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APSA of Illinois Legislative Update

May 19, 2017

APSA of Illinois PRIORITY LEGISLATION

IL - HB821 REVENUE-ELECTRONIC FILING

Last Action: Placed on Calendar Order of 2nd Reading May 17, 2017 (May 16, 2017)

Primary Sponsor: [Representative Barbara Flynn Currie \(D\)](#)

Summary: Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, the Prepaid Wireless 9-1-1 Surcharge Act, the Public Utilities Act, and the Environmental Protection Act. Provides that certain tax returns filed under those Acts must be filed electronically. Provides that vendor discounts under those Acts are allowed only for returns that are filed electronically. Provides that the electronic return requirement does not apply to the Automobile Renting Occupation and Use Tax Act. Effective immediately. [House Amendment 001:](#) Adds provisions to the introduced bill amending the Illinois Income Tax Act. In a Section concerning withholding taxes, provides that the Department of Revenue may require any withholding tax return and any W-2 Form that is required to be submitted to the Department to be submitted on magnetic media or electronically (currently, the Department may require the form to be submitted on magnetic media or electronically if the form is required to be submitted to the Internal Revenue Service on magnetic media or electronically). Provides that the due date for submitting W-2 Forms shall be as prescribed by the Department by rule. [House Amendment 002:](#) Further amends the Retailers' Occupation Tax Act. In provisions concerning certificates of registration, removes a requirement that publicly traded corporations must provide the last 4 digits of the social security numbers of their Chief Financial Officer, Chief Operating Officer, and any other officer or employee with responsibility for preparing tax returns. Provides that retailers and servicemen that are required to file their federal income tax return electronically must also electronically file their State use and occupation tax returns unless the retailer or serviceman can demonstrate undue hardship. Provides that the Department of Revenue shall adopt rules creating an undue hardship waiver process consistent with the federal electronic filing undue hardship waiver. Provides that a retailer or serviceman that obtains a federal undue hardship waiver is deemed to meet the Department's standards for an undue hardship waiver. [House Amendment 003:](#) Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill and House Amendment 1. Provides that electronic filing requirements apply only to retailers and servicemen whose annual gross receipts average \$20,000 or more. Provides for a waiver from the electronic reporting requirement for retailers and servicemen who demonstrate hardship in filing electronically. In provisions concerning certificates of registration under the Retailers' Occupation Tax Act, removes a requirement that publicly traded corporations must provide the last 4 digits of the social security numbers of their Chief Financial Officer, Chief Operating Officer, and any other officer or employee with responsibility for preparing tax returns. Effective immediately.

IL - HB2462//IL - SB981 EQUAL PAY ACT-WAGE HISTORY

Last Action: HOUSE: Placed on Calendar Order of 3rd Reading May 15, 2017 (May 12, 2017)

SENATE: Placed on Calendar Order of 3rd Reading April 27, 2017 (April 26, 2017)

Primary Sponsor: [Representative Anna Moeller \(D\)](#)// [Senator Daniel Biss \(D\)](#)

Summary: Amends the Equal Pay Act of 2003. Prohibits an employer from: (i) screening job applicants based on their wage or salary history, (ii) requiring that an applicant's prior wages satisfy minimum or maximum criteria, and (iii) requesting or requiring as a condition of being interviewed or as a condition of continuing to be considered for an offer of employment that an applicant disclose prior wages or salary. Prohibits an employer from seeking the salary, including benefits or other compensation or salary history, of a job applicant from any current or former employer. Limits defenses. Provides for penalties and injunctive relief. [House Amendment 001](#): Provides exceptions to the applicability of a provision stating that it is unlawful for an employer to seek the wage or salary history of any job applicant from any current or former employer. **APSA of Illinois OPPOSE**

[IL - HB2525 UNEMP INS-WRKR COMP RATES](#)

Last Action: Referred to Assignments (May 19, 2017)

Primary Sponsor: [Representative Jay Hoffman \(D\)](#)

Summary: Amends the Employer's Liability Rates Article of the Illinois Insurance Code. Provides that a rate is excessive if it is likely to produce a long run profit that is unreasonably high for the insurance provided or if expenses are unreasonably high in relation to the services rendered. Repeals provisions regarding presumptions that a competitive market exists, determining whether a competitive market exists, and disapproval of rates under specified circumstances. Amends the Workers' Compensation Act. Provides that accidental injuries sustained while traveling to or from work do not arise out of and in the course of employment. Defines "in the course of employment" and "arising out of the employment". Permits an employer to file with the Illinois Workers' Compensation Commission a workers' compensation safety program or a workers' compensation return to work program implemented by the employer. Provides that the Commission may certify any such safety program as a bona fide safety program after reviewing the program. In a provision concerning compensation for the period of temporary total incapacity for work resulting from an accidental injury, provides that (i) injuries to the shoulder shall be considered injuries to part of the arm and (ii) injuries to the hip shall be considered injuries to part of the leg. Contains provisions concerning repetitive and cumulative injuries; permanent partial disability determinations; electronic claims; annual reports by the Commission concerning the state of self-insurance for workers' compensation in Illinois; and duties of the Workers' Compensation Premium Rates Task Force; and other matters. Effective immediately. **APSA of Illinois OPPOSE**

[IL - HB2771//IL - SB1296 HEALTHY WORKPLACE ACT](#)

Last Action: HOUSE: Placed on Calendar Order of 2nd Reading May 18, 2017 (May 17, 2017)

SENATE: Rule 2-10 Third Reading Deadline Established As May 31, 2017 (April 28, 2017)

Primary Sponsor: [Representative Christian L. Mitchell \(D\)](#)// [Senator Toi W. Hutchinson \(D\)](#)

Summary: Creates the Healthy Workplace Act and amends the State Finance Act. Sets forth the purposes for and manner in which the sick days may be used. Contains provisions regarding employer responsibilities, unlawful employer practices, and other matters. Provides that the

Department of Labor shall administer the Act. Authorizes the imposition of civil penalties. Authorizes individuals to file civil actions with respect to violations. Creates the Healthy Workplace Fund as a special fund in the State treasury. Effective immediately. [House Amendment 001](#): Provides an exemption for the construction industry. Excludes school districts, park districts, and certain City of Chicago sister agencies. Provides for a minimum of 5 sick days rather than a maximum of 7 sick days per year. Changes the accrual rate and minimum usage. Provides that an employee may earn sick days 180, rather than 120, days after beginning employment. Effective immediately. [Senate Amendment 001](#): Specifically identifies entities included within the scope of the term "employer". Excludes certain railroad employees. Provides that a healthcare provider includes persons determined under the Family and Medical Leave Act of 1993, as of the effective date of this Act, to be a healthcare provider. Provides that an employer does not have to allow use more than 40 hours of paid sick time, rather than 5 paid sick days, annually.

[IL - HB2802](#) TRANSPORTATION BENEFIT PROGRAM

Last Action: Referred to Assignments (May 2, 2017)

Primary Sponsor: [Representative Theresa Mah \(D\)](#)

Summary: Creates the Transportation Benefits Program Act. Requires all covered employers to offer at least one transportation benefit program. Provides that the employer may choose between providing a program consistent with federal law that allows employees to elect to exclude from taxable wages and compensation the employee's commuting costs incurred for the purchase of a transit pass to use public transit or for the purchase of qualified parking, or a program under which the employer supplies a transit pass for the particular qualifying public transit requested by the covered employee or reimburses the covered employee for payments made for the use of qualified parking. Defines terms. Effective January 1, 2018. [House Amendment 002](#): Replaces everything after the enacting clause. Inserts the substance of the introduced bill except that it limits the program to the area under the jurisdiction of the Regional Transportation Authority. Provides that the bill applies to employers with 25 full-time employees rather than 20 employees. Excludes from the scope of the bill areas in which regularly-scheduled transit service does not operate. Removes government entities from the scope of the Act. Defines terms. Effective January 1, 2018.

[IL - HB3045](#) VEH CD-SOS-EMAIL NOTIFICATION

Last Action: Placed on Calendar Order of 3rd Reading May 22, 2017 (May 19, 2017)

Primary Sponsor: [Representative David Harris \(R\)](#)

Scheduled Hearing: [Transportation \(Senate\)](#) Date: May 22, 2017 Time: 5:00pm (CDT) Location: 212 Capitol Springfield, IL

Summary: Amends the Illinois Vehicle Code. Provides that an application for a certificate of title, vehicle registration, and license or instruction permit shall include, if available, a person's email address. Provides that in preparation for selection of random samples for verification of a liability insurance policy, the Secretary of State may send to owners of randomly selected motor vehicles

requests for information about their motor vehicles and liability insurance coverage electronically or, if electronic means are unavailable, via U.S. mail. [House Amendment 001](#): Removes a provision providing that every application for a license or instruction permit shall state, if available, the email address of the applicant.

[IL - HB3072](#) INS CD-VEH PROTECTION PRODUCT

Last Action: Placed on Calendar Order of 3rd Reading May 22, 2017 (May 19, 2017)

Primary Sponsor: [Representative Robert Martwick \(D\)](#)

Summary: Amends the Illinois Insurance Code in a provision concerning vehicle protection products. Amends the definition of "vehicle protection product" by including protective chemicals and substances and excluding fuel additives, oil additives, or other chemical products applied to the engine, transmission, or fuel system of a motor vehicle. Provides that no vehicle protection products sold or offered for sale in the State shall be subject to the provisions of the Code or the Service Contract Act unless offered as a service contract under the terms of the Service Contract Act. Amends the Service Contract Act. In provisions concerning the definition of "service contract", makes changes concerning service contract coverage related to protective chemicals, substances, devices, or systems. Establishes requirements for refunds of vehicle protection products. Makes other changes. [House Amendment 001](#): Replaces everything after the enacting clause. Reinserts the provisions of the bill as introduced amending the Insurance Code, with the following changes: in the definition of "vehicle protection product", removes provisions regarding warranties and the liability of the warrantor; adds a definition for "vehicle protection product warranty"; requires a vehicle protection product warrantor's liabilities under a vehicle protection product warranty to be covered by a warranty reimbursement insurance policy; provides that vehicle protection product warranties (rather than the products' written warranty) are express warranties and not insurance. Reinserts the provisions of the bill as introduced amending the Service Contract Act, with the following changes: makes changes to the incidental costs that a service contract may provide for; adds definitions for "vehicle protection product" and "vehicle protection product warranty"; and makes conforming changes to the treatment of service contracts.

[IL - HB3172](#) VEH CD-VEH SAFETY TEST

Last Action: Placed on Calendar Order of 3rd Reading May 17, 2017 (May 16, 2017)

Primary Sponsor: [Representative Nick Sauer \(R\)](#)

Summary: [House Amendment 001](#): Replaces everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that a truck tractor in combination with a semitrailer shall be subject to a safety test at an official testing station at least every 12 months (rather than 6 months).

[IL - SB2](#) MINIMUM WAGE-WITHHOLDING

Last Action: Placed on Calendar Order of 3rd Reading February 28, 2017 (February 16, 2017)

Primary Sponsor: [Senator Kimberly A. Lightford \(D\)](#)

Summary: Amends the Minimum Wage Law. Increases the minimum wage from \$8.25 to \$9.00 beginning July 1, 2017 and increases it by \$0.50 each July 1 until July 1, 2021, at which point the minimum wage will be \$11.00. Preempts home rule powers, except that the limitation on home rule powers does not apply to specified ordinances adopted by the City Council of City of Chicago or the Cook County Board of Commissioners. Amends the Illinois Income Tax Act. Creates a credit against the withholding tax liability of employers with fewer than 50 employees, calculated based on the increase in the minimum wage. Effective immediately, but this Act does not take effect at all unless Senate Bills 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of the 100th General Assembly become law. Amendments: **Senate Amendment 2 guts the entire bill—bill has been removed from “Grand Compromise” APSA of Illinois OPPOSE**

IL - SB12 WORKERS' COMP-VARIOUS

Last Action: Senate Floor Amendment No. 4 Be Approved for Consideration Assignments (May 10, 2017)

Primary Sponsor: [Senator Christine Radogno \(R\)](#)

Summary: **SENATE FLOOR AM 4 (Raoul-D)**: Adds changes in compensation for temporary total incapacity. Changes the maximum compensation rate from July 1, 2017 through June 30, 2021 from \$755.22 to \$775.18. Provides that restrictions on compensation for loss due to accidental injuries of the spine shall be treated in the same manner as restrictions on compensation for loss due to injuries to body parts that have previously suffered injury resulting in a loss by amputation or partial amputation. Removes changes relating to traveling employees. Removes changes relating to permanent partial disability. Removes limitations affecting professional athletes. Establishes a revised medical fee schedule effective September 1, 2017. In a provision concerning impairment reports, provides, that in determining the level of permanent partial disability, the Commission shall base its determination on specified factors, including the reported level of impairment if such a report exists. Permits waiver of impairment reports and provides that an impairment report is not required for approval of a Settlement Contract Lump Sum Petition. Deletes provisions of the bill limiting the number of chiropractic, occupational therapy, or physical therapy visits for injuries occurring on or after January 1, 2018. In a provision concerning the circumstances under which an employee may petition for an expedited hearing by an arbitrator, provides that such a petition is also available if the employer has refused or failed to respond to a written request for authorization of medical care and treatment. Provides that an employer may petition for an expedited hearing on whether or not the employee is entitled to authorization of medical care and treatment. Removes changes concerning cases in which there has been a vexatious delay in the authorization of medical treatment or in the payment of compensation or an intentional underpayment of compensation. Deletes provisions creating the Workers' Compensation Edit, Alignment, and Reform Commission. Changes the contents of the written report that details the status of self-insurance for workers' compensation in Illinois. Makes other changes. Effective immediately, but the Act does not take effect at all unless Senate Bills 1, 3, 4, 5, 6, 7, 8, 9, 10, 13, and 16 of the 100th General Assembly become law.

SENATE FLOOR AM 5 (Radogno-R) Adds changes in compensation for temporary total incapacity. Changes the maximum compensation rate from July 1, 2017 through June 30, 2021 from \$755.22 to \$775.18. Provides that restrictions on compensation for loss due to accidental injuries of the spine shall be treated in the same manner as restrictions on compensation for loss due to injuries to body parts that have previously suffered injury resulting in a loss by amputation or partial amputation. Makes changes relating to traveling employees. Removes changes relating to permanent partial disability. Establishes a revised medical fee schedule effective September 1, 2017. In a provision concerning impairment reports, provides, that no single enumerated factor shall be the sole determinant of disability; and that in determining the level of disability, the relevance and weight of any factors used in addition to the level of impairment as reported by the physician must be explained in a written order. Provides that a report of impairment is not required for the arbitrator or Commission to approve a Settlement Contract Lump Sum Petition. Deletes provisions of the bill limiting the number of chiropractic, occupational therapy, or physical therapy visits for injuries occurring on or after January 1, 2018. In a provision concerning the circumstances under which an employee may petition for an expedited hearing by an arbitrator, provides that such a petition is also available if the employer has refused or failed to respond to a written request for authorization of medical care and treatment. Provides that an employer may petition for an expedited hearing on whether or not the employee is entitled to authorization of medical care and treatment. Removes changes concerning cases in which there has been a vexatious delay in the authorization of medical treatment or in the payment of compensation or an intentional underpayment of compensation. Deletes provisions creating the Workers' Compensation Edit, Alignment, and Reform Commission. Changes the contents of the written report that details the status of self-insurance for workers' compensation in Illinois. Makes other changes. Effective immediately, but the Act does not take effect at all unless Senate Bills 1, 3, 4, 5, 6, 7, 8, 9, 10, 13, and 16 of the 100th General Assembly become law.

IL - SB198 EMPLOYMENT-TECH

Last Action: Senate Floor Amendment No. 3 Referred to Assignments (May 17, 2017)

Primary Sponsor: [Senator Kwame Raoul \(D\)](#)

Summary: [Senate Amendment 001](#) Replaces everything after the enacting clause. Amends the Freedom of Information Act. Exempts from public inspection certain information collected by the Illinois Workers' Compensation Commission from self-insureds and papers, documents, reports, or evidence relevant to a workers' compensation fraud investigation conducted by the Department of Insurance. Amends the Criminal Code of 2012 regarding workers' compensation fraud penalties. Amends the Workers' Compensation Act. Makes changes concerning: the maximum compensation rate for a period of temporary total incapacity; restrictions on compensation for loss due to accidental injuries of the spine; compensation awards for injuries to the shoulder and hip; impairment reports; a revised medical fee schedule effective September 1, 2017; the assignment and reassignment of arbitrators to hearing sites; employee petitions for an expedited hearing by an arbitrator if the employer has refused or failed to respond to a written request for authorization of medical care and

treatment; employer petitions for an expedited hearing on whether or not the employee is entitled to authorization of medical care and treatment; the creation of an evidence based drug formulary; annual reports on the state of self-insurance for workers' compensation in Illinois; and other matters. Effective immediately. [Senate Amendment 002](#) Removes a change made to a Section in the Workers' Compensation Act concerning the waiver of impairment reports. Provides that a report of impairment prepared pursuant to a specified provision of the Act, if none is offered, is not required for an arbitrator or the Commission to make an award for permanent partial disability or permanent total disability benefits or any award for injuries that result in serious and permanent disfigurement or partially incapacity or to approve a Settlement Contract Lump Sum Petition. [Senate Amendment 003](#) Removes changes made to a Section in the Workers' Compensation Act providing that: (i) an impairment report may be waived by joint agreement of the parties; and (ii) an impairment report is not required for an arbitrator or the Illinois Workers' Compensation Commission to make an award for permanent partial disability or permanent total disability benefits or any award for injuries that result in serious and permanent disfigurement or partially incapacity or to approve a Settlement Contract Lump Sum Petition.

[IL - SB675](#) VEH CD-PARTS DEF-LIC FRAUD NR

Last Action: House Committee Amendment No. 1 Committee Deadline Extended-Rule 9(b) May 26, 2017 (May 19, 2017)

Primary Sponsor: [Senator Steve Stadelman \(D\)](#)

Scheduled Hearing: [Transportation: Vehicles & Safety \(House\)](#) Date: May 24, 2017 Time: 10:30am (CDT) Location: Room 115 Capitol Building Springfield, IL

Summary: Amends the Illinois Vehicle Code. Adds to the definition of "essential parts" a bed, front bumper, rear bumper, and, for motorcycles, fairings, fuel tanks, and forks. Removes other items from the definition. Provides that the Secretary of State may cancel any license or permit upon determining that the holder has assisted an out-of-state resident in acquiring an Illinois driver's license or identification card by providing or allowing the out-of-state resident to use his or her Illinois address of residence and is complicit in distributing and forwarding the Illinois driver's license or identification card to the out-of-state resident. Provides that any person, firm, association, partnership, or corporation that operates a driver training school without a license issued by the Secretary of State shall be guilty of a Class A misdemeanor for a first offense and a Class 4 felony for a second and subsequent offense. Effective immediately.

[IL - SB1249](#) UPIA-FAILURE TO FILE

Last Action: Committee Deadline Extended-Rule 9(b) May 26, 2017 (May 19, 2017)

Primary Sponsor: [Senator Pamela J. Althoff \(R\)](#)

Scheduled Hearing: [Revenue & Finance \(House\)](#) Date: May 17, 2017 Time: 3:00pm (CDT)

Location: Room C-1 Stratton Building Springfield, IL

Summary: Amends the Uniform Penalty and Interest Act. Provides that the penalty for failure to pay the tax shown due or required to be shown due on a return shall be 15% (instead of 20%) of any amount that is paid after the date the Department of Revenue has initiated an audit or investigation of the taxpayer. Provides that the penalty shall be abated if the taxpayer paid to the Department at least 95% of the final liability resulting from an audit or investigation prior to the initiation of the audit or investigation. Effective January 1, 2018.

[IL - SB1432](#) AUTONOMOUS VEHICLE ACT

Last Action: Rule 2-10 Third Reading Deadline Established As May 31, 2017 (April 28, 2017)

Primary Sponsor: [Senator Martin A. Sandoval \(D\)](#)

Summary: [House Amendment 001](#): Replaces everything after the enacting clause. Creates the Autonomous Vehicle Act. Defines terms. Provides that a fully autonomous vehicle may drive or operate upon the highways of this State, regardless of whether a human operator is physically present in the vehicle. Provides that when engaged, the automated driving system shall be considered the driver or operator for purposes of assessing conformance to applicable traffic or motor vehicle laws and shall be deemed to satisfy any physical acts required of a driver or operator. Provides that liability for incidents involving a fully autonomous vehicle shall be determined under existing product liability law or common law negligence principles. Preempts home rule powers. Effective immediately.

[IL - SB1545](#) VEH CD-INS PAYMENTS-LIENHOLDER

Last Action: Placed on Calendar Order of 2nd Reading March 28, 2017 (March 16, 2017)

Primary Sponsor: [Senator John G. Mulroe \(D\)](#)

Summary: [Senate Amendment 001](#): Replaces everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that an owner of a vehicle shall maintain comprehensive, collision, or other insurance coverage for the damage or loss of a vehicle if the coverage is required under the terms of a loan agreement between the owner and a lienholder identified on the vehicle's certificate of title. Provides that an insurer paying a claim for the damage or loss of a vehicle shall issue the payment to both the owner of the vehicle and the lienholder, except when the claim is paid under a lienholder's collateral protection insurance policy on a vehicle securing the lienholder's loan when the vehicle owner has failed to satisfy a loan condition to provide insurance coverage for the damage or loss of the vehicle.

[IL - SB1556](#) VEH CD-MISCELLANEOUS

Last Action: Placed on Calendar Order of Concurrence House Amendment(s) 1 - May 22, 2017 (May 19, 2017)

Primary Sponsor: [Senator Bill Cunningham \(D\)](#)

Summary: Amends the Illinois Vehicle Code. Adds to the definition of "junk vehicle" and "remittance agent". Provides that a certificate of title issued by the Secretary of State shall contain the names and fax numbers or electronic addresses of any lienholders (rather than only the names of the lienholders) and the certificate's expiration date. Provides that an expiration date of 2 calendar years after the end of term of the lien shall be included in each certificate of title issued to a lienholder who has a perfected security interest. Provides that if a recorded lienholder does not reaffirm a lien and does not respond to a request to verify a lien release letter within 7 calendar days of receipt, the Secretary shall process an application for corrected title for the owner of a motor vehicle. Provides that the Secretary may issue a certificate of title to an out-of-state resident if the out-of-state resident is a bona fide purchaser of a vehicle or a manufactured home from a dealer licensed in this State and the licensed dealer is no longer operating as a licensed dealer and does not properly transfer the title application to the bona fide purchaser prior to the licensed dealer's business closure. Adds to the special license plates a person may reclassify without a replacement plate fee beginning with the 2019 (rather than 2018) registration year. Provides that the bond amount required to be deposited with the Secretary for each applicant who intends to act as a remittance agent shall be \$20,000 (rather than \$10,000). Provides that an application for a new vehicle dealer's license or a used vehicle dealer's license shall contain a bond or certificate of deposit in the amount of \$50,000 (rather than \$20,000). Creates provisions concerning rental-purchase agreement vehicle programs. Effective January 1, 2018. [Senate Amendment 001](#): Removes a provision providing that if a recorded lienholder does not reaffirm a lien by applying for a corrected certificate before the title's expiration date, the owner of a vehicle may submit an application for a corrected certificate of title with the Secretary of State and the Secretary shall process the application if the recorded lienholder does not respond to a request to verify a lien release letter within 7 calendar days of receipt of the letter. [Senate Amendment 002](#): Provides that a licensee that has faithfully and continuously complied with conditions of the bond requirement for new vehicle dealers and used vehicle dealers under the Illinois Vehicle Code for a period of 60 (rather than 36) consecutive months after the effective date of the bill shall be exempt from any further bond requirements under those provisions.

IL - SB1694 LABOR&STORAGE LIENS-NOTICES

Last Action: House Committee Amendment No. 1 Motion to Concur Referred to Assignments (May 19, 2017)

Primary Sponsor: [Senator David Koehler \(D\)](#)

Summary: Amends the Labor and Storage Lien Act and the Labor and Storage Lien (Small Amount) Act. Provides that a person, firm, or private corporation seeking to impose fees in connection with the furnishing of storage for a vehicle shall provide notice of the fees to the vehicle owner of record as well as to the lienholder of record. Provides that notice shall be given regardless of whether the person seeking to impose fees enforces a lien. Provides that the notification requirements apply in addition to any owner and lienholder notice requirements under the Illinois Vehicle Code relating to the removal or towing of an abandoned, lost, stolen, or unclaimed vehicle. Provides penalties for

noncompliance. Provides that notwithstanding any provision to the contrary, a person, firm, or private corporation seeking to impose storage fees for a vehicle in its possession may not foreclose or otherwise enforce its lien unless it first complies with specified notification requirements. Provides that storage fees may be paid by, among other methods, debit card and credit card. Makes corresponding changes in the Illinois Vehicle Code. Further amends the Illinois Vehicle Code. Provides that a towed vehicle must be returned to, among other entities, a lienholder, within 30 minutes if requested during business hours. Effective immediately. [Senate Amendment 001](#): Removes language providing that a person, firm, or private corporation seeking to impose fees in connection with the furnishing of storage for a vehicle shall provide notice of the fees to the vehicle owner of record as well as to the lienholder of record and makes corresponding changes. Provides that the notice shall be sent return receipt requested and that the entity seeking to impose fees shall furnish a copy of the certified mail receipt to the lienholder upon request. Removes language authorizing the award of attorney's fees. Provides that the date on which the assessment and accrual of storage fees may commence is the date of the impoundment of the vehicle, subject to any applicable limitations set forth by a municipality authorizing the vehicle removal. Provides that if the vehicle that is incurring fees is registered in a state other than Illinois, the assessment and accrual of storage fees may commence on the date that the request for lienholder information is filed by the commercial vehicle relocater or other private towing service with the applicable administrative agency or office in that state if specified conditions are met. Provides that provisions in the Labor and Storage Lien Act and the Labor and Storage Lien (Small Amount) Act do not apply to a municipality with 1,000,000 or more inhabitants that is seeking to impose storage fees for a vehicle in its possession. Makes other changes. Changes the effective date to 90 days after becoming law.

[IL - SB1720 ANTI-WAGE THEFT-STATE CONTRACT](#)

Last Action: House Committee Amendment No. 1 Judicial Note Filed as Amended (May 18, 2017)

Primary Sponsor: [Senator Daniel Biss \(D\)](#)

Summary: Amends the Illinois Procurement Code. Prohibits any person or business that violates the Illinois Wage Payment and Collection Act, the Minimum Wage Law, the Illinois Worker Adjustment and Retraining Notification Act, the Employee Classification Act, the Day and Temporary Labor Services Act, the Fair Labor Standards Act of 1938, or any comparable state statute or regulation of any state which governs the payment of wages to do business with the State or any State agency or enter into a subcontract that is subject to the Code for a period of 5 years. Amends the Illinois Wage Payment and Collection Act. Amends the Illinois Wage Payment and Collection Act. Provides that an employer that is able to pay wages and who refuses to pay is guilty of a Class 4 felony with respect to amounts of \$5,000 or less (rather than a Class B misdemeanor) and of a Class 3 felony with respect to amounts greater than \$5,000 (rather than a Class A misdemeanor). Provides that a subsequent failure to pay within 5 years (rather than 2 years) of a prior conviction is a Class 3 felony (rather than a Class 4 felony). Amendments: [Senate Amendment 001](#): Provides that a person or business that is subject to an adverse civil judgment related to violations of certain laws concerning wage payments

may not do business with the State for a period of 5 years. Revises proposed changes in penalties for failure to pay wages, final compensation, or wage supplements. For unpaid amounts of \$5,000 or less increases the penalty to a Class A (currently Class B) misdemeanor instead of increasing the penalty to a Class 4 felony. For unpaid amounts of more than \$5,000 increases the penalty to a Class 4 felony (currently Class A misdemeanor) instead of increasing the penalty to a Class 3 felony. [House Amendment 001](#): Provides that a bidder must acknowledge that a chief procurement officer at a State agency, rather than a State agency, may declare a contract void if certain certifications made by the bidder are false. **APSA of Illinois OPPOSE**

IL - SB1760 WRONGFUL DISCHARGE ACT

Last Action: Rule 2-10 Third Reading Deadline Established As May 31, 2017 (April 28, 2017)

Primary Sponsor: [Senator Pat McGuire \(D\)](#)

Summary: Creates the Wrongful Discharge from Employment Act. Provides that a discharge from employment is wrongful if it (1) was a constructive discharge, (2) was in retaliation for the employee's refusal to violate public policy or for reporting a violation of public policy, (3) was not for good cause and the employee had completed the employer's probationary period for employment, or (4) the employer violated the express provisions of its written personnel policy. Provides remedies for wrongful discharge. Authorizes civil actions and provides for arbitration. Prohibits blacklisting. Defines terms. Provides that an employer that violates the Act is guilty of a Class A misdemeanor.

IL - SB1946 VEH CD-SALVAGE CERTIFICATE

Last Action: Passed Both Houses (May 19, 2017)

Primary Sponsor: [Senator John G. Mulroe \(D\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that an insurance company may, after completing a record search for any owner of a vehicle or a lienholder of record, obtain free of any lien a junking certificate in the insurance company's name by submitting an application to the Secretary of State. An insurance company may also obtain free of any lien a salvage certificate for a vehicle of specified 8 model years that has completed an inspection for a rebuilt vehicle under the Code by submitting an application to the Secretary. Defines "model year". Provides that a salvage dealer may, after completing a record search for any owner of a vehicle or a lienholder of record, obtain a junking certificate or a salvage certificate by submitting an application to the Secretary. Defines "salvage dealer". Provides that a vehicle owner or a lienholder may send notice of dispute of title within 30 days after notice of transfer of title is sent by the insurance company or salvage dealer to the owner or lienholder. Provides that no dealer licensed under the Code shall sell a vehicle for which a rebuilt title has been issued from another jurisdiction without first obtaining an Illinois certificate of title with a "REBUILT" notation under the Code. Effective immediately. Amendments: [Senate Amendment 001](#): Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes. Amends the Illinois Vehicle Code. Restricts the conditions in which an insurance company or a salvage dealer may obtain free of any lien a junking certificate or a salvage certificate.

Provides that, subject to the provided conditions, an insurance company or salvage dealer may obtain free of any lien a salvage certificate for any vehicle (rather than a vehicle of specified 8 model years that has completed an inspection for a rebuilt vehicle) under the insurance company's name by submitting an application to the Secretary of State. Adds penalty provisions. Makes conforming changes. Effective 90 days after becoming law.

IL - SB1969 EPA-USED-WASTE TIRES

Last Action: Committee Deadline Extended-Rule 9(b) May 26, 2017 (May 19, 2017)

Primary Sponsor: [Senator Scott M. Bennett \(D\)](#)

Summary: Amends the Environmental Protection Act. Makes changes to a provision prohibiting persons from causing or allowing water to accumulate in used or waste tires. Provides an exception for residential households that keep no more than 4 (rather than 12) used or waste tires at the site if they are covered and kept dry. Changes the maximum amount of money that may be allocated from the Used Tire Management Fund for specified purposes from \$2,000,000 per fiscal year to \$4,000,000 per fiscal year. Provides that 10% of allocations from the Used Tire Management Fund shall be allocated to the University of Illinois for the Prairie Research Institute (rather than to the Department of Natural Resources for the Illinois Natural History Survey) for specified research purposes. Provides that moneys in excess of \$4,000,000 (rather than \$2,000,000) per fiscal year from the Used Tire Management Fund shall be used for specified purposes. Provides that a specified amount of the moneys in excess of \$4,000,000 per year from the Used Tire Management Fund shall be used to provide grants to public universities for vector-related research, disease-related research, and for related laboratory-based equipment and field-based equipment. Provides that \$300,000 from the Emergency Public Health Fund shall be allocated annually to the University of Illinois (rather than the Department of Natural Resources) for specified research purposes. Effective immediately.

APSA of Illinois MONITOR LEGISLATION

IL - HB821 REVENUE-ELECTRONIC FILING

IL - HB1813 DCEO-SMALL BUSINESS PROGRAM

IL - HB3172 VEH CD-VEH SAFETY TEST

IL - SB1283 REVENUE-ELECTRONIC FILING

IL - SB1284 SALES AND EXCISE TAX REFUND

IL - SB1285 REVENUE-VARIOUS

IL - SB1943 EPA-INDUSTR MATERIALS EXCHANGE