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## Legislative Update June 6, 2010

On May 27<sup>th</sup> both the House and Senate adjourned 'to the call of the chair', which means either chamber could return to Springfield over the summer. Although both chambers have finished the majority of their work for the spring session, they may still need to come back to put the finishing touches on the budget. The House was able to pass their version of the Budget, though it took them sometime and a lot of effort. However, the Senate was unable to get the votes for one of the Budgets central pieces, the \$4 Billion pension borrowing bill and failed to even call the legislation for a vote.

## Legislation

### Budget

SB 3514- Amends the State Finance Act. Provides that no payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund. Amends the General Obligation Bond Act. Authorizes an additional \$4,096,348,300 in Bonds to be used for the purpose of making the State's Fiscal Year 2011 required contributions to designated retirement systems.

SB 3660- [House Floor Amendment No. 9](#)-Creates the Emergency Budget Act of Fiscal Year 2011. Authorizes the Governor, through January 9, 2011, to set aside a contingency reserve from certain FY11 appropriations. Requires the General Assembly to generate incremental revenues before the reserve may be used. Makes all State programs subject to appropriation through January 9, 2011

#### - [House Floor Amendment No. 12](#)

Amends the State Budget Law of the Civil Administrative Code of Illinois. Requires the Governor to prepare quarterly budget statements and to present periodic budget addresses to the General Assembly. Provides that appropriations may be adjusted during the fiscal year by means of one or more supplemental appropriation bills if any State agency either fails to meet or exceeds certain goals. Provides that, prior to the submission of the State budget, the Governor and each constitutional officer, in consultation with the appropriation committees of the General Assembly, shall set certain statewide priorities and goals for the next fiscal year. Provides that the Governor shall recommend that appropriations be made to State agencies and officers based on those agreed upon priorities and goals. Provides that appropriations committees must review individual line item expenditures and the total budget for each Department. Amends the Governor's Office of Management and Budget Act and the Commission on Government Forecasting and Accountability Act to provide that the Commission's revenue estimates must be prepared with any requested consultation from the Governor's Office of Management and Budget.

#### [House Floor Amendment No. 14](#)

Provides that, as soon as possible after the effective date of this Act, each State agency of the executive branch shall review each of its existing contracts. Provides that those State agencies shall seek to modify or terminate and re-bid those contracts if, upon review of the contract, the agency determines that it is in the best interest of the State to do so.

#### [House Floor Amendment No. 17](#)

Amends the General Assembly Compensation Act. Provides that, for fiscal year 2011 only (i) the amount allowed to members of the General Assembly for lodging and meals is \$111 per day and (ii) mileage for automobile travel shall be reimbursed at a rate of \$0.39 per mile.



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## House Floor Amendment No. 18

Amends the Compensation Review Act. Prohibits a fiscal year 2011 cost-of-living adjustment for State government legislative and executive elected officers and appointees in positions for which the Compensation Review Board previously recommended or determined compensation.

## House Floor Amendment No. 19

Makes changes to the bill as amended by House Amendment 9 to provide that General Assembly furlough days shall be calculated at 1/261st of the member's annual salary (instead of 1/365th).

**SB 3662-** Creates the FY2011 Budget Implementation (Finance) Act. Amends various Acts to make changes necessary to implement the Governor's FY2011 budget recommendations concerning finance. Effective July 1, 2010.

## Pensions

### **HB 5417- PEN CD-ART 3-Re-referred to Assignments**

Amends the Downstate Police Article of the Illinois Pension Code. Removes language that provides that beneficiaries shall be paid pro rata from the available funds if there is not sufficient money in the fund to pay the benefits under the Article. Effective immediately.

### **HB 5684-Pen CD-Art 3-Rules Committee**

Amends the Downstate Police, the Chicago Police, and the Chicago Municipal Articles of the Illinois Pension Code. Provides for automatic annual increases in widow's annuities or surviving spouse pensions payable to the surviving spouses of police officers. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

### **HB 5873-Division Reporting-Order of 3<sup>rd</sup> Reading**

Amends the Downstate Police and Downstate Fire Articles of the Illinois Pension Code.  
Senate Amendment 3-Postponed Senate Executive Committee

### **SB 1946-Pen CD- Public Act # 96-0889**

Amends the Illinois Public Labor Relations Act. Exempts the changes made to the Illinois Pension Code under this amendatory Act from provisions providing that, if there is a conflict between the Act and any other law, the provisions of the Act or any collective bargaining agreement negotiated under the Act shall prevail and control. Amends the Illinois Pension Code. Makes changes applicable to persons who first become employees and participants under any system under the Code, other than a downstate police or downstate firefighter pension fund, the Chicago Police pension fund, the Chicago Firemen pension fund, or the Retirement Plan for Chicago Transit Authority Employees or service as a SLEP under IMRF, on or after the effective date of the amendatory Act concerning the following: conditions for retirement, calculation of salary, annual increases, survivor's annuities, and application of alternative formula provisions. Amends the Chicago Teacher Article of the Illinois Pension Code. Sets forth a new employer contribution schedule. Amends the State Mandates Act to require implementation without reimbursement. Contains a severability clause. Provides that certain provisions are effective immediately

### **SB 2574- PEN CD-ART 3&4-FINANCING-LEVY-Order of 2<sup>nd</sup> Reading**

Amends the Downstate Police and Downstate Firefighter Articles of the Illinois Pension Code. Provides that, for the 2-year period consisting of taxable years 2010 and 2011, the city council or the board of trustees of the municipality shall annually levy a tax upon all the taxable property of the municipality at the rate on the dollar that will produce an amount for that 2-year period that is the lesser of: (i) the amount levied for taxable year 2009 multiplied by 1.1 or (ii) an amount that, when added to the deductions from the salaries or wages of police officers and firefighters and revenues available from



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other sources, will equal a sum sufficient to meet the annual actuarial requirements of the pension funds. Effective immediately.

### **SB 2575-PTCELL-Pension Levies- Re-referred to Assignments**

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Exempts, from the definition of "aggregate extension", all contributions to a pension fund created under Article 3, Article 4, or Article 7 of the Illinois Pension Code. Effective immediately.

### **SB 3022-Public Employee Benefit-Sent to Governor**

Amends the Downstate Police and Chicago Police Articles of the Illinois Pension Code. Allows police officers to establish creditable service for up to 2 years of military service before employment. Requires payment of employee and employer contributions, plus interest at the actuarially assumed rate. Effective immediately.

### **Bills of Note:**

#### **HB 5154-FOIA-Sent to Governor**

Amends the Personnel Record Review Act. Provides that disclosure of performance evaluations under the Freedom of Information Act shall be prohibited. Effective immediately.

#### **HB 4945-Joint Investments-Sent to Governor**

Amends the Local Government Debt Reform Act. Permits governmental units to authorize the treasurer of the governmental unit to join with the treasurers of other governmental units for the purpose of jointly investing the funds of which the treasurer has custody. Effective immediately.

#### **HB 5668- Firemen's Disciplinary Act-Sent to Governor**

Reinserts the introduced bill with changes. Adds to the definition of "fireman" a person who is a paramedic employed by a unit of local government (instead of a unit of local government's fire service) and an EMT employed by a unit of local government (instead of a unit of local government's fire service). Effective immediately.

#### **SB 3009-Public Safety Employees-Re-referred to Assignments**

Amends the Public Safety Employee Benefits Act. Provides that the health insurance benefits provided by the Act apply without regard to whether the employee suffered a catastrophic injury or was killed in the line of duty before, on, or after the effective date of the Act.

#### **SB 3151-TIF Inflation Adjustments-Order of 3<sup>rd</sup> Reading**

Provides that the introduced bill applies to economic development and redevelopment project areas established or extended on or after January 1, 2011. Provides that, if an economic development or redevelopment project area is established on or after January 1, 2011, and the boundaries of the economic development or redevelopment project area are subsequently expanded, then, beginning with the first taxable year during which the additional property is included, the equalized assessed value for the previous year shall be calculated as though the additional property had been included during the previous year. Provides that, if an economic development or redevelopment project area is established prior to January 1, 2011, and the boundaries of the economic development or redevelopment project area are expanded on or after January 1, 2011, then, each year, the initial equalized assessed value of the additional property must be increased over the initial equalized assessed value of the additional property for the previous year by the annual rate of increase of the Consumer Price Index. Amends the Industrial Jobs Recovery Law in the Illinois Municipal Code to make conforming changes. Extends the authority granted to municipalities to establish redevelopment.



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## **SB 3566-Abusive Environment-Rules Committee**

Creates the Abusive Work Environment Act. Provides findings and purposes of the Act; definitions; unlawful employment practices, including abusive work environment and retaliation; employer liability and affirmative defense; employee liability and affirmative defense; relief; procedures and limitations; effect of the Act on other legal relationships; and other matters.

## House Bills Passed Both Chambers

HB859	s Barbara Flynn Currie (Donne E. Trotter)	<b>\$DPH-AUTOIMMUNE GRANTS</b>	05/25/2010 House Passed Both Houses
HB4644	b Raymond Poe (Larry K. Bomke)	PEN CD-SERS-FURLOUGH CREDITS	05/26/2010 House Passed Both Houses
HB4927	b Lou Lang (Terry Link)	NURSING HOME CARE-VACCINATIONS	05/26/2010 House Passed Both Houses
HB5458	s John E. Bradley (Deanna Demuzio)	PUBLIC EMPLOYEE DISABILITY	05/26/2010 House Passed Both Houses
HB5483	b Renée Kosel (Susan Garrett)	OPEN MEETINGS-MINUTES	05/26/2010 House Passed Both Houses
HB6094	b Emily McAsey (A. J. Wilhelmi)	VEH CD-NEIGHBORHOOD VEHICLES	05/26/2010 House Passed Both Houses

## House Bills sent to Governor

HB217	Timothy L. Schmitz (Pamela J. Althoff)	PROP TAX-SPEC SERV DISCONNECT	05/26/2010 House Sent to the Governor
HB4837	b David Reis (John O. Jones)	MUNI CD-AUDITS	06/02/2010 House Sent to the Governor
HB4945	Sidney H. Mathias (A. J. Wilhelmi)	LOCAL GOV JOINT INVESTMENTS	05/28/2010 House Sent to the Governor
HB4960	h Raymond Poe (Don Harmon)	PEN CD-IMRF-ADMINISTRATIVE	05/26/2010 House Sent to the Governor
HB4968	h Keith Farnham (Linda Holmes)	MUNI CD-ANNEXATION	05/26/2010 House Sent to the Governor
HB5149	Dennis M. Reboletti (Randall M. Hultgren)	PEN CD-ART 3-BENEFICIARY TRUST	05/28/2010 House Sent to the Governor
HB5154	h Linda Chapa LaVia (Kimberly A. Lightford)	PERSONNEL RECORD-EVALUATION	05/28/2010 House Sent to the Governor
HB5169	b Linda Chapa LaVia (Michael Noland)	PROP TX-PTELL EXEMPT	06/02/2010 House Sent to the Governor



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HB5226	h Deborah Mell (Heather Steans)	EPA-WATER LOAN PROGRAMS	05/26/2010 House Sent to the Governor
HB5232	h John E. Bradley (Kwame Raoul)	LEGAL NOTICES-PUBLICATION-WEB	05/26/2010 House Sent to the Governor
HB5262	h Kay Hatcher (Larry K. Bomke)	PEN CD-SERS-LAID OFF EMPLOYEES	05/28/2010 House Sent to the Governor
HB5283	Kay Hatcher (Linda Holmes)	FIRE DIST-BOARD QUALIFY	05/26/2010 House Sent to the Governor
HB5295	William B. Black (Pamela J. Althoff)	MUNICIPAL PROSECUTION FEE	05/26/2010 House Sent to the Governor
HB5329	Brandon W. Phelps (Gary Forby)	OPEN MEETINGS-TRANSIT DISTRICT	05/26/2010 House Sent to the Governor
HB5437	Kevin A. McCarthy (Deanna Demuzio)	BINGO-CHURCH OR VET ORG	05/28/2010 House Sent to the Governor
HB5540	John D. Cavaletto (John O. Jones)	MUNI CODE-BORROWING	05/26/2010 House Sent to the Governor
HB5668	h Lisa M. Dugan (Toi W. Hutchinson)	FIREMEN'S DISCIPLINARY ACT	05/26/2010 House Sent to the Governor
HB5671	Timothy L. Schmitz (Gary G. Dahl)	MUNI CD-ANNEXATION-NOTICE	05/26/2010 House Sent to the Governor
HB5923	b Ed Sullivan, Jr. (Terry Link)	MUNI CD-INCORPORATION-VILLAGE	06/02/2010 House Sent to the Governor
HB5956	Lisa M. Dugan (Toi W. Hutchinson)	LINE OF DUTY-FIREMEN	05/27/2010 House Sent to the Governor
HB5970	h Kay Hatcher (Toi W. Hutchinson)	MUNI CD-NUMBER OF ALDERMEN	05/28/2010 House Sent to the Governor
HB6152	Jay C. Hoffman (William R. Haine)	PEN CD-ART. 3-GLEN CARBON	05/28/2010 House Sent to the Governor

## Senate Bills Passed Both Chambers

SB49	b Gary Forby (Dan Reitz)	IDOT-ROAD SALT GRANTS	05/27/2010 Senate Passed Both Houses
SB1642	b Donne E. Trotter (Kevin A. McCarthy)	PEN CD-MWRD-VARIOUS	05/27/2010 Senate Passed Both Houses
SB2101	b Jacqueline Y. Collins	IL LAND BANKING ACT-TECH	05/27/2010 Senate Passed Both Houses



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SB3660	h John J. Cullerton (Barbara Flynn Currie)	ENT ZONES-MIN UNEMPLOYMENT	05/27/2010 Senate Passed Both Houses
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SB3662	b Donne E. Trotter (Barbara Flynn Currie)	INC TAX-ENTERPRISE ZONE	05/27/2010 Senate Passed Both Houses
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## Senate Bills sent to the Governor

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SB43	b Kwame Raoul (John A. Fritchey)	PREVAILING WAGE-PROJECTS	06/04/2010 Senate Sent to the Governor
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SB82	b A. J. Wilhelmi (Sidney H. Mathias)	UTILITIES-LOCAL TAX AUDITS	06/04/2010 Senate Sent to the Governor
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SB575	b Gary Forby (Brandon W. Phelps)	ALEXANDER-CAIRO PORT DISTRICT	06/01/2010 Senate Sent to the Governor
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SB580	b Dan Cronin (Randy Ramey, Jr.)	WATER COMMISSIONS-COUNTIES	06/01/2010 Senate Sent to the Governor
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SB2065	h Toi W. Hutchinson (Anthony DeLuca)	MUNI TIF EXTEND-CRETE	06/03/2010 Senate Sent to the Governor
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SB2093	b Gary Forby (John E. Bradley)	COMMUNITY MHDD SERVICE FUNDS	06/03/2010 Senate Sent to the Governor
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SB2190	s Larry K. Bomke (Rich Brauer)	LOCAL GOVERNMENT-TECH	04/08/2010 Senate Sent to the Governor
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SB2350	Susan Garrett (Dennis M. Reboletti)	PROP TX-RETURNING VETERANS	05/28/2010 Senate Sent to the Governor
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SB2523	h James F. Clayborne, Jr. (Thomas Holbrook)	MUNI CD-BUSINESS DIST DEVELOP	06/04/2010 Senate Sent to the Governor
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SB2554	h Iris Y. Martinez (Raymond Poe)	PEN CD-IMRF-RETURN TO WORK	06/01/2010 Senate Sent to the Governor
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SB2612	b Pamela J. Althoff (Susana A. Mendoza)	UTILITIES-LOCAL TAX AUDITS	06/04/2010 Senate Sent to the Governor
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SB2614	David Koehler (Mike Fortner)	MUNI CD-LOCAL IMPROVEMENTS	05/19/2010 Senate Sent to the Governor
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SB3022	Mike Jacobs (Daniel J. Burke)	PUBLIC EMPLOYEE BENEFITS-TECH	05/27/2010 Senate Sent to the Governor
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SB3070	h Pamela J. Althoff	EPA-CARCINOGENIC COMPOUNDS	06/01/2010 Senate Sent to the Governor
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SB3134	s Don Harmon (Karen A. Yarbrough)	MUNI CD-USE/OCC TAX PROCEEDS	05/21/2010 Senate Sent to the Governor
SB3152	s Terry Link (Paul D. Froehlich)	TIF-NOTICE-INTERGOV AGREEMENTS	06/02/2010 Senate Sent to the Governor
SB3295	b John J. Millner (Arthur L. Turner)	CRIMINAL ID-EXPUNGEMENT&SEAL	06/03/2010 Senate Sent to the Governor
SB3313	Michael Bond (Daniel V. Beiser)	LOC GOV-CONFLICT OF INTEREST	05/21/2010 Senate Sent to the Governor
SB3462	Terry Link (Dave Winters)	MOTOR FUEL TAX-DISTRIBUTION	05/14/2010 Senate Sent to the Governor
SB3661	h Michael Bond (Lisa M. Dugan)	ENTERPRISE ZONES-30 ADDITIONAL	06/02/2010 Senate Sent to the Governor
SB3692	s Don Harmon (Kevin Joyce)	MUNI CD-WASTE COLLECTION	05/26/2010 Senate Sent to the Governor

## House Bills Signed by Governor

HB3785	b Michael W. Tryon (Pamela J. Althoff)	MUNI CD-POLITICAL SIGNS	06/03/2010 House Public Act . . . . . 96-0904
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## Senate Bills Signed by Governor

SB328	b David Koehler (Michael K. Smith)	RESIDENTIAL BUILDING CODE	01/21/2010 Senate Public Act . . . . . 96-0865
SB1868	b John J. Cullerton (Julie Hamos)	COOK CTY BD-OVERRIDE VETO	02/17/2010 Senate Public Act . . . . . 96-0882