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## **APSA of Illinois Legislative Report**

**May 28, 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: Placed on Calendar Order of Concurrence Senate Amendment(s) 1 (May 25, 2018)

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

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

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. [Senate Amendment 001](#) Provides that the 30-day adjudication period begins upon the claim being filed. Requires the Department of Labor to send a notice of a wage claim when requesting escrow for disputed claims. Removes the 45-day limit on holding the escrowed moneys.

**IL - HB4944 VEHICLE CODE-VEHICLE SAFETY TEST**

Last Action: Placed on Calendar Order of Concurrence Senate Amendment(s) 1 (May 25, 2018)

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

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

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: Senate Floor Amendment No. 3 Recommend Do Adopt Judiciary; 008-003-000 (May 25, 2018)

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

Summary: [Senate Amendment 003](#) 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. Provides that all notices sent by the Toll Highway Authority to persons involved in administrative

adjudications, hearings, and final orders issued pursuant to the Toll Highway Act shall state, in clear and unambiguous language, the consequences of failing to satisfy the fines or penalties imposed by the Authority (instead of "that failure to satisfy any fine or penalty imposed by the Authority shall result in the Secretary of State suspending the driving privileges, vehicle registration, or both, of the person failing to satisfy the fines or penalties"). 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 certain offenses 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 only 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 for criminal trespass to vehicle only 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. Provides that a municipality or county shall conduct a hearing to determine an individual's ability to pay and impose a payment plan before requesting suspension of a license for unpaid fines or penalties due or owing as a result of violations of local standing, parking, or compliance regulations. Contains notice, procedural, and evidentiary provisions. Requires payment plans for persons who are indigent or of limited income. Provides that a hearing may also be requested by an individual whose driver's license is suspended due to the person failing to pay any fine or penalty due and owing as a result of 10 or more violations of vehicular standing, parking, or compliance regulations or by an individual who has entered into a payment plan and who has experienced a reduction in income. 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: Passed Both Houses (May 18, 2018)

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

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 31, 2018 (May 11, 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 - SB2953 AUTO REPAIR ACT-POST CHARGES**

Last Action: Rule 2-10 Third Reading Deadline Established As May 31, 2018 (May 11, 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: Postponed - Labor (May 23, 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.