



# DUPAGE COUNTY

2022 STATE LEGISLATIVE UPDATE



## End of Session Report 2022

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This year, the General Assembly adjourned almost two months prior to the usual May 31 adjournment date on April 9. Only 2,600 bills were filed this year (compared to 7,000 bills last year) and just over 400 bills were sent to the Governor for action. Below is a summary of the key issues impacting county government. Further information on specific bills may be found at the Illinois General Assembly's website at: [www.ilga.gov](http://www.ilga.gov).

## **Bills sent to the Governor**

**HB 246, Nursing Home Assessment & Rate Reform:** transitions Medicaid reimbursement to a new rate methodology, the Patient Driven Payment Model, which more accurately accounts for clinically relevant factors and increases by \$7 the base per diem rate. Also addresses employee shortages at long-term care facilities and rewards certified nursing assistants (CNA's) by providing additional funding to incentivize the retention and promotion of CNA's. Requires increased staffing by facilities to qualify for additional funding among many other provisions.

**Status: Public Act 102-1035**

**HB 900, State appropriation bill for FY 2023:** appropriates \$46.451 billion in General Revenue Funds for the State's Fiscal Year 2023 operating and capital budget that begins July 1.

**Status: Public Act 102-0698**

**HB 1780, Illinois Drug Takeback Act:** creates the program to provide for a safe system for the collection and disposal of unused, unwanted, and expired medicines to prevent prescription drug abuse and pharmaceutical pollution. Requires each covered manufacturer, beginning January 1, 2024, to implement an approved drug-take back program that complies with the requirements of the Act.

**Status: Public Act 102-1055**

**HB 2775, Housing Discrimination:** as amended, declares that it is the public policy of the State to prevent discrimination based on source of income in real estate transactions. Provides that it is a civil



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rights violation for various people to participate in specified discriminatory actions related to real estate transactions because of an individual's source of income.

**Status: Public Act 102-0896**

**HB 3445, Opioid Overdose Reduction Act:** creates the Act, also referred to as Alex's Law. Amends the Illinois Controlled Substances Act. In a provision concerning overdose and limited immunity, provides that specified violations must not serve as the sole basis of a violation of parole, mandatory supervised release, probation, conditional discharge, a person's pretrial release, or furlough, or any seizure of property under any State law authorizing civil forfeiture so long as the evidence for the violation was acquired as a result of the person seeking or obtaining emergency medical assistance in the event of an overdose.

**Status: Public Act 102-0476**

**HB 4343, Medicaid Omnibus Bill:** expands Medicaid coverage for a number of services (midwife and acupuncture) and establishes a program for school based mental health screenings, increases rates for a number of services including behavioral and maternal health services, dental rates for children and adults, and creates a CNA program to address the current shortage of certified nursing assistants among other provisions.

**Status: Public Act 102-1037**

**HB 4408, Naloxone Co-Payment:** prohibits insurers and the Medicaid program from charging a co-pay for Narcan after January 1, 2024. This provision does not apply to coverage of naloxone to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account.

**Status: Public Act 102-1038**

**HB 4489, GATA Applicability:** provides that requirements under the Act do not apply to awards, including capital appropriated funds by the Illinois Department of Transportation to units of local government for transportation projects utilizing state and federal funds.

**Status: Public Act 102-1092**

**HB 4666, Nurse Staffing Agencies:** makes a number of changes regarding temporary nurse staffing agencies employed by health care facilities by inserting transparency into the contracting process and requiring agencies to pay 100% of hourly wages to employees. Prevents agencies from recruiting employees on a provider's campus and prohibits predatory practices among other provisions.

**Status: Public Act 102-0946**

**HB 4700, Budget Implementation Bill (BIMP):** contains the statutory authority necessary to implement the State's Fiscal Year 2023 budget.

**Status: Public Act 102-0699**



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**HB 4729, Gun Storage Safety:** requires the Illinois Department of Public Health (subject to appropriation) to develop and implement a comprehensive 2-year statewide safe gun storage public awareness campaign to include sustained and focused messaging over the course of the campaign period among other provisions.

**Status: Public Act 102-1067**

**HB 4772, County Design-Build:** creates the County Design-Build Authorization Division under the Counties Code to provide that a county may enter into design-build contracts. Defines criteria for a two-phase procedure for the selection of contracts and provides that for contracts less than \$12 million, a county may combine the two-phase procedure for selection into one-phase. Nothing in the legislation however, shall prevent a county from using a qualification-based selection process for design professionals or construction managers for design-build projects.

**Status: Public Act 102-0954**

**HB 4818, PFAS Incineration Ban:** provides that the disposal by incineration of any toxic release, TRI-PFAS, including but not limited to aqueous film-forming foam, is prohibited. Provides that the legislation does not apply to the incineration of waste at a permitted hospital, medical, and infectious waste incinerator that meets specific requirements. The legislation also does not apply to the combustion of landfill gas or the combustion of landfill gas at a landfill gas recovery facility located at a sanitary landfill.

**Status: Public Act 102-1048**

**HB 5184, Veterans Assistance Commissions:** makes a number of changes to the operations of county Veteran's Assistance Commissions (VACs). Currently, county boards with a VAC may levy a property tax for the purpose of providing assistance to military veterans and their families but in aggregate with all other taxes the county is authorized to levy. This legislation provides that the VAC levy may be levied separately from all other taxes (outside the tax cap) should the county board elect to do so. Directs local VACs to process veteran's claims for General Assistance, state assistance and claims for federal VA benefits. Strikes a provision that previously provided oversight of the distribution of VAC funds by county boards. Effective January 1, 2023.

**Status: Public Act 102-0732**

**HB 5502, 9-1-1 System Changes:** modifies the Emergency Telephone System Act (ETSA) provisions to be consistent with the Federal requirements emanating from the federal passage of *Kari's Law* and *Ray Baum's Act*. *Kari's Law* and *Ray Baum's Act* mandate that Enhanced 911 (E911) accessibility and notification be part of every aspect of the telephone system and impacts service providers, phone system manufacturers, State and local 911 authorities, emergency communications centers (ECCs)/public safety answering points (PSAPs) and owner/operators of multi-line telephone systems. Adds provisions relating to private business switch or MLTS 9-1-1 service installed, managed, or operated after June 30, 2000 (or within 18 months after enhanced 9-1-1 or NG9-1-1 service becomes available), requiring such systems to assure that the system is connected to the public switched network such that calls to 9-1-1 route to the appropriate 9-1-1 jurisdiction with the proper ANI (Automatic



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Number Identification) and ALI (Automatic Location Identification). Includes other requirements relating to the square footage of a workspace.

**Status: Public Act 102-0983**

**SB 157, Omnibus Revenue Bill:** provides a number of tax relief provisions including; a temporary six-month suspension of the scheduled (indexed to inflation) increase of the motor fuel tax (July 1, 2022 to December 31, 2022), a temporary one year suspension of the state sales tax on groceries (excludes pharmaceuticals and reimburses lost revenues to local units of government), a sales tax holiday on school supplies (August 5, 2022 to August 14, 2022), and a one-time property tax rebate of up to \$300 for certain taxpayers and a one-time income tax rebate of \$50 for single filers, \$100 for joint filers, and an additional \$100 for each dependent (up to 3) for certain taxpayers based on adjusted gross income.

**Status: Public Act 102-0700**

**SB 1016, DuPage Water Commission Appointments:** as amended, the legislation provides additional representation on the commission for new water customers upon receipt of water by the commission. Specifically, the amendment provides for the county chairman of the home county, with the advice and consent of the county board, to appoint one commissioner of the territorial municipality and upon the majority vote of the mayors of those territorial municipalities, one commissioner.

**Status: Public Act 102-0736**

**SB 1405, Nursing Home Visitation:** requires health care facilities to ensure an opportunity for at least one person to visit a resident or patient even amid a gubernatorial disaster declaration. A clergy person would not count against the limit and visitors may be required to submit to health screenings necessary to prevent the spread of infectious disease.

**Status: Public Act 102-0989**

**SB 1633, Nursing Home Resident Rights:** amends the Nursing Home Care Act. Provides that residents shall have the right to be treated with courtesy and respect for their individuality by employees or persons providing medical services or care and shall have their human and civil rights maintained in all aspects of medical care. Provides that residents shall not perform labor or services for a facility unless those activities are included for therapeutic purposes and appropriately goal-related in the resident's individual medical record. Provides that every facility shall have a written internal grievance procedure that, at a minimum: (1) sets forth the process to be followed; (2) specifies time limits, including time limits for facility response; (3) informs residents of their right to have the assistance of an advocate; (4) provides for a timely response by an impartial decision maker if the grievance is not otherwise resolved; (5) requires the facility to follow applicable state and federal requirements for responding to and reporting any grievance alleging potential abuse, neglect, misappropriation of resident property, or exploitation; and (6) requires the facility to keep a copy of all grievances, responses, and outcomes for 3 years. Requires a facility to post specified information concerning rights protection services and where complaints may be lodged. Provides that a facility shall include a link to the Long-Term Care Ombudsman Program's website on the home page of the facility's website.

**Status: Public Act 102-1080**



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**SB 1975, Property Tax Reforms:** requires the Illinois Department of Revenue to conduct a study of the impact of the homestead exemption for veterans with disabilities on the property tax base for DuPage, Will, Lake, St. Clair, Madison and Rock Island Counties by June 30, 2023; sets a maximum general homestead exemption at \$8,000 for counties bordering Cook and increases the senior citizen homestead exemption to \$8,000 for collar county residents; establishes the Low-Income Senior Citizens Assessment Freeze Homestead Exemption for taxable years 2023 and after; reduces the interest rate from 6% to 3% for the Senior Citizen Real Estate Tax Deferral program; provides for the automatic renewal of the homestead exemption for qualifying individuals with a disability; makes a number of alternative aggregate extension base changes for certain taxing districts to incentivize districts to opt for the lowest necessary property tax rate, among other provisions.

**Status: Public Act 102-0895**

**SB 2535, Prescription of Controlled Substances:** requires pharmacists who issue a prescription for an opioid shall inform the patient that opioids are addictive and that opioid antagonists are available by prescription or from a pharmacy.

**Status: Public Act 102-1040**

**SB 3146, Employee Rest Periods:** provides that an employee who works in excess of 7 ½ continuous hours shall be entitled to an additional 20-minute meal period for every additional 4 ½ continuous hours worked. Provides for certain exemptions and assesses civil penalties for employers who violate this provision.

**Status: Public Act 102-0828**

**SB 3633, Local Demolition Documentation:** requires counties and municipalities to maintain documentation submitted from a contractor on the disposal of any demolition debris, clean or general, or uncontaminated soil generated during the demolition, repair, or enclosure of a building for a period of 3 years, identifying the hauler, generator, place of origin of the debris or soil, among other requirements.

**Status: Public Act 102-0847**

**SB 3789, Decennial Committee on Local Government Efficiency Act:** creates the Act to require all governmental units that may levy any tax, except for municipalities and counties, to within a year after the effective date of the Act and at least once every 10 years thereafter, to form a committee to study local efficiencies **and report recommendations regarding efficiencies and increased accountability to the county board in which the governmental unit is located.** Defines committee membership and duties of the committee, meeting schedule, and report requirements.

**Status: Public Act 102-1088**

**SB 3866, Clean Energy Transition Act trailer bill:** makes a number of changes to last year's Act that sets the State on a course of renewable energy and carbon-free renewable energy. Makes changes to grants provided to the Climate Works Hub, reporting requirements for public utilities, rebate applications, and utility-scale pilot projects, among other provisions.





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**Status: Public Act 102-1031**

**SB 3939, Local Government Cybersecurity:** requires counties and municipalities to designate a primary point of contact for local cybersecurity issues; subject to appropriation, requires the Illinois Department of Innovation and Technology to establish a cybersecurity liaison program to support local governments; and requires every county and municipal employee to complete annually cybersecurity training.

**Status: Public Act 102-0753**

### Other Issues

- **Local Government Distributive Fund (LGDF):** As part of the final budget package, the General Assembly approved a modest one-year increase in local government's share of income tax proceeds, raising the amount distributed from 6.06% to 6.16%, (for state fiscal year 2023 only) which translates into an estimated annual increase of \$133,632 for DuPage County. DuPage County's goal, together with our municipal partners and the Illinois State Association of Counties (ISACo), remains restoration of LGDF to the agreed upon 10% share of income tax proceeds to local governments that was received up until the state began budget reductions in 2011.
- **Statewide 211 Coverage:** As part of the state's final budget package, \$1.8 million was appropriated for a statewide 211 program (currently less than 36% of Illinois is covered by 211). The funding will allow the Illinois 211 Board to plan and launch 211 in uncovered counties with the goal of statewide coverage by 2024.
- **State Tourism Funding:** the FY 2023 state budget includes a combined \$140 million, appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Illinois Department of Commerce and Economic Opportunity for the Tourism Attraction Development Grant Program (\$15 million), the Hotel Jobs Recovery Grant Program (\$75 million), and the Restaurant Employment and Stabilization Grant Program (\$50 million).
- **Public Safety Legislation:**
  - **HB 260, Expressway Camera Act:** expands the Act to include DuSable Lake Shore Drive and permits law enforcement to use images from an expressway camera to investigate vehicular hijacking, aggravated vehicular hijacking, terrorism, or any forcible felony.  
**Public Act 102-1042**
  - **HB 1091, Organized Retail Crime:** establishes a new type of criminal violation, organized retail crime, and defines as either a group of individuals committing assault or battery while stealing from a store or being a manager of the organized retail crime as someone directing another person to steal more than merchandise from a store with the intent to resell. The bill applies to thefts of over \$300 of merchandise and establishes a program for the Attorney General to award grants to State's Attorney's



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Offices and law enforcement agencies to investigate and prosecute violations. Also requires online marketplaces to collect and disclose the identity of anyone who sells more than \$5,000 worth of products on its platform or makes more than 200 sales in one year. **Public Act 102-0757**

- **HB 1321, First Responder Mental Health:** creates a grant program within the Illinois Department of Human Services to provide behavioral health services to first responders. Grants will be available to units of local government, law enforcement agencies, fire protection districts, school districts, public or private hospitals or ambulance services. **Public Act 102-0911**
- **HB 1568, Law Enforcement Retention & Recruitment:** requires the Illinois Law Enforcement Training Standards Board to recommend minimum requirements for credits that transfer from public institutions of higher education to satisfy the requirements of law enforcement courses. Lowers the retirement age for certain Illinois State Police employees from 60 to age 55. **Public Act 102-0719**
- **HB 1571, Child Care:** requires the Illinois Department of Human Services to establish grants for childcare centers to provide after hour/nightly childcare for children of first responders and other late-shift workers. **Public Act 102-0912**
- **HB 3512, SAFE-T Trailer Bill:** makes a number of changes related to the training of law enforcement officers, the Law Enforcement Officer-Worn Body Camera Act, the Pretrial Services Act, and responsibilities of the Prisoner Review Board, among other items. **Public Act 102-0694**
- **HB 3699, Carjacking:** improves and supports enforcement of vehicle hijacking laws, supports the prosecution and administration of vehicle hijacking laws, directs the Illinois Vehicle Hijacking and Motor Vehicle Theft Prevention and Insurance Verification Council to assess the scope of vehicle hijacking and to develop strategies for combatting the problem. **Public Act 102-0904**
- **HB 3772, Carjacking:** provides protections for victims of carjackings who receive red light or speed camera violations after their vehicle has been hijacked. **Public Act 102-0905**
- **HB 3863, Recruitment and Training:** creates the Law Enforcement Recruitment and Retention Fund to award grants to departments for officer hiring, training, and retention strategies. **Public Act 102-0755**
- **HB 3893, Eavesdropping law sunset extension:** amends the Criminal Code of 2012. Changes the sunset of the provision that exempts from an eavesdropping violation, with prior request to and written or verbal approval of the State's Attorney of the county in which the conversation is anticipated to occur, recording or listening with the aid of an eavesdropping device to a conversation in which a law enforcement officer, or any person acting at the direction of a law enforcement officer, is a party to the conversation and has consented to the conversation being intercepted or recorded in



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the course of an investigation of a qualified offense from January 1, 2023 to January 1, 2027. Extends the sunset of the RICO Article of the Code from June 11, 2022 to June 11, 2023. **Public Act 102-0918**

- **HB 4383, Ghost Guns:** bans the sale and possession of ghost guns which are untraceable due to lack of a serial number. **Public Act 102-0889**
- **HB 4481, Expressway Camera Act:** expands the Act to 21 additional counties. **Public Act 102-1043**
- **HB 4736, Crime Reduction and Co-responder pilot program:** creates the Crime Reduction Task Force to review best practices and compile a report by March 1, 2023. Expands certain provisions of the witness protection program and establishes a pilot program in Peoria, Waukegan, East St. Louis and Springfield to create a unit within police departments to employ a social worker to respond with officers. The social worker would provide resources to victims and provide trauma informed crisis intervention, case management, advocacy and ongoing emotional support to victims of all crimes. **Public Act 102-0756**