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APSA of Illinois Legislative Report

May 11, 2018

IL - HB2771 HEALTHY WORKPLACE ACT

Last Action: Senate Floor Amendment No. 2 Motion to Concur Recommends Be Adopted Rules Committee; 005-000-000 (January 24, 2018)

Primary Sponsor: [Representative Christian L. Mitchell \(D\)](#)

Committees: [Labor \(Senate\)](#) [Economic Opportunity \(House\)](#)

Summary: Creates the Healthy Workplace Act and amends the State Finance Act. Requires employers to provide specified paid sick days to employees. 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.

IL - HB4324 WAGE LIEN ACT

Last Action: Postponed - Labor (May 9, 2018)

Primary Sponsor: [Representative Emanuel Chris Welch \(D\)](#)

Committees: [Labor & Commerce Committee \(House\)](#) [Labor \(Senate\)](#)

Scheduled Hearing: [Labor \(Senate\)](#) Date: May 16, 2018 Time: 10:30am (CDT) Location: 212 Capitol Springfield, IL

Summary: [House Amendment 002](#): Replaces everything after the enacting clause. Amends the Illinois Wage Payment and Collection Act. Provides that the Department of Labor shall adjudicate claims under the Act within 30 days. Provides that the Department of Labor shall request that an employer deposit up to 10% of a disputed wage claim with the Department pending adjudication of the claim. Increases the administrative fees imposed upon an employer who has been demanded or ordered by the Department of Labor or a court to a pay wage settlement. Authorizes the placement of a judgment lien upon an employer's real estate and authorizes action under the Code of Civil Procedure for a citation or a supplementary proceeding to discover assets.

IL - HB4944 VEHICLE CODE-VEHICLE SAFETY TEST

Last Action: Postponed - Transportation (May 9, 2018)

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

Committees: [Transportation \(Senate\)](#) [Transportation: Vehicles & Safety \(House\)](#)

Scheduled Hearing: [Transportation \(Senate\)](#) Date: May 16, 2018 Time: 4:45pm (CDT) Location: 212 Capitol Springfield, IL

Summary: Amends the Illinois Vehicle Code. Provides that a vehicle weighing 10,000 pounds to 26,000 pounds (rather than only 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. [House Amendment 001](#): Provides that the requirement of a safety test at least every 12 months applies to truck tractors, semitrailers,

and property-carrying vehicles weighing more than 10,000 pounds but less than 26,001 (rather than truck tractors in combination with a semitrailer and vehicles weighing 10,000 to 26,000 pounds).

IL - SB2293 VEHICLE CODE-VEHICLE REGISTRATION-MULTI-YEAR

Last Action: Referred to Rules Committee (May 8, 2018)

Primary Sponsor: [Senator Dan McConchie \(R\)](#)

Committees: [Transportation \(Senate\)](#)

Summary: [Senate Amendment 001](#): Replaces everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that the owner of a motor vehicle of the first division or second division weighing not more than 8,000 pounds or a motor vehicle of the second division applying for a C class registration plate may register the motor vehicle for a period of 2 years. Provides that a 2-year registration must coincide with the emissions inspection cycle of the motor vehicle. Provides that if the technology is available, the Secretary shall provide notice to a motorist of his or her emissions cycle and the type of registration he or she is eligible for. Provides that the owner of a trailer may register the trailer for a period of either one year or up to an extended 5-year registration period. Provides that both the owner of a motor vehicle and the owner of a trailer applying for multi-year registration shall apply online or by mailing the appropriate application form. Provides that the owner of a motor vehicle may transfer the multi-year registration to another motor vehicle if the other motor vehicle has the same emissions testing cycle. Provides that the owner of a trailer may transfer the multi-year registration to another trailer if the other trailer is in the same weight class. Provides that neither the owner of motor vehicle nor the owner of a trailer are entitled to a refund of the registration fee if he or she chooses to discontinue the registration before the expiration of the registration period. Provides that the registration fee for both the owner of motor vehicle and the owner of a trailer shall be the same as the applicable annual registration fee multiplied by the number of years of the registration period. Provides that if the owner of the motor vehicle is subject to an annual surcharge, the Secretary of State shall collect the surcharge under other provisions of the Code for each registration year at the same time the Secretary collects the one-time registration fee. Provides that beginning January 1, 2020, each owner of a certain type of vehicle required to obtain minimum liability insurance shall attest that the vehicle is insured in at least the minimum required amount. Provides that if the owner does not provide certain documentation within 7 calendar days of being requested to do so, the Secretary may suspend the vehicle registration until the owner provides the documentation. Allows the Secretary to adopt rules to implement the new provisions. Effective January 1, 2021.

IL - SB2411 LICENSE TO WORK ACT

Last Action: Placed on Calendar Order of 3rd Reading May 9, 2018 (May 8, 2018)

Primary Sponsor: [Senator Omar Aquino \(D\)](#)

Summary: Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning the short title. [Senate Amendment 002](#) Replaces everything after the enacting clause. Amends the Illinois

Vehicle Code. Provides that the amendatory Act may be referred to as the License to Work Act. Deletes language providing that all notices sent to a person involved in administrative adjudications, hearings, and final orders shall state that failure to satisfy any fine or penalty shall result in the Secretary of State suspending his or her driving privileges, vehicle registration, or both. Provides that the Secretary of State is authorized to cancel any license or permit if the holder failed to pay any fees owed to the Secretary for the license or permit (rather than failure to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due upon reasonable notice and demand). Provides that a person whose driver's license was canceled due to a sex offense conviction shall have his or her driver's license reinstated. Deletes language providing that the reporting requirements for public officials to the Secretary shall apply to a truant minor in need of supervision, an addicted minor, or a delinquent minor whose driver's license has been suspended. Provides that the Secretary shall immediately revoke the license, permit, or driving privileges of any driver if the driver was convicted of a misdemeanor relating to a motor vehicle if the person exercised actual physical control over the vehicle during the commission of the offense. Provides that the Secretary is authorized to suspend or revoke the driving privileges of any person without a preliminary hearing if the person has been convicted of criminal trespass to vehicle if the person exercised actual physical control over the vehicle during the commission of the offense. Provides that in order to be subject to suspension or revocation for violation of specific provisions of the Liquor Control Act of 1934, a person must also be an occupant of a motor vehicle at the time of the violation. Deletes language providing that the Secretary is authorized to suspend or revoke the driving privileges of a person without preliminary hearing for specific adjudications or violations. Provides that a person whose driver's license was suspended or revoked under certain circumstances shall have his or her driving privileges reinstated. Deletes language providing that the owner of a registered vehicle that has failed to pay any fine or penalty due and owing as a result of 10 or more violations shall have his or her driving privileges suspended. Repeals Sections concerning the suspension of a driver's license for theft of motor fuel and suspension of driving privileges for failure to satisfy fines or penalties for toll violations or evasions. Effective July 1, 2019.

IL - SB2511 VEHICLE CODE-BACKUP LAMP-AMBER LIGHT

Last Action: Placed on Calendar 2nd Reading - Short Debate (May 9, 2018)

Primary Sponsor: [Senator Karen McConnaughay \(R\)](#)

Committees: [Transportation \(Senate\)](#) [Transportation: Vehicles & Safety \(House\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that a back-up lamp equipped on a motor vehicle shall emit a white or amber light without glare. Effective January 1, 2019.

IL - SB2521 CONSUMER FRAUD-STARTER INTERRUPT

Last Action: Rule 2-10 Third Reading Deadline Established As May 11, 2018 (May 2, 2018)

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

Committees: [Judiciary \(Senate\)](#)

Summary: Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a dealer or other creditor shall not use electronic tracking technology or starter interrupt technology in connection with the credit sale, loan, or lease of a motor vehicle unless the technology is used solely to verify and maintain the operational status of the tracking technology, to locate the vehicle for repossession, to repossess the vehicle, or to locate the vehicle to service the account or keep the account current. Requires specified conditions to be met and certain written disclosures to be made to the consumer regarding the use of the technology. Contains provisions regarding: use of the technology in a criminal investigation; damages for violations; repossession; privacy, storage, and destruction of data; and other matters. Provides that specified violations are unlawful practices within the meaning of the Act

IL - SB2577 USE/OCCUPATION TAX-BUSINESS IN STATE

Last Action: Assigned to Revenue & Finance Committee (May 7, 2018)

Primary Sponsor: [Senator Cristina Castro \(D\)](#)

Committees: [Revenue \(Senate\)](#) [Revenue & Finance \(House\)](#)

Scheduled Hearing: [Revenue & Finance \(House\)](#) Date: May 17, 2018 Time: 4:00pm (CDT)

Location: Room 122B Capitol Building Springfield, IL

Summary: Amends the Use Tax Act and the Service Use Tax Act. Provides that, if a retailer or serviceman makes a sale to purchaser in Illinois from outside of Illinois, then that retailer or serviceman is considered to be "maintaining a place of business in this State" if (1) the cumulative gross receipts from sales of service to purchasers in Illinois are \$150,000 or more; or (2) the retailer or serviceman enters into 200 or more separate transactions for sales of service to purchasers in Illinois. Provides that the amendatory Act may be referred to as the Marketplace Fairness Act. Effective immediately. [Senate Amendment 001](#): Provides that the retailer or serviceman is considered to be "maintaining a place of business in this State" if the cumulative gross receipts from sales of service to purchasers in Illinois are \$100,000 or more (in the introduced bill, \$150,000 or more).

IL - SB2953 AUTO REPAIR ACT-POST CHARGES

Last Action: Senate Floor Amendment No. 2 Postponed - Judiciary (May 9, 2018)

Primary Sponsor: [Senator Thomas Cullerton \(D\)](#)

Committees: [Judiciary \(Senate\)](#)

Summary: [Senate Amendment 001](#): Replaces everything after the enacting clause. Amends the Illinois Insurance Code and the Automotive Collision Repair Act. Provides that the use of non-original equipment manufacturer aftermarket crash parts may not be included in an estimate for repair of a motor vehicle unless the customer is advised of that fact in writing. Requires the use of original equipment manufacturer specifications.

IL - SB3100 EQUAL PAY-SALARY HISTORY

Last Action: Rule 2-10 Committee/3rd Reading Deadline Established As May 11, 2018 (May 9, 2018)

Primary Sponsor: [Senator Jennifer Bertino-Tarrant \(D\)](#)

Committees: [Labor \(Senate\)](#)

Summary: Amends the Equal Pay Act of 2003. Prohibits an employer from requiring an employee to sign a nondisclosure agreement regarding the employee's salary, from seeking the salary history of a prospective employee, and from requiring that a prospective employee's salary history meet any specified criteria. Provides for employers to establish a self-evaluation plan of the employer's pay practices. Sets forth permissible components of a self-evaluation plan. Requires the self-evaluation plan to be submitted to the Department of Labor for verification. Provides that an employer that has completed a self-evaluation plan that has been verified by the Department of Labor has an affirmative defense to liability for certain alleged violations of the Act. Provides that an employer that does not have a verified self-evaluation plan may be subject to civil penalties for violations of the Act.