



## States Address School Cyberbullying

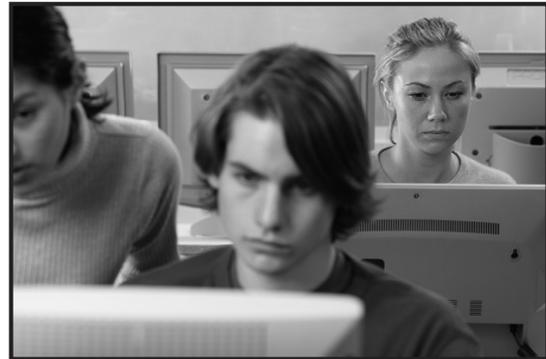
Nearly all states now try to prevent “cyberbullying” of students—usually by giving schools authority to punish it. The term “cyberbullying” describes various electronic communication behaviors that can cause emotional distress—and perhaps even suicide in some cases. Drawing a line between cyberbullying and ordinary rude communications is not easy; school districts must be careful to avoid violating students’ First Amendment rights. Cyberbullying is typically described as using electronic communications in a way that is repeated and severe enough to create a negative educational environment for victims.

Perhaps due in part to concern about constitutional issues, not many laws threaten criminal penalties for such behavior. Instead, they authorize and require schools to have policies on investigating, reporting, and prohibiting cyberbullying.

Illinois law currently mentions cyberbullying as a danger that schools should teach students how to avoid, and says that bullying is not to be allowed through school equipment. A bill that has passed both houses would expand the actions described as cyberbullying to protect students further. As in most states, those provisions would be enforced by school authorities rather than criminal prosecutions.

### State Laws

Table 1 on pages 2 and 3 summarizes characteristics commonly found in the laws of 46 states on this topic and the Illinois bill that has passed both



houses. Not all of the laws call the behavior that they address “cyberbullying.” Some states have simply extended laws on bullying or harassment in schools to include such actions using electronic devices, so their laws may not be as widely known or well enforced as laws using the now-familiar term “cyberbullying.”

Another significant way that state laws vary is whether they apply only to cyberbullying through school-owned devices, or they also seek to ban cyberbullying of students through privately owned electronic devices. Again perhaps due to concerns about constitutionality, only six states’ laws specifically apply to devices not owned or leased by schools. On the other hand, 19 states’ laws say that cyberbullying is prohibited wherever it takes place

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**Table 1: State Cyberbullying Laws**

<i>State</i>	<i>Uses term “cyber- bullying”</i>	<i>Applies even if device is privately owned</i>	<i>Applies regard- less of location</i>	<i>Applies to imposter Websites</i>	<i>Notes</i>
Alabama	-	-	-	-	No law on the topic found.
Alaska	-	-	-	-	
Arizona	-	-	-	-	
Arkansas	-	<input type="checkbox"/>	<input type="checkbox"/>	-	
California	-	-	-	<input type="checkbox"/>	
Colorado	-	-	-	-	Uses term “cyberbullying” but does not define it.
Connecticut	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	-	
Delaware	-	-	-	<input type="checkbox"/>	
Florida	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Georgia	-	-	-	-	
Hawaii	<input type="checkbox"/>	-	<input type="checkbox"/>	-	
Idaho	-	-	-	-	
Illinois*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Indiana	-	-	<input type="checkbox"/>	-	
Iowa	-	-	-	-	
Kansas	<input type="checkbox"/>	-	-	-	
Kentucky	-	-	-	-	
Louisiana	<input type="checkbox"/>	-	-	-	
Maine	<input type="checkbox"/>	-	<input type="checkbox"/>	-	
Maryland	-	-	<input type="checkbox"/>	-	
Massachusetts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No law on the topic found.
Michigan	<input type="checkbox"/>	-	<input type="checkbox"/>	-	
Minnesota	<input type="checkbox"/>	-	<input type="checkbox"/>	-	
Mississippi	-	-	-	-	
Missouri	<input type="checkbox"/>	-	-	-	
Montana	-	-	-	-	
Nebraska	-	-	-	-	
Nevada	<input type="checkbox"/>	-	-	-	
New Hampshire	<input type="checkbox"/>	-	<input type="checkbox"/>	-	
New Jersey	-	-	<input type="checkbox"/>	-	
New Mexico	<input type="checkbox"/>	-	-	-	
New York	<input type="checkbox"/>	-	<input type="checkbox"/>	-	
North Carolina	<input type="checkbox"/>	-	-	<input type="checkbox"/>	
North Dakota	-	-	-	-	
Ohio	-	-	-	-	

Table 1: State Cyberbullying Laws (cont'd)

<i>State</i>	<i>Uses term “cyber- bullying”</i>	<i>Applies even if device is privately owned</i>	<i>Applies regard- less of location</i>	<i>Applies to imposter Websites</i>	<i>Notes</i>
Oklahoma	-	<input type="checkbox"/>	<input type="checkbox"/>	-	
Oregon	<input type="checkbox"/>	-	-	-	
Pennsylvania	-	-	-	-	
Rhode Island	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>	
South Carolina	-	-	-	-	
South Dakota	-	-	<input type="checkbox"/>	-	
Tennessee	<input type="checkbox"/>	-	<input type="checkbox"/>	-	
Texas	<input type="checkbox"/>	-	-	-	
Utah	<input type="checkbox"/>	-	-	-	
Vermont	-	-	<input type="checkbox"/>	-	
Virginia	<input type="checkbox"/>	-	-	-	
Washington	-	-	-	-	
West Virginia	-	-	-	-	
Wisconsin	-	-	-	-	No law on the topic found.
Wyoming	-	-	-	-	
<b>Totals</b>	<b>22</b>	<b>6</b>	<b>19</b>	<b>7</b>	

\* Illinois entry assumes that Governor will sign H.B. 4207 (Fine-Smidly-Wheeler-Costello et al.—Silverstein-Bush-Lightford et al.). Without it, Illinois would not fit any of the categories listed.

Sources: Ala. Code, sec. 16-28B-3; Ariz. Rev. Stat., sec. 15-341; Ark. Code Ann., subsecs. 6-18-514(b)(2) and (e)(2); Cal. Educ. Code, sec. 32261 and subsec. 48900(r)(2); Colo. Rev. Stat., sec. 22-32-109.1; Conn. Gen. Stat., subsecs. 10-222d(a)(2), (a)(6), and (b)(15); Del. Code Ann., tit. 14, subsec. 4112D(f); Fla. Stat., sec. 1006.47; Ga. Code Ann., sec. 20-2-751.4; Haw. Code R., sec. 8-19-2; Idaho Code, sec. 33-205; 2014 Ill. H.B. 4207 (Fine-Smidly-Wheeler-Costello et al.—Silverstein-Bush-Lightford et al.); Ind. Code, secs. 20-33-8-0.2 and 20-33-8-13.5; Iowa Code, sec. 280.28; Kan. Stat. Ann., sec. 72-8256; Ky. Rev. Stat., sec. 525.080; La. Rev. Stat., secs. 14.40.7 and 17:416.13; Me. Rev. Stat., tit. 20-A, sec. 6554; Md. Educ. Code, sec. 7-424; Mass. Gen. Laws, ch. 71, sec. 37O; Mich. Comp. Laws, sec. 380.1310b; Minn. Stat., sec. 121A.031; Miss. Code, sec. 37-11-67; Mo. Rev. Stat., sec. 160.775; Neb. Rev. Stat., secs. 79-2,137, sec. 388.123; Nev. Rev. Stat., sec. 388.123; N.H. Rev. Stat., sec. 193-F:3; N.J. Stat. Ann., sec. 18A:37-14; N.M. Stat. Ann., sec. 22-2-21; N.Y. Educ. Law, sec. 11; N.C. Gen. Stat., secs. 14-458.1 and 14-458.2; N.D. Cent. Code, sec. 15.1-19-17; Ohio Rev. Code, sec. 3313.666; Okla. Stat., secs. 24-100.3 and 24-100.4; Ore. Rev. Stat., sec. 339.351; Pa. Cons. Stat., tit. 24, sec. 13-1302.1-A; R.I. Gen. Laws, sec. 16-21-33; S.C. Code, sec. 59-63-120; S.D. Cod. Laws, secs. 13-32-15 and 13-32-18; Tenn. Code Ann., sec. 49-6-4502; Tex. Educ. Code, secs. 37.0832 and 37.218; Utah Code Ann., sec. 53A-11a-102; Vt. Stat. Ann., tit. 16, sec. 11; Va. Code, sec. 22.1-276.01; Wash. Rev. Code, sec. 28A.300.285; W. Va. Code, sec. 18-2C-2; and Wyo. Stat., sec. 21-4-312.

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# States Tackle “Revenge Porn”

Laws in several states seek to punish the recent practice of posting revealing photographs of former romantic interests on Internet sites as retaliation after breakups. Illinois has some laws that might apply in some such situations, but they do not generally ban “revenge porn” actions. The laws of Illinois and other states that were found are described in this article.

## Related Illinois Laws

Illinois laws prohibit cyberstalking; unauthorized video recording and transmission; and harassing and obscene communications. None of those laws directly addresses posting of images or video recordings of an adult that were made with the adult’s consent.

### *Stalking and cyberstalking*

The Criminal Code defines the crime of “stalking” as any course of conduct directed at a specific person that the actor knows or should know would cause a reasonable person to fear for personal safety or the safety of another, or to suffer other emotional distress. A course of conduct can include contact by electronic communication, and communication “to or about” another person. A first offense is a Class 4 felony, punishable by probation or 1-3 years in prison and/or a fine up to \$25,000; a second offense is a Class 3 felony, punishable by probation or 2-5 years in prison and/or a fine up to \$25,000. The crime of cyberstalking is almost identical, but requires that the acts constituting the offense include use of electronic communication.

### *Unauthorized video recording and live video transmission*

This crime consists of knowingly making a video record of another person, without that person’s consent, in any of several statutorily described kinds of places (including restrooms, changing rooms, and residences), or placing a device with intent to make such a recording. It is also unlawful to disseminate a video recording with knowledge that it was made in violation of that prohibition. Violation ranges from a Class A misdemeanor (punishable by probation or up to 1 year in jail and/or a fine up to \$2,500) to a Class 3 felony depending on the kind of place involved. Because this offense applies only to nonconsensual recording, it may not prohibit most instances of revenge porn.

### *Harassment through electronic communications*

This crime might appear to apply to revenge porn. But the Criminal Code provision seems worded in such a way as to apply only to communications sent directly to the intended victim, not to third persons:

#### § 26.5-3. Harassment through electronic communications

(a) A person commits harassment through electronic communications when he or she uses electronic communication for any of the following purposes:

- (1) Making any comment, request, suggestion or proposal which is obscene with an intent to offend; . . . .

Another crime, called transmission of obscene messages, appears to be directed at the sending of words only—not pictures.

Some acts of revenge porn might be redressable through civil suits, but the success of such a suit would be far from certain.

## Other States’ Laws

A 2004 New Jersey law prohibits disclosure without consent of photographic, video, or other reproductions of a person whose intimate parts are exposed or who is engaged in sexual acts (with exceptions for actions done for a lawful purpose). Its penalties (3-5 years in prison and a fine up to \$30,000) are stiffer than Illinois’ penalties for unauthorized video recording. A 2013 California law is considerably narrower, making it a crime to distribute an image (which the distributor recorded) of another identifiable person’s intimate body parts, if (a) the two parties agreed or understood that the image would remain private; (b) the distributor intends to cause the depicted person serious emotional distress; and (c) the depicted person does suffer such distress. A first offense is punishable by up to 6 months in jail and/or a fine up to \$1,000. A second offense (or a first if the victim is a minor) is punishable by up to 1 year in jail and/or a fine up to \$2,000.

At least eight states have enacted laws on this topic this year: Arizona, Colorado, Georgia, Idaho, Maryland, Utah, Virginia, and Wisconsin. Both houses of Hawaii’s legislature passed a bill on

this topic, on which its Governor had not acted at press time. Although varying considerably, most of these measures contain the elements that (1) intimate images are distributed or posted on an Internet site, and (2) the person depicted had an agreement, or a reasonable expectation, that the images would be private. The Colorado and Utah laws apply only if it is shown that distribution of the images caused emotional distress to the person who was depicted.

Many of the laws have exceptions for providers of Internet service and electronic communications that are acting in the normal course of business, and for lawful practices in law enforcement, courts, and medical treatment.

Illinois considered at least three bills on this topic this year. None passed both houses, although two passed their houses of origin:

H.B. 4320 (Drury-Franks-Cassidy-Wheeler-Sosnowski et al. — Hastings) passed the House 110-2.

S.B. 2694 (Hastings-Hutchinson-Harmon-Collins-Martinez et al. — Drury-Evans-Wheeler-Reboletti-Lilly et al.) passed the Senate and House in different forms; the differences had not been resolved by adjournment.

H.B. 5566 (Franks) was not assigned to a substantive committee. □

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## States Address School Cyberbullying

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if it otherwise fits the definition. Thus, actions off school property could be prohibited depending on the facts.

A somewhat different type of cyberbullying is posting a message on a social networking site or Internet blog, or creating an entire Internet site, that purports to be from another person, with intent to expose that person to ridicule or harm. Seven states' laws seek to punish creators of such "imposter" messages or sites. The Illinois bill would as well.

So far only the Florida and Massachusetts laws include all four elements described above, but the Illinois bill would also do so.

### Illinois Law and Current Bill

The School Code currently authorizes schools to adopt curricula on Internet safety. It recommends that such curricula include recognizing and reporting online harassment and cyberbullying. Another section of the Code says: "No student shall be subjected to bullying: . . . (3) through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment." That section directs each school district to adopt a policy on bullying and file it with the State

Board of Education. None of these provisions state any consequences for either bullying or cyberbullying, leaving that decision to local schools.

House Bill 4207 (Fine-Smidly-Wheeler-Costello et al. — Silverstein-Bush-Lightford et al.) passed both houses this spring. It would expand the statement against bullying of students by saying that no student is to be cyberbullied, even outside of school activities and using private devices, "if the bullying causes a substantial disruption to the educational process or orderly operation of a school." The bill also would define "cyber-bullying" to include creation of an imposter Website or blog impersonating another, or posting material on an Internet site, if that action has effects described in the section's definition of "bullying."

The bill adds that each school's policy on bullying must include a procedure for investigating whether reported acts of bullying are within school jurisdiction. Each school or school district must offer victims information on available support services and counseling. Although not making cyberbullying of students a criminal offense, the bill would give school authorities more tools to try to punish it. □

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# Abstracts of Reports Required to be Filed With General Assembly

The Legislative Research Unit staff is required to prepare abstracts of reports required to be filed with the General Assembly. Legislators may receive copies of entire reports by sending the enclosed form to the State Government Report Distribution Center at the Illinois State Library. Abstracts are published quarterly. Legislators who wish to receive them more often may contact the executive director.

## **Attorney General**

### *Collection statistics, 2013*

State agencies referred to the Attorney General 23,500 collection cases (94.7% of which came from Department of Healthcare and Family Services) involving \$100 million. Collections on such cases (including older cases) were \$375 million. Reports number referred by agency. (30 ILCS 205/2(j); Jan. 2014, rec'd Feb. 2014, 2 pp.)

## **Auditor General**

### *CTA Retiree Health Care Trust, 2013*

Annual review of CTA health-care trust funding showed that projected income plus assets (\$813.4 million) exceeded projected benefits (\$645.7 million), so no benefit cut or contribution increase was needed. (30 ILCS 5/3-2.3(b); issued & rec'd Dec. 2013, 10 pp. + appendix)

## **Board of Higher Education**

### *Annual report, 2012-2013*

Some 834,228 students were enrolled at 231 Illinois public or private college campuses and universities in fall 2011 — down 8.8% from 2010. Board received \$3.5 billion for FY 2014, up \$114.3 million (3.4%) from FY 2013. It approved 39 applications for new programs in FY

2013. (110 ILCS 205/9.04; undated, rec'd March 2014, 46 pp.)

## **Central Management Services Dept.**

### *Service Disabled Veteran-Owned Small Business and Veteran-Owned Small Businesses, annual report FY 2013*

These programs aim to boost state business to qualified veteran vendors. Application and certification procedures were developed in 2011; so far 70 Veterans Business Program applications have been certified. In fiscal year 2013, 14 veteran small businesses submitted bids for contracts and 9 veteran small businesses contracted with the state. Total value of contracts exceeded \$32 million. (30 ILCS 500/45-57(b); issued & rec'd March 2014, 2 pp.)

### *State-owned & real surplus property, 2013*

A State Police headquarters was sold to Des Plaines for \$147,400. Lincoln Developmental Center, Singer Mental Health Center in Rockford, Tinley Park Mental Health Center, and Howe Developmental Center were offered to other state agencies and appraised. No new installment or lease/purchase agreements were reported for 2013. (30 ILCS 605/7.1; Jan. 2014, rec'd Feb. 2014, 2 pp.)

## **Commerce Commission**

### *Accidents and Incidents Involving Hazardous Materials on Illinois Railroads, 2013*

Commission checked 11,005 railroad cars carrying hazardous materials and found violations in 1.9%. Among 110 railway accidents involving hazardous materials, 5 derailments released hazardous materials, 23 did not, and 82 such releases occurred without derailment. Tables show location, railroad, material, suspected causes, amounts involved and released, and dates of incidents. (625 ILCS 5/18c-1204(3); issued & rec'd April 2014, 22 pp.)

### *[Rail] Crossing Safety Improvement Program, FYs 2015-2019*

Preliminary data showed 87 collisions and 18 deaths at public RR crossings in 2013. Plan calls for \$39.3 million in improvements for FY 2015. Also lists \$197 million in proposed safety improvements for FYs 2015-2019 to be funded by Grade Crossing Protection Fund—including 20 new or rebuilt grade separations; automatic warning device installation or circuitry upgrades at 225 crossings; and low-cost improvements at 600 crossings. Lists plans by county. (35 ILCS 505/8(c); issued & rec'd April 2014, 9 pp. + 4 appendices)

## **Commerce and Economic Opportunity Dept.**

### *Bilingual employees report, 2014*

Gives name, job title and description, and languages spoken by bilingual employees. DCEO has six such employees, speaking Polish or Spanish. (5 ILCS 382/3-20; issued & rec'd Jan. 2014, 2 pp.)

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*Build Illinois revolving funds, FY 2013*

At the end of FY 2013, the Build Illinois Capitol Revolving Loan Fund had \$10.4 million; Illinois Equity Fund \$1.15 million; Build Illinois Large Business Attraction Fund \$1.5 million. (30 ILCS 750/9-9 and 750/10-9; Dec. 2013, rec'd Jan. 2014, 7 pp.)

*Business Information Center report, 2013*

The Center (also known as Illinois Entrepreneurship Network Business Information Center) answers businesses' questions on state and federal requirements, regulatory processes, and aid. In 2013 it handled 5,349 inquiries, including 2,380 general business questions; 1,282 on licensing and registration; and 4 on international trade. (20 ILCS 608/15(q); Feb. 2014, rec'd March 2014, 8 pp.)

*Employment Opportunities Grant Program, FY 2013*

The program seeks to help targeted populations (minorities, women, homeless, long-term unemployed, veterans, youth leaving foster care, and ex-offenders) enter building trades, apprenticeships, and/or jobs. Employment Opportunities Grant program is funded with \$1.25 million. In April 2012 a full-time manager was hired for the program. Sixteen applications for FY 2014 were submitted and under review. (20 ILCS 605/605-812(f); Dec. 2013, rec'd Jan. 2013, 3 pp.)

*Energy conservation technical assistance update, 2013*

Department's Energy Performance Contracting Program helps fund building improvements for state and local governments, schools,

housing authorities, and non-profit groups. Six projects were finished in 2013 with expected annual savings of \$4.6 million. Department worked with International Energy Conservation Consultants LLC (IECC) to train 1,644 professionals on Illinois Energy Conservation Code. Ten urban field inspection workshops had attendance of 1,755. Department worked with IECC to provide 412 technical assistance interpretations. Smart Energy Design Assistance Center provided technical help to 190 local governments and followup implementation to 80. Lists grantees under Illinois Energy Now program. (20 ILCS 1115/5; undated, rec'd March 2014, 8 pp.)

*Energy Efficiency Trust Fund Program report, 2013*

DCEO authorized funds for 5 programs. Energy Efficient Affordable Housing Construction Program got \$175,784 for 5 projects building 165 units of new multifamily housing and 42 single-family houses, and rehabilitated 4 small multifamily housing units. Residential Retrofit Program received \$2.4 million for 5 grantee programs retrofitting 781 units and rebuilding 55 units of low-income housing. Lights for Learning program reached 177 schools for efficient lighting products fundraiser (the 108 students receiving Fund money raised about \$4,000). University of Illinois will get \$7 million over 5 years for Smart Grid research program. Midwest Energy Efficiency Alliance got \$126,425 for working group to improve Illinois Energy Conservation Code compliance. (20 ILCS 687/6-6(e); undated, rec'd March 2014, 9 pp.)

*High Impact Business designation*  
Grand Ridge Energy Storage LLC was designated as a high-impact business for wind energy project in LaSalle County, allowing tax credits and exemptions for up to 20 years. (20 ILCS 655/5.5(h); March 2014, rec'd April 2014, 2 pp.)

*Illinois Historic Preservation Tax Credit Pilot Program, 2013*

Program gave the maximum \$10 million state income tax credit for historic rehabilitation of Peoria's Pere Marquette Hotel. Projected economic impact of construction was \$131 million in economic activity and 840 job-years in Peoria. Projected economic impact of operations phase was \$30.8 million in annual economic activity and 250 jobs. (35 ILCS 30/25, Dec. 2013, rec'd Jan. 2014, 5 pp.)

**Community College Board**  
*Adult Education and Family Literacy, FY 2013*

Adult education programs served 96,130 students: 49,686 English as a Second Language students; 24,562 in Adult Basic Education; 18,233 in Adult Secondary Education; 1,894 getting high school credit; and 1,755 vocational students. Students earned 16,280 GEDs in 2013. Adult education providers were community, junior, or technical colleges (39); community-based organizations (25); local education agencies (22); faith-based organizations (3); 4-year institutions (1); and Department of Corrections (1). (105 ILCS 405/2-4; issued & rec'd Feb. 2014, 3 pp.)

**Comptroller**

*Receivables report, 2013*

Gross receivables due the state at 2013 yearend were \$15.56 billion,

## Abstracts *(continued from p. 7)*

up \$228 million (1.5%) from 2012. Net receivables (believed to be collectible) were \$3.4 billion, up \$245 million (8%) from 2012. Of those, child support claims were the largest group (30%), followed by other (license and fees, federal reimbursements, etc.) (18%), interest and investment income (18%), public aid recoveries (13%), taxes (13%), contributions (5%), and current loan and note repayments (3%). Lists receivables by agency. (30 ILCS 210/4(d); Dec. 2013, rec'd March 2014, 28 pp.)

### **Corrections Dept.**

*Illinois Correctional Industries, FY 2013*

Correctional Industries had operating revenue of \$49.1 million and expenses of \$50.3 million. Its FY 2013 appropriation was \$54 million. Its year-end net balance was \$17.1 million. It provided inmates 11,700 days of Earned Good Conduct Credit. Of 1,044 total job positions available, 878 were filled. Reports sales, production, and job assignments by facility. No recidivism rates since 2006 are available due to database problems. (730 ILCS 5/3-12-11; undated, rec'd Feb. 2014, 23 pp.)

*Quarterly report, Oct. 2013*

On August 31, 2013 adult facilities had 48,785 residents—52% over rated capacity of 32,090 but 3% below operational capacity of 50,339. Number was projected to rise to 49,696 by September 2014. Most were double-celled (68%) or multi-celled (26%), with about 32 square feet of living area each. Adult transition centers held 936 (186 over rated capacity

and 22 below bed space). Average ratio of prisoners to security staff was 6.4. Enrollment (unduplicated) in educational and vocational programs was 8,940. No capital projects were funded. (730 ILCS 5/3-5-3.1; Oct. 2013, rec'd Dec. 2013, 12 tables)

### **Educational Labor Relations Board**

*Annual report, FY 2013*

Board handled 97 representation cases; was involved in mediation in 10 strikes; and considered 213 unfair labor practice charges. Summarizes major board decisions and court rulings. Board's budget was \$1.04 million. (115 ILCS 5/5(j); Feb. 2014, rec'd March 2014, 24 pp.)

### **Employment Security Dept.**

*Women and Minorities in Illinois Labor Force, 2014*

State's total workforce declined by 27,500 to about 5.95 million. Workforce participation rate was lowest among African Americans (59.1%). Hispanics (70.9%) had a higher rate than whites (66.4%) but continued earning lower wages. Unemployment rates were 7.9% for whites, 11.1% for Hispanics, and 17.0% for African Americans. Median full-time weekly earnings were \$920 for Asian Americans, \$792 for whites, \$621 for African Americans, and \$568 for Hispanics. In 2012, women's median wage was 79.1% of that for men in Illinois; nationally it was 80.9%. Includes a career resource directory for women and minorities. (20 ILCS 1505/1505-20; issued & rec'd March 2014, 31 pp.)

### **Executive Inspector General**

*Expenses as inspector general for RTA agencies, 2013*

The office spent \$1.24 million as

inspector general for the Regional Transportation Authority, CTA, Metra, and Pace in calendar 2013. (70 ILCS 3615/4.03.3(h); issued & rec'd Jan. 2014.)

### **Healthcare and Family Services Dept.**

*Payments for services from past years and changes in liabilities, FY 2013*

DHFS paid about \$2.56 billion in FY 2013 for medical services provided in earlier years. It paid nearly \$1.2 billion on claims it received in earlier years. DHFS had just over \$47 million in collections of fraudulent, abusive, or improper payments (30 ILCS 105/25(e) and (g); Nov. 2013, rec'd Dec. 2013, 1 p. + attachments)

### **Human Rights and Human Services Depts.**

*Interagency Committee on Employees with Disabilities annual report, FY 2013*

Among state employees in FY 2013, 7.5% had disabilities. Committee had three accomplishments in 2013: (1) sponsored a Webinar on promotion opportunities for employees with disabilities; (2) prepared annual report to General Assembly and the Governor of its accomplishments and an analysis of state's disability hiring performance; and (3) issued newsletter *ICED NEWS* and maintained a Website and continued ICED internship program. (20 ILCS 415/19a; Feb. 2014, rec'd Mar. 2014, 14 pp.)

### **Human Services Dept.**

*Community Mental Health Medicaid Trust Fund Revenues and Expenditures, FYs 2012 & 2013*

Fund had \$62 million in total revenue and \$87.6 million in total spending in FY 2012. For FY

2013 it had \$106.7 million in revenue and \$79.3 million in spending. Delayed deposit in June 2012 (received in FY 2013) explains higher FY 2013 revenue. (20 ILCS 1705/18.4(c-10); Sept. 2013, rec'd March 2014, 1 p.)

*Fit To Stand Trial Pilot Program, final report*

From Sept. 2012 to Sept. 2013, 558 persons were admitted to DHS facilities to evaluate fitness to stand trial; 305 admissions were delayed past 30 days. All 558 were asked to be immediately returned to jail; 114 were returned within 14 days. DHS and Sheriff's Association recommended continuing pilot program 12 more months to compare response time data, and extending law's sunset date. (725 ILCS 5/104-18(c) and 20 ILCS 1305/1-60; Oct. 2013, rec'd Nov. 2013, 4 pp.)

*Homeless Prevention Program, FY 2013*

Program received \$4 million in FY 2013—\$2.6 million more than FY 2012. The 21 organizations getting Homeless Prevention Program money served 3,818 households (up from 1,691 in FY 2012), containing 5,221 adults and 4,473 children. Among those, 88% kept their housing with Program help, at an average cost per household of \$1,048. (310 ILCS 70/13; undated, rec'd April 2014, 26 pp.)

*Illinois childcare report, FY 2013*

Department spent \$951.3 million on employment-related childcare aid, helping an average of 149,699 families with 259,493 children. Income limit in FY 2013 was \$36,132 for family of three. Among participants, 94.8% are single parents and 99.4% had copayments. (20 ILCS 505/5.15;

undated, rec'd March 2014, 19 pp.)

*Institutional services for disabled children report, 2013*

Describes status of children through age 17 with developmental disabilities, severe mental illness, or emotional disorders who get DHS-funded institutional care. In FY 2013, 4,423 children with developmental disabilities got services. Of them, 4,146 (94%) received care in their homes or small group homes, 277 (6%) in large institutions. Also, 35,868 youth with mental illness were served by 151 community mental health agencies. (20 ILCS 1305/10-55; issued & rec'd March 2014, 9 pp.)

*Specialized alcohol & drug treatment services, plan years 2014-2016*

Starting in 2014, 15 million Americans including 7 million women become eligible for Medicaid, affecting addiction services for women. Recommendations address, among other issues, needs of female veterans and of women in and after release from prison; overprescription of opiates to women; and mandating coverage for mental health and substance abuse. (20 ILCS 301.10-10(e); Jan. 2013, rec'd March 2013, 54 pp.)

*Social Services Block Grant Fund and Local Initiative Fund receipts and transfers, FY 2013*

Social Services Block Grand Fund had \$69.3 million in federal transfers in. Transfers out were \$43.5 million to General Revenue Fund, \$10.4 million to Special Purpose Trust Fund, and \$21.2 million to Local Initiative Fund. (305 ILCS 5/12-5; issued & rec'd Jan. 2014, 3 pp.)

**Insurance Dept.**

*Public pension report, 2011-2012*

Reports on financial conditions of Illinois public pension systems, including data on each system under the Illinois Pension Code. The sum of their accrued actuarial liabilities grew from \$251 billion in 2010 to \$283 billion in 2012. Unfunded liabilities also rose, making overall funded status drop from 54.3% to 49%. Total fund membership under the Pension Code reached 1.045 million. Also reports on the activities of Public Pension Division. (40 ILCS 5/1A-108; undated, rec'd March 2014, 184 pp.)

**Joint Committee on Administrative Rules**

*Annual report 2013*

JCAR reviewed 463 rulemakings—358 general, 56 emergency, 15 peremptory, 19 exempt, 10 required, and 5 expedited corrections. Lists and gives summaries of major JCAR reviews in 2013; also gives historical background on rulemakings, JCAR objections, and court decisions since 1978. (5 ILCS 100/5-140; Feb. 2014, rec'd March 2014, 74 pp.)

**Juvenile Justice Dept.**

*Quarterly report January 1, 2014*

Illinois juvenile justice facilities held 905 youth on Nov. 30, 2013—below rated capacity of 1,250 and bed space for 1,509. Number was projected to fall to 858 by Dec. 2014. Ratio of youth to security staff was 1.5. Youth were single-celled (73%) or double-celled (27%), with about 97 square feet of actual living area each. Enrollment (unduplicated) in educational and vocational programs was 699. No capital projects were funded.

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## Abstracts *(continued from p. 9)*

Shows statistical indicators for FYs '93 to '13. (730 ILCS 5/3-5-3.1; Jan. 2014, rec'd Feb. 2014, 10 tables)

### **Labor Relations Board**

*Annual Report, FY 2013*

Board's State Panel handled 217 charges of unfair labor practices, 164 representation cases, and 335 mediation or arbitration cases (including 20 grievance cases); it issued 5 declaratory rulings. Local Panel handled 111 charges of unfair labor practices, 27 representation cases, and 22 mediation or arbitration cases. Gives overview of Board's functions and selected case summaries. FY 2013 budget was about \$1.6 million. (5 ILCS 315/5(e); issued & rec'd Jan. 2014, 56 pp.)

### **Legislative Reference Bureau**

*2013 Case Report and cumulative report of Illinois laws held unconstitutional*

Highlights: Illinois Appellate Court cases held that: (1) e-mail and text messages pertaining to city business, that were sent or received by a city council member on the member's privately owned communications device during a council meeting, were "public records" that must be disclosed under Freedom of Information Act (FOIA), and (2) a state agency, if requested, must give a FOIA requester an unlocked version of an Excel spreadsheet that is a public record (the agency had sent a "locked" version that displayed the spreadsheet's data but did not allow selection and copying of data). However, the Appellate Court panel recommended that the General Assembly "expeditiously" address any risk that this will allow manipulation or misuse

of data from agencies. The federal district court in Chicago held that Illinois' eavesdropping law unconstitutionally prohibited audio recordings of public officers performing their duties in public places. Report also lists Illinois laws that have been held unconstitutional but not repealed or amended in response. (25 ILCS 135/5.05; Feb. 2014, rec'd March 2014, 153 pp.)

### **Property Tax Appeal Board**

*Annual report 2013*

Table gives data by county, for each of the last several years, on commercial and industrial property tax assessment appeals and resulting assessed value reductions. In 2013 the Board also closed 11,831 residential appeals involving 18,853 properties. Synopses of representative cases each year are posted at [www.ptab.illinois.gov/reports.html](http://www.ptab.illinois.gov/reports.html). (35 ILCS 200/16-190(b), issued & rec'd Feb. 2014, 11 pp.)

### **Revenue Dept.**

*Illinois Film Office quarterly report, Oct.-Dec. 2013*

Estimates that 1,562 technical crew and office, 366 talent, and 551 extras jobs were created or retained. Film production brought \$36.5 million in spending to Illinois. Overall crew and production office staff "racial diversity" rose from 14% when program began to 27% in 2013. (35 ILCS 16/45(b); undated, rec'd March 2014, 1 p.)

*Live Theater Tax Credit report, Oct.-Dec. 2013*

In FY 2014 2nd quarter, 436 technical crew, office, and support jobs and 37 talent jobs were created or retained. Some \$3.4 million of theater production

spending was brought to Illinois. Department of Commerce and Economic Opportunity will explore educational opportunities for minorities to promote diversity. (35 ILCS 17/10-50(b); undated, rec'd March 2014, 1 p.)

### **Secretary of State**

*Public Library Capital Needs Assessment, 2013*

The 395 public libraries responding to a survey (61.5% response rate) reported total needs of \$446.9 million for the next 2 years: \$199.8 million for new construction, \$113.2 million for building additions, and \$133.8 million for repairs and upgrades. Seventy-nine library buildings are over 100 years old; 90 others are over 50 years old. (30 ILCS 767/15-60; issued and rec'd Dec. 2013, 4 pp.)

### **State Board of Education**

*Educational mandates report, 2013*

Lists 23 new school mandates, of which 6 were expected to have costs but amounts could not be estimated. They require, among other things, school-shooting drills; school administrators to report to State Police within 24 hours if an employee or student poses a credible threat to self or others; train school personnel to identify warning signs of mental illness in teens; and provide catastrophic accident insurance to eligible athletes. (105 ILCS 5/2-3.104; issued & rec'd Feb. 2014, 5 pp.)

*Preschool for All Children, FYs 2010-2012*

Program served 82,150 students at an average cost of \$3,527 in FY 2011, and 78,607 at average cost of \$3,305 in FY 2012.

Tables and graphs report on success in later elementary grades, and on Illinois Student Achievement Tests, of Preschool for All ‘graduates’ (most had average or above ISAT performance, but there is no control group of similar students who did not get preschool) (105 ILCS 5/2-3.71(a) (6); Dec. 2013, rec’d Jan. 2014, 18 pp.)

*School mandate waiver requests, spring 2014*

Classifies 85 waiver requests into categories and lists status: school district conversion or formation (6 sent to General Assembly); driver education (8 sent, 4 approved, 2 withdrawn or returned); legal school holidays (2 withdrawn or returned); limiting administrative costs (10 sent, 1 withdrawn or returned); nonresident tuition (25 sent, 1 withdrawn or returned); physical education (22 sent, 1 withdrawn or returned); school improvement or in-service training (11 sent, 1 withdrawn or returned); state-ment of affairs (2 sent); and graduation requirements (1 sent). Describes and lists waivers by topic and legislative district. (105 ILCS 5/2-3.25g; issued & rec’d March 2014, 15 pp. + charts)

**State Charter School Commission**

*Charter School Funding Task Force report*

Task force was directed to do a comparative analysis of charter school funding nationwide; examine current charter school funding provisions for equity; and assess charter schools’ effects on local students. Twelve resulting recommendations include providing better borrowing

terms for charter schools, lengthening potential terms for some charter renewals, and increasing funding for all public education. Minority report urged more transparency for charter schools and their funding. (HJR 36 (2013); issued & rec’d Feb. 2014, 37 pp. + appendices)

*Virtual Schooling report*

Recommends allowing virtual schools, but only after changes to charter school law. Recommends extending moratorium on new virtual schools through end of 2016 for changes to be made. Changes would include: address problems in offering special education services; change how students’ progress and success are assessed; and change funding model for virtual schools. (105 ILCS 5/27A-5(b-5); issued & rec’d Feb. 2014, 22 pp.)

**State Fire Marshal**

*Annual report 2013*

Reports on arson investigations; boiler, pressure vessel, and elevator safety inspections; fire prevention; Division of Petroleum and Chemical safety; fire safety; Division of Personnel Standards and Education; programs for public education and other management services; special projects such as Small Fire-Fighting and Ambulance Service Equipment Grant Program and Revolving Loan Programs; technical services; advisory boards and commissions; and the budget. Statistics included: 1,042 arson incidents investigated; 47,078 boiler and pressure vessel inspections; and 3,057 storage tanks facilities audited. (50 ILCS 740/13; issued & rec’d Feb. 2014, 17 pp.)

**State Police Dept.**

*Juvenile charge report, July-Sept. 2013*

Department received 13,814 juvenile charge reports in third quarter of 2013—down 1,903 from second quarter. They included 1,151 for ordinance violations; 510 petty offenses; 7,788 misdemeanors; 2,861 Class 1 to 4 felonies; 316 Class X felonies; and 27 murders (1,161 were not identified). By gender, 11,322 were male and 2,491 female; 1 was unidentified. By race, 7,974 were African American; 5,656 white; and 71 Asian; 112 were unidentified. (20 ILCS 2605/2605-355; Nov. 2013, rec’d Feb. 2014, 4 pp.)

*Juvenile charge report, Oct.-Dec. 2013*

In 2013, 56,664 juvenile charges were reported to the State Police (12,795 in the fourth quarter). Categorizes records by quarter, class of offense, gender, race, age at arrest, and county. (20 ILCS 2605/2605-355; issued & rec’d Feb. 2014, 4 pp.)

*Missing Children report, FY 2012*

In FY 2012, 26,422 Illinois minors were reported missing; 25,640 were found but 782 remain missing. Six AMBER Alerts, involving 7 children, occurred and were successful (4 children were found as a direct result). Lists numbers of children reported missing, cleared, and pending by county. (325 ILCS 40-8; June 2013, rec’d Feb. 2014, 14 pp.)

**Supreme Court Historic Preservation Commission**

*Annual report 2013*

The Commission is providing historical advice for Supreme Court building renovations, which are

*(continued on p. 11)*



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## First Reading

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## Abstracts (continued from p. 11)

to be finished by September 2014. Commission held many events related to the habeas corpus hearings of Joseph Smith. It continued giving public presentations, taking oral histories, and soliciting archival material. Commission spent some \$629,000 in FY 2013 and expects to spend \$578,000 in FY 2014. (705

ILCS 17/25; Jan. 2014, rec'd March 2014, 10 pp.)

### **Teachers' Retirement System** *Final state funding certification for FY 2015*

TRS board certified two state funding amounts for FY 2015: \$3.41 billion (based on statute), or \$4.06 billion (based on actuarial standards). Under the "employer's normal cost plus interest" method, the amount would be \$5.09 billion. (40 ILCS 5/16-158(a-5); issued & rec'd Jan. 2014, 2 pp. + 3 enclosures)

**Toll Highway Authority**  
*Inspector General Activity Report, Oct. 2013 to March 2014*  
Toll Highway Inspector General's office was created in 2010 to investigate allegations of fraud,

waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance. From September 2013 to March 2014 it opened 7 investigations and closed 15. It received 30 complaints from the public and closed 21. (605 ILCS 10/18.5(m); March 2014, rec'd April 2014, 10 pp.)

### **Veterans' Affairs Dept.** *Semiannual report, 2013*

Reports numbers of residents, staff, hours of care provided, and hours of care per resident per day on three randomly selected dates at four veterans' homes. Department reports that it exceeds the standard of 2.5 hours of daily care set by U.S. Dept. of Veterans Affairs. (20 ILCS 2805/2.07; Dec. 2013, rec'd Jan. 2014, 3 pp.)