, becomes law.

SB 01657

Sen. Don Harmon-Julie A. Morrison, Daniel Biss, Heather A. Steans-Jacqueline Y. Collins, Cristina Castro, Iris Y. Martinez, Terry Link, Laura M. Murphy, Antonio Muñoz, Patricia Van Pelt, Ira I. Silverstein, Donne E. Trotter, Emil Jones, III, Kimberly A. Lightford, Martin A. Sandoval-Kwame Raoul, Omar Aquino-Mattie Hunter, John J. Cullerton, Elgie R. Sims, Jr. and Toi W. Hutchinson

(Rep. Kathleen Willis-Elgie R. Sims, Jr.-Barbara Flynn Currie-Emanuel Chris Welch-Christian L. Mitchell, Sara Feigenholtz, Justin Slaughter, Laura Fine, Sonya M. Harper, Camille Y. Lilly, Kelly M. Cassidy, Ann M. Williams, Kelly M. Burke, Marcus C. Evans, Jr., Cynthia Soto, Daniel J. Burke, Luis Arroyo, Jaime M. Andrade, Jr., Will Guzzardi, Scott Drury, Mary E. Flowers, Silvana Tabares, Juliana Stratton, La Shawn K. Ford, Elizabeth Hernandez, Robyn Gabel, André Thapedi, Michelle Mussman, Thaddeus Jones, Anna Moeller, Lou Lang, Deb Conroy, Melissa Conyears-Ervin, Jonathan Carroll, Litesa E. Wallace, Gregory Harris and Carol Ammons)

New Act

5 ILCS 80/4.38 new

5 ILCS 100/5-45 from Ch. 127, par. 1005-45

Creates the Gun Dealer Licensing Act. Provides that it is unlawful for a person to engage in the business of selling, leasing, or otherwise transferring firearms without a license issued by the Department of Financial and Professional Regulation. Provides that a dealership agent other than a dealer licensee-in-charge may act on behalf of the licensed dealership without being licensed as a dealer under the Act. Creates the Gun Dealer Licensing Board consisting of 5 members appointed by the Secretary of Financial and Professional Regulation to recommend policies, procedures, and rules relevant to the administration and enforcement of the Act. Provides that the holder of a dealership license issued under the Act may employ in the conduct of his or her business dealership agents. Establishes qualifications for obtaining dealership licenses and for being employed as a dealership agent. Establishes penalties for violations of the Act. Provides for rulemaking, including emergency rulemaking. Amends the Regulatory Sunset Act. Provides that the Act is repealed on January 1, 2028. Amends the Illinois Administrative Procedure Act. Makes conforming changes.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the bill except: (1) provides that "dealer" includes the following Federal Firearms Licenses: Type 01-dealer in firearms other than destructive devices; Type 02-pawnbroker in firearms other than destructive devices; Type 09-dealer of destructive devices; (2) defines "collector" and "licensed collector"; (3) defines "importer"; (4) provides that "manufacturer" includes the following types of Federal Firearms Licenses: Type 06-manufacturer of ammunition for firearms other than ammunition for destructive devices or armor piercing ammunition; Type 07-manufacturer of firearms other than destructive devices; Type 10-manufacturer of destructive devices, ammunition for destructive devices, or armor piercing ammunition; (5) provides that the exemption from licensing under the Gun Dealer Licensing Act for transfers of pieces or parts of a firearm that do not themselves qualify as firearms under the federal Gun Control Act of 1968 by a person who is actually engaged in manufacturing and selling those pieces or parts but only on the activities which are within the lawful scope of that business applies only to the manufacture of which do not require the manufacturer to hold a Federal Firearms License; (6) provides that a person licensed as an auctioneer under the Auction License Act may facilitate a transfer permitted under the Gun Dealer Licensing Act without being registered as a dealer under the Act; (7) provides that a dealer holding a Federal Firearms License Type 01-dealer in firearms other than destructive devices; Type 02-pawnbroker in firearms other than destructive devices; or Type 09-dealer of destructive devices on April 1, 2017, is not exempt from the Gun Dealer Licensing Act by obtaining a Manufacturer Federal Firearms License or Importer Federal Firearms License; and (8) exempts from the requirements of licensure under the Gun Dealer Licensing Act, transfers of firearms by a dealer in which 20% or less of the dealer's annual sales are from the sale of firearms.

Apr 10 18 S Placed Calendar Total Veto April 11, 2018

SB 01773 Sen. Heather A. Steans-Patricia Van Pelt-Jacqueline Y. Collins-Mattie Hunter and Dave Syverson-Iris Y. Martinez
(Rep. Gregory Harris-Patricia R. Bellock-Juliana Stratton-Sara Feigenholtz-Tom Demmer, Robyn Gabel, Ryan Spain, Luis Arroyo and Mary E. Flowers)

305 ILCS 5/5-5.4g

Amends the Medical Assistance Article of the Illinois Public Aid Code. In a provision permitting a nursing facility to appeal a change in its Minimum Data Set rate, provides that the facility shall be permitted to offer any and all additional documentation during the appeal hearing that is necessary to refute the State's findings (rather than the facility may not offer any additional documentation during the appeal hearing, but may identify documentation provided during the on-site review that may support a specific area of documentation deemed deficient by the Department of Healthcare and Family Services).

Senate Committee Amendment No. 1

Deletes reference to:

305 ILCS 5/5-5.4g

Adds reference to:

305 ILCS 5/5-5.2 from Ch. 23, par. 5-5.2

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. In provisions concerning payments to nursing facilities, provides that the Department of Healthcare and Family Services shall provide an update on the status of payments from both the General Revenue Fund and the Long-Term Care Provider Fund for expedited and non-expedited facilities by schedule. Provides that the Department may provide the information monthly electronically, post it on the Department's website, or provide it upon request in compliance with this requirement. Effective immediately.

House Committee Amendment No. 3

Deletes reference to:

305 ILCS 5/5-5.2

Adds reference to:

305 ILCS 5/5-1 from Ch. 23, par. 5-1

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. Makes a technical change in a Section concerning the purpose of the Medical Assistance Article.

House Floor Amendment No. 8

Deletes reference to:

305 ILCS 5/5-1

Adds reference to:

5 ILCS 100/5-45 from Ch. 127, par. 1005-45

Adds reference to:

5 ILCS 100/5-46.3 new

Adds reference to:

20 ILCS 3960/3 from Ch. 111 1/2, par. 1153

Adds reference to:

210 ILCS 50/32.5

Adds reference to:

305 ILCS 5/5-5.02 from Ch. 23, par. 5-5.02

Adds reference to:

305 ILCS 5/5-5e.1

Adds reference to:

305 ILCS 5/5A-2 from Ch. 23, par. 5A-2

Adds reference to:

305 ILCS 5/5A-4 from Ch. 23, par. 5A-4

Adds reference to:

305 ILCS 5/5A-5 from Ch. 23, par. 5A-5

Adds reference to:

305 ILCS 5/5A-8 from Ch. 23, par. 5A-8

Adds reference to:

305 ILCS 5/5A-10 from Ch. 23, par. 5A-10

SB 01773 (CONTINUED)

Adds reference to:

305 ILCS 5/5A-12.5

Adds reference to:

305 ILCS 5/5A-12.6 new

Adds reference to:

305 ILCS 5/5A-13

Adds reference to:

305 ILCS 5/5A-14

Adds reference to:

305 ILCS 5/5A-15

Adds reference to:

305 ILCS 5/5A-16 new

Adds reference to:

305 ILCS 5/12-4.105

Adds reference to:

305 ILCS 5/14-12

Replaces everything after the enacting clause. Amends the Illinois Health Facilities Planning Act. Expands the definition of health care facility to include any project the Department of Healthcare and Family Services certifies was approved by the Hospital Transformation Review Committee as a project subject to the hospital's transformation as provided under the Illinois Public Aid Code. Amends the Emergency Medical Services (EMS) Systems Act. Requires the Department of Public Health to issue an annual freestanding emergency center license to certain facilities. Amends the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services to establish a cost-based reimbursement methodology for determining payments to hospitals for approved graduate medical education programs for dates of service on and after July 1, 2018. Contains provisions concerning an amendment to the Illinois Title XIX State Plan defining graduate medical education (GME); GME payments to hospitals including such costs in support of clients enrolled in Medicaid managed care entities; and a requirement that the Department take all actions necessary for reimbursement to be effective for dates of service on and after July 1, 2018. Defines terms and grants the Department emergency rulemaking authority. Extends the time period under which certain hospitals shall be designated a safety-net hospital. Contains provisions concerning: hospital assessments for State fiscal years 2019 through 2024; a requirement that certain hospital assessments be paid in monthly installments; hospital assessments for hospital providers that did not conduct, operate, or maintain a hospital in the year that is the basis of the calculation of the assessment; disbursements from the Hospital Provider Fund for State fiscal years 2019 through 2024; the continuation of hospital access payments on or after July 1, 2018; rate increase-based adjustments; the calculation of graduate medical education payments; Alzheimer's treatment access payments; safety-net hospital, private critical access hospital, and outpatient high volume access payments; Medicaid dependent or high volume hospital access payments; trauma care access payments; long-term acute care access payments; small public hospital access payments; psychiatric care access payments; emergency rules to implement the hospital access payments; increase capitation payments to capitated managed care organizations; and other matters. Extends the repeal date of certain assessments on inpatient and outpatient services to July 1, 2020 (rather than July 1, 2018). Requires the Department to preserve payment methodologies for certain hospital assessments pending federal approval of changes made under the amendatory Act to those hospital assessments. Contains provisions concerning reimbursement for inpatient psychiatric services beginning July 1, 2020; reimbursement increases for inpatient rehabilitation services; add-on payments for outpatient expensive devices and drugs; and other matters. Requires the Department, in conjunction with the Hospital Transformation Review Committee, to develop a hospital transformation program to provide financial assistance to hospitals in transforming their services and care models to better align with the needs of the communities they serve. Provides that the Hospital Transformation Review Committee shall consist of 14 appointed members and that 9 of the 14 committee members must first approve any rule adopted to implement the hospital transformation program before the rule is submitted to the Joint Committee on Administrative Rules. Requires the Department to develop reimbursement methodologies to recognize the importance of out-of-state hospitals located in states that border Illinois and provide access to specialty hospital services, with some exceptions. Makes other changes. Effective immediately, but the Act does not take effect at all unless Senate Bill 1573 of the 100th General Assembly, as amended, becomes law.

House Floor Amendment No. 9

In a provision concerning the composition of the Hospital Transformation Review Committee, provides that the Chair and Vice-Chair (rather than the Chair and Co-Chair) cannot be appointed by the same appointing authority and must be from different political parties.

100th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01830

Sen. Michael E. Hastings, John G. Mulroe-Patricia Van Pelt, Mattie Hunter, Dale A. Righter and Andy Manar
(Rep. Arthur Turner-Elizabeth Hernandez, Sara Wojcicki Jimenez, Christian L. Mitchell, Theresa Mah, Mary E. Flowers and
Scott Drury)

725 ILCS 5/115-21

Amends the Code of Criminal Procedure of 1963. Provides in cases in which the prosecution attempts to introduce evidence of incriminating statements made by the accused to or overheard by an informant, the prosecution shall disclose at least 30 days prior to any relevant evidentiary hearing or trial (rather than timely disclose in discovery): (1) the complete criminal history of the informant; (2) any deal, promise, inducement, or benefit that the offering party has made or will make in the future to the informant; (3) the statements made by the accused; (4) the time and place of the statements, the time and place of their disclosure to law enforcement officials, and the names of all persons who were present when the statements were made; whether at any time the informant recanted that testimony or statement and, if so, the time and place of the recantation, the nature of the recantation, and the names of the persons who were present at the recantation; (6) other cases in which the informant testified, provided that the existence of such testimony can be ascertained through reasonable inquiry and whether the informant received any promise, inducement, or benefit in exchange for or subsequent to that testimony or statement; and (7) any other information relevant to the informant's credibility. Provides that if, at any time, a law enforcement or prosecutorial official has reason to believe that a previous statement or testimony proffered by an individual acting as an in-custody informant may be untruthful or unreliable, this information shall be disclosed through notification to the defendant, his or her attorney of record or the public defender's office, the prosecutor's office, and the court for all cases in which the informant offered statements or testimony. Provides that this provision applies to any criminal proceeding for first degree murder, intentional homicide of an unborn child, second degree murder, voluntary manslaughter of an unborn child, involuntary manslaughter and reckless homicide, involuntary manslaughter and reckless homicide of an unborn child, drug-induced homicide, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or aggravated arson (rather than a capital case). Makes other changes.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with changes. Amends the Code of Criminal Procedure of 1963. Expands the informant testimony provisions from capital cases to first degree murder, intentional homicide of an unborn child, second degree murder, voluntary manslaughter of an unborn child, involuntary manslaughter and reckless homicide, involuntary manslaughter and reckless homicide of an unborn child, drug-induced homicide, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or aggravated arson. Provides that the court may permit the prosecution to disclose its intent to introduce the testimony of an informant with less notice than the 30-day notice period required, if the court finds that the informant was not known prior to the 30-day notice period and could not have been discovered or obtained by the exercise of due diligence by the prosecution prior to the 30-day notice period. Provides that upon good cause shown, the court may set a reasonable notice period under the circumstances or may continue the trial on its own motion to allow for a reasonable notice period, which motion shall toll the speedy trial period for the period of the continuance. Provides that if a lawful recording of an incriminating statement is made of an accused to an informant or of a statement made by an informant to law enforcement or the prosecution, including any deal, promise, inducement, or other benefit offered to the informant, the accused may request a reliability hearing and the prosecution shall be subject to the disclosure requirements. Deletes language in the introduced bill providing that if, at any time, a law enforcement or prosecutorial official has reason to believe that a previous statement or testimony proffered by an individual acting as an in-custody informant may be untruthful or unreliable, this information shall be disclosed through notification to the defendant, his or her attorney of record or the public defender's office, the prosecutor's office, and the court for all cases in which the informant offered statements or testimony. Deletes language in the introduced bill providing that if there is an adverse finding with respect to the reliability of the in-custody informant, the relevant State entity has an obligation to notify the defendant, his or her attorney of record or public defender's office, the prosecutor's office, and the court where the in-custody informant has testified.

Apr 24 18 S Passed Both Houses

SB 02273

Sen. Kwame Raoul-Bill Cunningham-Don Harmon, Jennifer Bertino-Tarrant-Michael E. Hastings, David Koehler, Iris Y. Martinez, Linda Holmes, Andy Manar, Daniel Biss, Heather A. Steans, Pat McGuire, Omar Aquino, John J. Cullerton, Mattie Hunter, Cristina Castro, Emil Jones, III, Thomas Cullerton-Jacqueline Y. Collins, Terry Link and Laura M. Murphy

(Rep. Ann M. Williams-Carol Ammons-Lawrence Walsh, Jr.-Barbara Flynn Currie, Sam Yingling, John Connor, Justin Slaughter, Laura Fine, Michael J. Zalewski, Gregory Harris, Jaime M. Andrade, Jr., Lou Lang, Linda Chapa LaVia, Will Guzzardi, Frances Ann Hurley, Silvana Tabares, Michelle Mussman, Natalie A. Manley, Elizabeth Hernandez, Sara Feigenholtz and Robyn Gabel)

10 ILCS 5/1A-45

30 ILCS 805/8.42 new

Amends the Election Code. Provides that the Electronic Registration Information Center shall provide the exclusive interstate voter registration program for the State. Provides that the State Board of Elections shall not share identification records contained in databases maintained by State agencies with any interstate voter registration program other than the Electronic Registration Information Center. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Senate Committee Amendment No. 1

Provides that the State Board of Elections may enter into an exclusive voter data sharing agreement with a state that: (1) borders Illinois, and (2) does not participate in the Electronic Registration Information Center. Makes corresponding changes.

Fiscal Note (State Board of Elections)

Senate Bill 2273 would have no significant fiscal impact on the operations of the State Board of Elections. The Board is already a member of the Electronic Registration Information Center (ERIC) due to previous legislation and all associated costs for our continued participation in ERIC have already been accounted for.

Apr 19 18

S Passed Both Houses