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APSA of Illinois Legislative Update

April 5, 2019

IL - HB252 HUMAN RIGHTS-EMPLOYER-DEFINITION

Last Action: Referred to Assignments (March 13, 2019)

Primary Sponsor: [Representative Will Guzzardi \(D\)](#)

Summary: Amends the Illinois Human Rights Act. Provides that "employer" includes any person employing one (instead of 15) or more employees within Illinois during 20 or more calendar weeks within the calendar year of or preceding the alleged violation. Provides that "employer" does not include any place of worship with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by the place of worship of its activities.

IL - HB834 EQUAL PAY ACT-WAGE HISTORY

Last Action: Referred to Assignments (March 13, 2019)

Primary Sponsor: [Representative Anna Moeller \(D\)](#)

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, with some exceptions. Limits defenses. Provides for penalties and injunctive relief.

IL - HB1614 CRIMINAL CODE-THEFT&RETAIL THEFT

Last Action: Placed on Calendar 2nd Reading – Short Debate (March 29, 2019)

Primary Sponsor: [Representative Justin Slaughter \(D\)](#)

Summary: Amends the Criminal Code of 2012. Increases the threshold amount of theft not from the person and retail theft that enhances the offense from a misdemeanor to a felony to \$2,000. Provides that an enhancement from a misdemeanor to a felony based on a prior conviction must only be for felony theft.

IL - HB1653 ANTI-WAGE THEFT-STATE CONTRACT

Last Action: Placed on Calendar Order of First Reading April 9, 2019 (April 4, 2019)

Primary Sponsor: [Representative Celina Villanueva \(D\)](#)

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. 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). [House Amendment 001](#): Provides that specified provisions do not apply to vendors or contracts providing for Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) benefits, Supplemental Nutrition Assistance Program (SNAP) benefits, or Medicaid benefits.

IL - HB2343 HEALTHY WORKPLACE ACT

Last Action: Re-referred to Rules Committee (March 29, 2019)

Primary Sponsor: [Representative Jehan Gordon-Booth \(D\)](#)

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 - HB3233 VEHICLE CODE-SHARE ROAD-LARGE TRUCKS

Last Action: Referred to Assignments (March 27, 2019)

Primary Sponsor: [Representative Marcus C. Evans, Jr. \(D\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that the Secretary of State shall include, in the Illinois Rules of the Road publication, information advising drivers how to safely share the road with large trucks, including how to safely pass a large truck, how to give trucks appropriate space when they are making a right-hand turn, and how to avoid the blind spots around a large truck known as the "No Zone".

IL - SB1 MINIMUM WAGE/INCOME TAX CREDIT

Last Action: Public Act 101-0001 (February 19, 2019)

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

Summary: Amends the Illinois Income Tax Act and the Minimum Wage Law. Provides for an increase in the minimum wage and for a credit against withholding payments in relation to the increase. Increases the minimum wage to \$9.25 per hour beginning January 1, 2020. Provides for annual increases in the minimum wage culminating in a minimum wage of \$15 per hour beginning on January 1, 2025. Provides to employers with 50 or fewer full-time equivalent employees a credit against tax withheld beginning January 1, 2020. Reduces the credit beginning January 1, 2021. Provides employers may claim the credit amount in effect on January 1, 2025 until December 31, 2026 and that employers with no more than 5 employees may claim that credit until December 31, 2027. Authorizes the Department of Labor to perform random audits of employer to ascertain

compliance with the Minimum Wage Law. Authorizes a penalty of \$100 per employee for failure to maintain required records. Effective immediately.

[IL - SB87](#) VEHICLE CODE-TINTED LIGHTS

Last Action: Referred to Rules Committee (April 4, 2019)

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

Summary: Amends the Illinois Vehicle Code. Provides that no person shall drive or move any motor vehicle or equipment upon any highway with any lighting or combination of lighting with a smoked or tinted lens or cover.

[IL - SB1519](#) VEH CD-IMPOUNDED VEHICLES

Last Action: Placed on Calendar Order of 2nd Reading March 21, 2019 (March 20, 2019)

Primary Sponsor: [Senator Emil Jones, III \(D\)](#)

Summary: Amends the Illinois Vehicle Code. Provides for the release of an impounded vehicle to a lessor of record in the same manner as a lienholder of record. Provides that vehicles not retrieved from the towing facility or storage facility within 10 (instead of 35) days after an administrative hearing officer issues a written decision shall be deemed abandoned and disposed of. Provides that, except in a municipality with a population of 1,000,000 or more, a lienholder of record or lessor of record may take possession of a vehicle impounded under any ordinance and defer payment of any applicable administrative fees upon submission of specified documentation to the municipality or its designated agent. Provides that no vehicle shall be released to the lienholder of record or lessor of record until payment of the associated towing, storage, and other applicable fees charged by the person, firm, or entity that tows and stores the impounded vehicle to the extent the lienholder of record or lessor of record was given notice. Provides that, upon the request of a lienholder of record or lessor of record to obtain possession of an impounded vehicle, the county or municipality, or its designated agent, shall: (1) provide the lienholder of record or lessor of record an opportunity to view the vehicle within 2 business days of the request; (2) provide a statement in writing setting forth the amount of the applicable administrative fees; and (3) provide a statement in writing setting forth the amount of the applicable towing, storage, and other fees. Effective 90 days after becoming law.

[IL - SB1862](#) TRANSPORTATION-TECH

Last Action: Placed on Calendar Order of 2nd Reading March 21, 2019 (March 20, 2019)

Primary Sponsor: [Senator Terry Link \(D\)](#)

Summary: [Senate Amendment 002](#): Replaces everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that a person shall not sell or offer at auction salvage vehicles to a nonresident individual or business in the United States unless the nonresident is licensed in another state or jurisdiction, provides a National Motor Vehicle Title Information System (NMVTIS) number, a social security number or federal employment identification number, and resale tax certificate, if applicable. Provides that a person in the State shall not sell or offer at auction salvage vehicles to an

out-of-country buyer unless the out-of-country buyer is licensed in its jurisdiction as a recycler or rebuilder and provides a foreign license number, passport, or other form of identification issued by the foreign jurisdiction. Provides that an out-of-country buyer who provides a business address not within the sovereign boundaries of the United States shall receive a title stamped with the designation of "export only" at the point of sale.

IL - SB1934 TRANSPORTATION-TECH

Last Action: Rule 39(a) / Re-referred to Assignments (March 22, 2019)

Primary Sponsor: [Senator Andy Manar \(D\)](#)

Summary: [Senate Amendment 001](#): Replaces everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that a person licensed as an automotive parts recycler is subject to junk vehicle notification requirements. Provides that an application for licensure as an automotive parts recycler, scrap processor, repairer, or rebuilder will require a National Motor Vehicle Title Information System number and a statement of compliance if applicable. Provides that the Secretary of State shall inspect any vehicle that is 3 (rather than the previous 8) model years of age or newer for which an application for a certificate of title for a rebuilt vehicle is submitted. Provides that the Secretary shall authorize an individual having been consecutively licensed as an automotive parts recycler and a rebuilder for a minimum of 5 years to carry out and implement the inspection of rebuilt vehicles. Provides that no person shall engage in the act of dismantling, crushing, or altering a vehicle into another form using machinery or equipment unless licensed to do so and only from the fixed location identified on the license issued by the Secretary of State. Authorizes Secretary of State police investigators to issue administrative citations to certain entities for, among other things, operating without a license. Effective immediately.

IL - SB2104 VEHICLE AFTERMARKET CRASH PART

Last Action: Placed on Calendar Order of 2nd Reading March 26, 2019 (March 21, 2019)

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

Summary: Amends the Illinois Insurance Code. Provides that no vehicle repair facility or installer may use repair specifications or procedures that are not in compliance with the original equipment manufacturer for those parts. Amends the Automotive Collision Repair Act. Provides that no vehicle repair estimate may include the use of non-original equipment manufacturer aftermarket crash parts unless authorized by the customer in writing. Provides specifications of what estimates should include. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that no person engaged in the business of performing services on merchandise shall advertise such services as factory authorized services unless, among other requirements, such services are repairs performed pursuant to original equipment manufacturer specifications subject to the Illinois Automotive Collision Repair Act. Provides that a violation of a Section in the Insurance Code concerning the regulation of the use of aftermarket crash parts constitutes an unlawful practice under the Act.