



DUPAGE COUNTY

2020 STATE LEGISLATIVE UPDATE



End of Session Report 2020

DuPage County Board Chairman

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This year, the General Assembly held an abbreviated session due to the COVID-19 pandemic and adjourned its spring session on May 23 after a four-day special session. Below is a summary of the key bills adopted. Further information may be found at the General Assembly's website at: www.ilga.gov.

Bills Signed by the Governor

Revenue/Budget:

HB 64 – Capital Infrastructure Appropriations: appropriates and reauthorizes specified amounts from the Capital Development Fund, the School Construction Fund, the Anti-Pollution Fund, Transportation Bond Series D Fund, Multi-Modal Transportation Bond Fund, Build Illinois Bond Fund and other funds for capital and infrastructure projects under the Rebuild Illinois Capital Plan.

Public Act 101-0638

HB 357 – FY 2021 State Budget Implementation: the annual BIMP legislation makes the necessary changes in state programs to implement the Governor's FY 2021 budget recommendations.

Public Act 101-0636

SB 264 – FY 2021 State Budget: makes various appropriations and reappropriations for specified purposes for the state's new fiscal year that begins July 1. Highlights include: \$451 million to long-term care facilities; \$376 million for small business incentive grants; \$458 million in mortgage/rental assistance administered by IDHA; \$600 million for contact tracing; appropriates \$316 million and \$235 million for FY 20 and FY 21, respectively, from the State CURE Fund to DCEO for costs associated with a Coronavirus Businesses Interruption Grant Program; appropriates \$569.5 million from the SBE Federal Department of Education Fund to the ISBE for grants, contracts, and administrative expenses of the elementary and secondary school Emergency Relief Fund award; and appropriates \$30 million to DHS for mental health and social services impacted by COVID. Restores funding to LGDF to previous (but reduced levels). Appropriates \$296 million to IDHA for affordable housing grants for those in need of rental assistance due to COVID-19. Appropriates \$1.5 billion to IEMA for any costs eligible for payment



from federal Coronavirus Relief Fund moneys for support of programs and services that assist people and entities impacted by emergency response to the pandemic. Fails to appropriate any federal CARES Act monies to units of government located in the five counties that received a direct distribution.

Public Act 101-0637

SB 2099 – Federal Borrowing Legislation: creates the Coronavirus Urgent Remediation Emergency (CURE) Borrowing Act. Provides that the Governor, with the approval of the Comptroller and Treasurer, is authorized to borrow funds from the Federal Reserve Bank or its agent in accordance with the Municipal Liquidity Facility program established under the federal Coronavirus Aid, Relief, and Economic Stabilization Act (CARES) Act and the Federal Reserve Act, or in accordance with federal coronavirus financing legislation. Sets forth the purposes for which such funds can be used. Provides for the terms for borrowing, provides that the total amount borrowed may not exceed \$5,000,000,000 outstanding at any time, and provides for the repayment of funds borrowed. Provides a continuing appropriation for the repayment of funds borrowed.

Public Act 101-0630

Substantive Bills:

HB 2174 – Extension of 9-1-1 Wireless Surcharge: among many other items, the legislation extends the 9-1-1 surcharge (that funds the operation of ETSB) from July 1, 2020, until December 31, 2021.

Public Act 101-0639

HB 2238 – Omnibus Election Bill/Trailer Bill: the legislation clarifies for legislative intent, several changes contained in SB 1863 including the security of drop-off boxes to collect mail-in election ballots that shall be secured with locks. Makes changes to the panels created by election authorities to compare the voter's signature on the certification envelope of the vote by mail ballot with the signature of the voter on file in the office of the election authority. Requires a vote of 3 of 3 election judges for a vote by mail ballot to be rejected because the signature on the certification envelope and the signature used by the election authority for verification purposes do not match or the certification envelope contains a signature but not in the proper location. Requires a majority vote (rather than a vote of 3 of 3 judges) for other specified reasons. If election judges (rather than 3 of 3 election judges) determine the ballot should be rejected for any reasons stated in the provisions, requires the judges to mark across the face of the certification envelope the word "rejected" and the date and names of the judges voting to reject the ballot.

Public Act 101-0641

HB 2455 – COVID-19 Presumption-Workers' Compensation: provides there is a rebuttable presumption that an employee's contraction of COVID-19 arises out of and in the course of the employee's first responder or front-line worker employment and that the injury or occupational disease shall be presumed to be connected to the hazards or exposures of the employee's first responder or front-line worker employment. Makes other changes related to maximum weekly benefits and applicable contribution rate surcharges. Also amends the Unemployment Insurance Act to authorize the payment



of extended benefits for the weeks beginning on or after March 15 through the end of the fourth week prior to the last week for which federal sharing is provided.

Public Act 101-0633

HB 2682 – Liquor Omnibus Bill: amends the Liquor Control Act to provide that a cocktail or mixed drink placed in a sealed container by a retail licensee at the retail licensee's location may be transferred and sold for off-premises consumption if specified requirements are met. Prohibits third-party delivery services from delivering cocktails or mixed drinks. Repeals the provisions concerning transferring cocktails for off-premises consumption one year after the effective date of the amendatory Act. For a liquor license holder whose business or business operations have been suspended in any capacity due to any executive order issued on or after March 16, 2020 or any subsequent rule established by the Department of Public Health or any other agency of the State as a result of COVID-19: provides that late filing fees shall not apply for a specified period; authorizes the deferral of liquor license fees for a specified period; and provides that the renewal of the liquor license shall be automatically approved and the license shall be extended for a specified period. Provides that a retail licensee shall not be deemed to be delinquent in payment until 30 days after the date on which the region in which the retail licensee is located enters Phase 4 of the Governor's Restore Illinois Plan as issued on May 5, 2020.

Public Act 101-0631

SB 516 – Omnibus Gaming Bill: makes five major changes; (1) changes tax rates to City of Chicago casino, (2) reconciliation payments from 2 years to 6 years for all casinos and racetracks, (3) moves two tiered tax for casinos and racinos to July 1, 2021, (4) technical changes for Danville casino (reopens the bidding process for Danville only), (5) addresses procurement issues for video poker machines at State Fair in Springfield and DuQuion. The revenues from the casinos are designated to support the funding of vertical and horizontal capital projects throughout the state.

Public Act 101-0648

SB 531 – Toll Bridge/Toll Rate Schedule: amends the Toll Bridge Act. Provides that the county board may enter into an agreement establishing a toll rate schedule for a period not to exceed 99 years. Provides that the amendatory Act is declarative of existing law and shall be given retroactive effect. Effective immediately.

Public Act 101-0644

SB 685 – Deferral of Property Tax Late Payment Penalties: property tax COVID-19 bill in response to the interpretation of some county state's attorney's that do not concur that current state statute permits the delay or removal by county boards of property tax interest penalties. The bill also allows County Assessment Officers to approve homestead exemptions for disabled veterans and those under the senior citizens assessment homestead freeze for the 2020 taxable year without application due to COVID-19. Postpones annual tax sales by 120 days after effective date of this Act or until the first month during which there is no longer a statewide COVID-19 public health emergency. Reps. Pappas and Rep. Zalewski indicated, through legislative intent during the House debate, that the DuPage County Board



ordinance that allows homeowners to apply for the installment delay, conforms to State Statute and this bill.

Public Act 101-0635

SB 1863 – Omnibus Election Bill: prescribes a number of modifications for the November 3, 2020 general election only (the Act sunsets as of January 1, 2021). Expands Vote by Mail (VBM) by requiring all election authorities to e-mail or mail VBM applications to those who voted in the last three elections (DuPage County will include the last four elections). Declares Nov. 3rd a state holiday, which closes schools and government buildings except those serving as a polling place. Still requires regular polling places and one central voting center where all voters may cast a ballot on Election Day. Allows curbside voting and secure drop-boxes for VBM ballots. Expands who can be an election judge, expands the number of early voting locations and hours, among many other changes (also see trailer bill HB 2238)

Public Act 101-0642

SB 2135 – Open Meeting Act/Remote Meeting Authority: amends the Open Meeting Act to provide for remote participation in meetings of public bodies. Makes a number of emergency/operational administrative changes in response to COVID-19 to allow for meetings by audio or video conference during a disaster declaration (under certain conditions) without the physical presence of a quorum of the members.

Public Act 101-0640

SB 2541 – Hospital Assessment Program: renews the Hospital Assessment Program to enable the State to capture \$3.9 billion in federal funds for treating Medicaid patients. Provides for a physician rate increase prioritizes funding for critical access and safety net hospitals.

Public Act 101-0650

Senate Joint Resolution Constitutional Amendment 1, Graduated Income Tax Constitutional Amendment Ballot Question: proposes to amend the Revenue Article of the Illinois Constitution. Removes a provision that provides that a tax on income shall be measured at a non-graduated rate. Provides that the General Assembly shall provide by law for the rate or rates of any tax on or measured by income imposed by the State. Provides that the highest rate imposed on corporations may not exceed the highest rate imposed on individuals by more than a ratio of 8 to 5. Effective upon being declared adopted.

Status: Adopted by both Houses