



ILLINOIS CHAMBER OF COMMERCE

99th General Assembly Key Legislation

BUSINESS REGULATION

2016 Key Legislation

Bill: [**SB 2865**](#)

Sponsor: Sen. Collins

Status: Placed on Senate 3rd Reading

Position: Oppose

Description: Creates the Small Business Lending Act which requires certain lenders to small businesses to obtain a license from DFPR. The bill imposes certain disclosures and reporting requirements and essentially applies a payday loan database to an installment loan product. This will restrict the ability of small business owners to use on-line lenders if they so choose to do so and dry up capital.

Bill: [**SB 2887**](#)

Sponsor: Sen. Silverstein

Status: Re-referred to Senate Assignments

Position: Oppose

Description: The bill amends the Consumer Fraud and Deceptive Business Practices Act in relation to patent infringement claims. Two years ago, an agreement was reached on this patent demand letter issue by all sides. This language would counter that agreement; therefore, the Chamber opposes this legislation.

Bill: [**SB 3011**](#)

Sponsor: Sen. Mulroe

Status: Passed the Senate [**32-22-2**](#); Re-assigned to House Human Services Committee

Position: Oppose

Description: Increase in minimum wage to purchase tobacco products from 18 to 21.

Bill: [**SR 1224**](#) // [**HR 877**](#)

Sponsor: Sen. Forby // Rep. Hoffman

Status: Assigned to Senate Labor // Referred to House Rules

Position: Oppose (both resolutions)

Description: Calls upon elected officials in the U.S. Senate and U.S. House of Representatives to oppose the Trans-Pacific Partnership *and any similar trade deals if they fail to restructure the misguided and failed policies of the past.*

Bill: [HB 1260](#)

Sponsor: Rep. Williams and Sen. Biss

Status: Signed by the Governor; Public Act 99-0503

Position: Support

Description: HB 1260 updates Illinois' data breach notice law. It adds new data elements, such as user names and passwords, which will be considered a breach. By adding these new data elements, we strengthen consumer notification for purposes of breaches which create risks to individuals if their information is obtained by unauthorized persons. In addition, the bill requires data collectors to implement and maintain reasonable security measures. This bill as amended incorporates the Chamber's suggested language from the Amendatory Veto placed on SB 1833.

[Chamber Position Paper](#)

Bill: [HB 5526](#)

Sponsor: Rep. Smiddy

Status: Re-referred to House Rules

Position: Oppose

Description: Meat Labeling Act – Provides that any person selling meat in this State must package the meat with a label indicating the country in which the meat was produced.

Bill: [HB 5759](#)

Sponsor: Rep. Hoffman

Status: Re-referred to House Rules

Position: Oppose

Description: HB 5759 (Hoffman) would require contractors and subcontractors to comply with Responsible Bidder requirements outlined in the Illinois Procurement Code to qualify for public works projects at the local level. In addition, would require contractors and subcontractors to identify and report to the public body in charge the number of hours worked by minorities and females for each craft or type of worker or mechanic needed to execute the contract. Each contractor and subcontractor shall provide this information on a certified payroll report, or on a monthly manpower utilization report.

Bill: [HR 1092](#)

Sponsor: Rep. Flowers

Status: Placed on Order of Resolutions

Position: Oppose

Description: Urges reinstatement of the repealed Glass-Steagall Act, a Depression-era banking law enacted in 1933. The resolution also urges Congress to enact an "American Recovery" agenda that would return the United States to a government-run "national banking and federal

credit system, modeled on the principles of Alexander Hamilton’s First Bank of the United States.”

2015 Key Legislation

Bill: [SB 734](#)

Sponsor: Sen. Koehler

Status: Referred to Senate Assignments

Position: Opposed

Description: SB 734 mandates specific labeling for food sold Illinois that includes genetically engineered ingredients, despite the fact the American Medical Association and other organizations have agreed that such foods are safe. This would require food companies to segregate food products sold in Illinois for specific labeling and increase costs for Illinois consumers.

Bill: [SB 1833](#)

Sponsor: Sen. Biss and Rep. Williams

Status: Bill Dead; Amendatory Veto

Position: Opposed

Description: SB 1833 requires notification of security breaches to the Attorney General and greatly expands the data elements considered for purposes of a “breach”. One of the key concerns is, for the first time in the nation, the expansion of data elements includes the terms “geolocation” and “consumer marketing information”. These terms, along with the term “biometric data”, are vaguely defined and overly broad raising many concerns and questions as to how they will be interpreted and implemented. This bill will result in the need for companies to implement costly enhanced security obligations on data for which the unauthorized acquisition does not create a risk of identity theft or financial harm.

[Chamber One-Sheet](#)

Bill: [SB 1836](#) // [SB 2147](#)

Sponsor: Sen. Toi Hutchinson (both bills)

Position: Opposed (both bills)

Status: Referred to Senate Assignments // Assigned to Senate Executive

Description: SB 1836 and SB 2147 require all Illinois employers to provide an hour of paid sick leave for every 30 hours worked by an employee, for full-time and part-time workers, up to 7 paid sick days per year.

[Chamber Position Paper](#)

CAMPAIGN FINANCE

None

CIVIL LAW

2016 Key Legislation

None

2015 Key Legislation

Bill: **HB 96**

Sponsor: Rep. Andre Thapedi

Status: Referred to House Rules

Position: Oppose

Description: Amends the Civil Practice Law of the Code of Civil Procedure. Adds language that persons or entities named as respondents in discovery may be required to respond to requests for admission of facts or genuineness of documents.

Bill: **HB 1441**

Sponsor: Rep. Jack franks

Status: Referred to House Rules

Position: Oppose

Description: Amends the Premises Liability Act to modify the "open and obvious" doctrine. Common law and Illinois Supreme Court precedent has held that the owner of property has no duty to warn persons of hazards that are "open and obvious" and whether a duty to warn exists is a question of law to be decided by judges, not a question of fact to be decided by juries. This legislation would allow juries to consider whether a condition is open and obvious for purposes of establishing comparative fault of the parties under Section 2-1116 of the Code of Civil Procedure. Section 2-1116 is a limitation on recovery in tort actions that provides that a plaintiff may not recover damages if the trier of fact finds that contributory fault on the part of the plaintiff is more than 50% of the proximate cause of the injury or damage for which recovery is sought.

ECONOMIC DEVELOPMENT/INFRASTRUCTURE

2016 Key Legislation

Bill: **SB 2531** (Trailer Bill: **SB 2604**)

Sponsor: Sen. Lightford and Rep. Welch

Status: **Total Veto Stands**; **Total Veto Stands**

Position: Oppose (Oppose Trailer Bill)

Description: Provide that any economic development corporation or commission which receives public money must have at least two members from a labor council serve on its board or commission. Such members shall be full members with all rights and privileges and need not pay any membership fees or dues for such membership.

The trailer bill attempts to narrow the definition of "economic development corporation". However, in practice it will still apply to local chambers and local economic development corporations/commissions who receive public funding.

Position Paper on SB 2531

[Urge Your Lawmaker to Vote NO on any Motion to Override the Governor's Veto HERE!](#)

Bill: [SB 2600](#)

Sponsor: Sen. Delgado and Rep. Welch

Status: **[Total Veto Stands](#)**

Position: Oppose

Description: Provide that any economic development corporation or commission which receives public money must have at least two members from a labor council serve on its board or commission. Such members shall be full members with all rights and privileges and need not pay any membership fees or dues for such membership.

[Position Paper on SB 2600](#)

[Urge Your Lawmaker to Vote NO on any Motion to Override the Governor's Veto HERE!](#)

Bill: [SB 2786](#)

Sponsor: Sen. Link

Status: Re-referred to Senate Assignments

Position: Support — **Chamber Initiative**

Description: Creates a sales and use tax exemption for tangible personal property used in the construction or operation of a new or existing data center.

Bill: [SB 3111](#)

Sponsor: Sen. Weaver

Status: Postponed – Senate Environment and Conservation

Position: Oppose

Description: Amends the Public Utilities Act. Provides that, on April 1 of each year beginning the year after the effective date of the amendatory Act, privately held public water utilities shall provide annual reports to the Illinois Commerce Commission with specified information for each municipality served by the utility. Provides that the utility shall certify the accuracy of the information provided in the reports. Effective immediately.

Bill: [SB 3277](#)

Sponsor: Sen. Steans – Sen. McConnaughay

Status: Re-referred to Senate Assignments

Position: Support — **Chamber Initiative**

Description: Expands the consideration of public-private partnerships (P3s) for local infrastructure investment. This legislation would help expand the consideration of these projects by providing an avenue for more local units of government to assess these types of projects. This legislation would establish an office to work with them on these complex agreements, ensure an optional, open, and transparent submission process for projects to be considered for P3s, and allow for multiple projects—even those from different parts of the state—to be aggregated into one larger project to increase their viability and attractiveness.

Bill: [HB 5774](#)

Sponsor: Rep. Leitch

Status: Re-referred to House Rules

Position: Oppose

Description: Amends the Public Utilities Act. Provides that, on April 1 of each year beginning the year after the effective date of the amendatory Act, privately held public water utilities shall provide annual reports to the Illinois Commerce Commission with specified information for each district served by the utility. Provides that privately held public water utilities shall provide to the local emergency services disaster agency any reports discussing the condition of the system in each district for the previous calendar year with information relevant to public safety. Provides that the utilities shall certify the accuracy of the information provided in the reports. Effective immediately

Bill: [HB 6054](#)

Sponsor: Rep. McAsey

Status: Re-referred to House Rules

Position: Oppose

Description: Amends the Public Utilities Act. Provides that, on April 1 of each year beginning the year after the effective date of the amendatory Act, privately held public water utilities shall provide annual reports to the Illinois Commerce Commission with specified information for each municipality served by the utility. Provides that the utility shall certify the accuracy of the information provided in the reports. Effective immediately.

Bill: [HB 6277](#)

Sponsor: Rep. Butler

Status: Referred to House Rules

Position: Neutral

Description: Amends the Civil Administrative Code of Illinois (Department of Commerce and Economic Opportunity Law). Provides for the transfer of control over the Interagency Military Base Support and Economic Development Committee from the Department of Commerce and Economic Opportunity to the Office of the Lieutenant Governor. Makes conforming changes.

Bill: [HJR 125](#) // SJR 40

Sponsor: Rep. Durkin // Sen. Sandoval

Status: Assigned to House Tollway Oversight // Postponed – Senate Transportation

Position: Support

Description: Authorizes the Department of Transportation to commence a procurement process for a project to provide additional highway capacity along Interstate 55 from Interstate 355 to Interstate 90/Interstate 94 in DuPage, Cook, and Will Counties, and toll the additional capacity pursuant to the authority provided under the Public-Private Partnerships for Transportation Act.

Bill: [HJRCA 36](#) (Ballot Language: [HJR 154](#))

Sponsor: Rep. Phelps and Sen. Haine

Status: Adopted by both Houses; Approved by the Voters

Position: Support — **Chamber Initiative**

Description: Transportation lockbox constitutional amendment. This is a proposed constitutional amendment that would end Road Fund diversions by preventing any money from being removed from the Road Fund for any purpose other than transportation. As written, this

proposed constitutional amendment would prevent any future revenue collected by transportation assets from being spent on any other agencies or programs. As a result of this, transportation investment will be predictable, allowing businesses to plan investments long term.

[Position Paper on Lockbox](#)

EDUCATION

None

EMPLOYMENT LAW

2016 Key Legislation

Bill: **SB 2147**

Sponsor: Sen. Hutchinson

Position: Oppose

Status: Passed Senate Executive **11-4-0**; Placed on Senate 2nd Reading

Description: Requires all employers to provide up to 7 days of paid sick leave to their employees, both full-time and part-time. Employees would accrue 1 hour of paid leave for every 30 hours worked, accruing up to 56 hours annually. The sick time would start accruing immediately, but could not be used until the employee has worked for their employer for at least 120 days.

[Position Paper on SB 2147](#)

Bill: **SB 2192**

Sponsor: Sen. Mulroe

Position: Oppose

Status: Referred to Senate Assignments

Description: Creates the Veterans Day Paid Leave Act and requires employers to provide a paid day off on Veterans Day for each employee who is a veteran, if the employee would be required to work on that day. The employee must provide notice to the employer that he or she intends to take time off on Veterans Day and provide the employer with documentation verifying that he or she is a veteran. In addition, it amends the Illinois Income Tax Act to create an income tax credit in an amount equal to 100% of the wages paid by the taxpayer to a veteran as a result of the paid day off required under the Veterans Day Paid Leave Act.

Bill: **SB 2506**

Sponsor: Sen. Righter and Rep. Andersson

Position: Support — **Chamber Initiative**

Status: Passed the Senate 58-0-0 // Referred to House Rules

Description: Streamlining Employment Discrimination Investigations.

[Position Paper on SB2506](#)

Bill: SB 2942

Sponsor: Sen. McCarter

Position: Support — **Chamber Initiative**

Status: Re-referred to Senate Assignments

Description: Addresses the Workers' Compensation Appeals Process. SB 2942 clarifies and streamlines the process of appeals of workers' compensation and occupational diseases decisions to work efficiently and effectively for injured workers and employers. In addition, this bill also allows employers to use their insurance policy, self-insurance certificate or other means of guarantee in lieu of a bond upon appeal. Lastly, this allows a party to appeal an Appellate Court decision to the Supreme Court without certification by two members of the appellate court.

Bill: SB 2964

Sponsor: Sen. Harmon and Rep. Hoffman

Position: Oppose

Status: **Bill Dead – Amendatory Veto**

Description: SB 2964 requires the prevailing wage rate to be calculated as the rate that prevails for similar work on public works projects when the work is performed under a collective bargaining agreement or understanding between an employer and bona-fide labor organizations in a locality where 30% or more of the workers are involved.

Position Paper for SB 2964

Bill: HB 6162

Sponsor: Rep. Skoog and Sen. Collins

Position: Neutral with House Amendment No. 2

Status: Signed by the Governor; Public Act 99-841

Description: Mandate sick leave benefits expansion.

Bill: HB 3297

Sponsor: Rep. Mitchell

Position: Oppose

Status: Passed House Executive **15-6-0**; Re-referred to House Rules

Description: Creates the Employee Paid Health Care Time Act to require any employer employing one or more individual to provide paid health care time, accruing at a rate of one hour for every 22 hours worked for an employer with 50 or more employees and at a rate of one hour for every 40 hours worked for an employer with fewer than 50 employees.

Position Paper on HB 3297

2015 Key Legislation

Bill: SB 162

Sponsor: Sen. Raoul and Speaker Madigan

Position: Oppose

Status: Passed Senate **36-19-1**; Referred to House Rules

Description: Senate Democrat proposal that codifies the current "any cause" standard meaning an employer is responsible for 100% medical care and loss wages even if the workplace is as

little as 1% the cause of the injury. No meaningful cost savings are proposed and in fact employers could experience higher workers' compensation costs if this legislation were to become law.

Chamber Position Paper

Bill: SB 1836 // SB 2147

Sponsor: Sen. Hutchinson (both bills)

Position: Opposed (both bills)

Status: Referred to Senate Assignments // Assigned to Senate Executive Committee

Description: SB 1836 and SB 2147 require all Illinois employers to provide an hour of paid sick leave for every 30 hours worked by an employee, for full-time and part-time workers, up to 7 paid sick days per year.

Chamber Position Paper

Bill: SB 1238

Sponsor: Sen. Harris

Position: Opposed

Status: Referred to Senate Assignments

Description: SB 1238 requires Illinois employers to expand FMLA rights in two ways: employee care of a grandparent and to grandparents without in loco parentis status to care for a grandchild. SB 1238 creates a new cause of legal action against an Illinois employer. Illinois employers already face a myriad of laws that can destroy their business. To successfully defend itself against frivolous lawsuits, small businesses spend tens of thousands of dollars in legal fees.

Chamber Position Paper

Bill: HB 1285

Sponsor: Rep. Hoffman and Sen. Link

Position: Support

Status: Signed into Law...**P.A. 99-0488**

Description: Unemployment Insurance changes agreed to by business & organized labor

Unemployment Insurance Issue Paper

Bill: HB 1287

Sponsor: Speaker Madigan and President Cullerton

Position: Opposed

Status: Passed the House **63-49-4**; Referred to Senate Assignments

Description: The amendments encompass the Democrats' workers' compensation proposal. It does not move the needle forward and could lead to higher workers' compensation costs for the business community.

- **HA#4** regulates workers' compensation insurance premiums
- **HA#5:** codifies the "any cause standard" and "traveling employee" definition established by the Illinois Courts
- **HA#6:** for benefits in connection with repetitive or cumulative injury resulting from employment with more than one employer, the employer liable for award or its insurer

is entitled to contributions or reimbursement from each of the employee's prior employers or insurers

- **HA#7:** requires Department of Insurance collection of self-insured data and creates a workers' compensation insurance premium task force.

Chamber Position Paper

Bill: **HB 4248 // SB 2154**

Sponsor: Rep. Durkin // Sen. Radogno

Position: Support

Status: Referred to House Rules/Referred to Senate Assignments

Description: Amends the Workers' Compensation Act. HB 4248/2154 is the latest of Gov. Rauner's Turnaround Agenda. The legislation contains similar components to previous workers' compensation legislation that has been introduced this session, including: a causation standard, traveling employee definition, employer credits, AMA guidelines, a fee schedule reduction, an ombudsman program, a WEAR Commission, improving technology at the Illinois Workers' Compensation Commission (IWCC), and moving the Fraud Investigation Unit from the Department of Insurance to the IWCC.

Chamber Position Paper

ENVIRONMENT & ENERGY

2016 Key Legislation

Bill: **SB 2180**

Sponsor: Sen. Rose

Status: Re-referred to Senate Assignments

Position: Oppose

Description: Requires the IEPA to randomly sample the upgradient and downgradient monitoring wells near any landfill that is located above an aquifer designated as a sole source aquifer by the United States Environmental Protection Agency at least 6 times a year.

Bill: **SB 2181**

Sponsor: Sen. Rose

Status: Re-referred to Senate Assignments

Position: Oppose

Description: Requires the IEPA to create a statewide directory of landfills, active or inactive, located within the State. The directory will be posted to the Agency's website.

Bill: **SB 2182**

Sponsor: Sen. Rose

Status: Re-referred to Senate Assignments

Position: Oppose

Description: Requires owners of landfills located above USEPA designated sole source aquifers

to make available, upon request, copies of manifests of all waste, other than municipal solid waste, received at the landfill in the 2 years.

Bill: SB 2814

Sponsor: Sen. Rose and Rep. Rita

Status: P.A. 99-0906

Position: Oppose

Description: SB 2814 creates a Zero Carbon Emissions Standard in Illinois that would provide a subsidy for two nuclear facilities in Illinois that have been deemed non-competitive. It would also provide for increasing energy efficiency programs, expanding the Renewable Portfolio Standard, and expands micro-grids.

Bill: HB 4656

Sponsor: Rep. Mussman

Status: Re-referred to House Rules

Position: Oppose

Description: Re-connection of Gas Services – provides that a disconnected natural gas customer who remedies the reason for the disconnection and is not required by the utility to provide information as a new applicant shall be reconnected within three days.

Bill: HB 4969 // SB 2551

Sponsor: Rep. Meier // Sen. Righter

Status: Re-referred to House Rules // Assigned to Senate Energy and Public Utilities Subcommittee

Position: Oppose

Description: Utilities – Expedited Procedures – provides that the fast track action by ICC on transmission line locations cannot take place on lines longer than 25 miles (on private property). Larger projects must use the regular multi-year process at ICC. Changes the time period for eminent domain filings at the ICC to 365 days instead of 45 days. Only applies to future projects.

Bill: HB 5578

Sponsor: Rep. Fine

Status: Re-referred to House Rules

Position: Oppose

Description: Provides that, on and after January 1, 2017, no person may knowingly cause or allow sale at wholesale or retail of a coal tar sealant product.

Bill: HB 5718

Sponsor: Rep. Andrade

Status: Re-referred to House Rules

Position: Oppose

Description: EPA Oil Spills – regarding discharge of oil or hazardous substances from a pipeline into, upon, or so as to threaten waters of the State.

Bill: SB 2920

Sponsor: Sen. Hutchinson and Rep. Tabares

Status: Passed Both Houses

Position: Neutral

Description: As passed this bill expands the Illinois Environmental Justice Commission to include members of the business community and labor, and quantifies the number of community members the Governor can appoint to the Commission. The bill no longer includes provisions on the EJC's role in the state implementation plan of the Clean Power Plan and will not include representation of the ICC, IPCB, and the IPA. The Chamber opposed those provisions and worked with the sponsor to remove them from the bill.

Bill: HB 6032 // SB 2810

Sponsor: Rep. Tryon // Sen. Haine

Status: Re-referred to House Rules // Placed on Senate 3rd Reading

Position: Support

Description: Provides that "waste" does not include steel slag products. Defines "steel slag products".

Bill: HB 6165

Sponsor: Rep. McAsey

Status: Re-referred to House Rules

Position: Oppose

Description: Gas Pipeline Safety – requires that companies involved in the transportation of gas or owns and operates pipeline facilities shall procure liability insurance with a \$100 million limits and \$25 million in environmental impairment liability insurance

Bill: HB 6321 // SB 2770

Sponsor: Rep. Gordon-Booth // Sen. Koehler

Status: Passed House **114-0-0**; Assigned to Senate Environment and Conservation // Placed on Senate 3rd Reading

Position: Support

Description: Provides that accreditation is not required for facilities that place cathode ray tube glass in storage cells for future retrieval. Prohibits an organization that accredits facilities pursuant to this Section from penalizing or taking other negative actions against any recycler, refurbisher, or collector of CEDs and EEDs based on the recycler's, refurbisher's or collector's use of a facility that places CRT glass in storage cells for future retrieval in accordance with specified provisions in this Act.

2015 Key Legislation

Bill: SB 451

Sponsor: Sen. Kotowski

Status: Referred to Senate Assignments

Position: Oppose

Description: SB 451 creates the earthquake zone investigative task force and directs the Department of Natural Resources to suspend the acceptance or approval of all new or modified

permits and waste management plans for high volume horizontal fracturing wells and operations, horizontal wells with fracturing operations, and Class II injection wells located in any county that wholly or partially contain specified faults, folds and anticlines.

Bill: **SB 1202 // HB 3096**

Sponsor: Sen. Morrison // Rep. Conroy

Status: Referred to Senate Assignments // Referred to House Rules

Position: Oppose

Description: SB 1202 bans new permits for surface extraction activities on lands owned by the Department of Natural Resources or the federal government. It prohibits the Department of Natural Resources from entering into contracts in writing designating any person as the permittee of the State of Illinois with the exclusive right to prospect and explore public lands of the State of Illinois for the occurrence of petroleum.

Bill: **SB 1485 // HB 2607**

Sponsor: Sen. Don Harmon // Rep. Elaine Nekritz

Status: Assigned to Senate Assignments // Referred to House Rules

Position: Oppose

Description: SB 1485 and HB 2607 were proposed by the clean jobs coalition to address concerns with the procurement process for renewable energy and expand renewable energy and energy efficiency goals for the state as well as address upcoming federal clean air act standards through a "cap and invest" proposal.

Bill: **SB 1585 // HB3293**

Sponsor: Sen. Donne Trotter // Rep. Lawrence Walsh, Jr.

Status: Referred to Senate Assignments // Referred to House Rules

Position: Under Review

Description: HB 3293 and SB 1585 backed by Exelon to create a Low Carbon Portfolio Standard in an effort to prevent the closure of three of its nuclear generating units in Clinton, Byron and the Quad Cities that the company claims would continue be unprofitable.

Bill: **SB 1672**

Sponsor: Sen. Rezin

Status: Signed Into Law; **P.A.99-0463**

Position: Support-**Chamber initiative**

Description: The bill requires the Pollution Control Board to adopt rules for a state implemented program for Prevention of Significant Deterioration Permits – which are necessary for new plant construction or major expansions of existing facilities in attainment areas. The attainment areas in Illinois are generally our downstate communities outside the Chicago and metro-east areas of the state.

PSD One-Sheet

Bill: **SB 1879 // HB 3328**

Sponsor: Sen. Lightford // Rep. Rita

Status: Referred to Senate Assignments // Referred to House Rules

Position: Under review

Description: HB 3328 and SB 1879 a utility of the future proposal supported by ComEd that includes microgrids, community solar projects, electric vehicle charging stations, voltage optimization, \$50 million in customer assistance, and a new rate structure in which residential customers' bills would be based on their peak demand instead of overall consumption.

Bill: **HB 1326**

Sponsor: Rep. Ammons // Sen. Bennett

Status: Signed Into Law; **P.A.99-0365**

Position: Neutral as Amended

Description: HB 1326 amends the Environmental Protection Act to prohibit the disposal of certain manufactured gas plant waste and PCB waste in any landfill whose runoff goes into the Mahomet Aquifer. In doing so, this bill takes the extraordinary step of voiding permits that have been granted by the Illinois EPA, forcing municipal solid waste and special waste landfills across Illinois to cease certain disposal operations, and legislatively reverses existing regulations enacted by the Illinois Pollution Control Board that mirror U.S. EPA regulations, which have been on the books for over a decade.

Bill: **HB 1807**

Sponsor: Sen. Haine

Status: Referred to Senate Assignments

Position: Support-**Chamber initiative**

Description: Would consolidate asbestos regulation and inspections within the Illinois EPA. It transfers all asbestos-related regulatory activities from the Department of Public Health to the Illinois EPA. The purpose of this bill is to eliminate duplicative oversight by two different agencies and, thereby, create more productive and efficient government.

Bill: **HB 3341**

Sponsor: Rep. Tryon and Sen. McConnaughay

Status: Signed Into Law; **P.A.99-0380**

Position: Support-**Chamber initiative**

Description: This initiative would make the Illinois Air Permit Program fully consistent with Title V in the federal Clean Air Act which excludes internal combustion engines used for transportation purposes, nonroad engines, and nonroad vehicles from the definition of "stationary source." Illinois law has long been inconsistent with the federal law, leading to situations in which businesses were told by the state regulatory agency they needed to obtain permits that were not required under federal law. This legislation removes any confusion regarding the need to obtain an air permit. Nonroad engines would still be required to comply with applicable air emission regulations.

Fact Sheet

Bill: **HB 4020**

Sponsor: Rep. Mautino

Status: Referred to House Rules

Position: Support-**Chamber initiative**

Description: Allows more businesses to participate in the Illinois EPA's Registration of Smaller Sources program so they can operate and conduct new construction without obtaining permits. The legislation also expands the number and types of general permits the Illinois EPA allows and directs the Illinois EPA to adopt more permits by rule which would allow the agency to dedicate resources and devote their energy and talents to more specific individual permits. By streamlining the permitting process, Illinois businesses will be able to maneuver through the regulatory scheme of permitting more effectively and efficiently and the Illinois EPA will be able to commit resources to areas that are in need of additional attention and focus.

FINANCIAL SERVICES

2016 Key Legislation

Bill: [**SB 2865**](#)

Sponsor: Sen. Collins

Status: Placed on Senate 2nd Reading

Position: Oppose

Description: Creates the Small Business Lending Act which requires certain lenders to small businesses to obtain a license from DFPR. The bill imposes certain disclosures and reporting requirements and essentially applies a payday loan database to an installment loan product. This will restrict the ability of small business owners to use on-line lenders if they so choose to do so and dry up capital.

Bill: [**HB 106**](#)

Sponsor: Rep. Flowers

Status: Re-referred to Rules

Position: Oppose

Description: This bill would create a Financial Transaction Tax Act. As currently drafted, the tax would be imposed retroactively, beginning September 1, 2015. The bill imposes a tax on the privilege of engaging in a financial transaction on any of the following exchanges or boards of trade: the Chicago Stock Exchange, the Chicago Mercantile Exchange, the Chicago Board of Trade, and the Chicago Board Options Exchange. The tax is imposed at a rate of \$1 per contract for all transactions for which the underlying asset is an agricultural product and \$2 per contract for all other contracts. Provides that the term "financial transaction" means a transaction involving the purchase or sale of a stock contract, futures contract, swap contract, credit default swap contract, or options contract, but does not include a transaction involving securities held in a retirement account or a transaction involving a mutual fund.

[Chamber's Written Testimony on HB 106 \(5/26/2016\)](#)

Bill: [**HR 1092**](#)

Sponsor: Rep. Flowers

Status: Resolution Adopted

Position: Oppose

Description: Urges reinstatement of the repealed Glass-Steagall Act, a Depression-era banking law enacted in 1933. The resolution also urges Congress to enact an "American Recovery" agenda that would return the United States to a government-run "national banking and federal credit system, modeled on the principles of Alexander Hamilton's First Bank of the United States."

2015 Key Legislation

Bill: [**HB 107**](#)

Sponsor: Rep. Mary Flowers

Position: Opposed

Status: Referred to House Rules

Description: Creates the Community Bank of Illinois.

GAMING

2016 Key Legislation

Bill: [**HB2939**](#)

Sponsor: Rep. Rita

Status: Re-referred to House Rules

Position: Oppose

Description: Authorizes the Illinois Gaming Board to conduct gambling operations on a riverboat or in a casino, through a licensed manager, within the City of Chicago.

Bill: [**HB 3564**](#)

Sponsor: Rep. Rita

Status: Re-referred to House Rules

Position: Oppose

Description: Amends the Illinois Horse Racing Act of 1975 and the Riverboat Gambling Act to authorize electronic gaming at race tracks.

Bill: [**HB 3655**](#)

Sponsor: Rep. Zalewski and Sen. Raoul

Status: Re-refered Passed Senate [**32-22-1**](#); Placed on House Concurrence

Position: Oppose

Description: Creates the Fantasy Sports Contest Act to provide regulation of companies providing access to paid fantasy sports contests and protect Illinois consumers who play paid fantasy sports contests for prizes from unfair acts and practices that may arise in the gaming process.

[**Position Paper on HB 3655**](#)

Bill: [**HB 4200**](#)

Sponsor: Rep. Zalewski

Status: Referred to House Rules

Position: Oppose

Description: Creates the Daily Fantasy Sports Regulation Act. Contains only a short title provision.

Bill: [HB 4323](#)

Sponsor: Rep. Zalewski

Status: Re-referred to House Rules

Position: Oppose

Description: Creates the Fantasy Sports Contest Act to provide regulation of companies providing access to paid fantasy sports contests and protect Illinois consumers who play paid fantasy sports contests for prizes from unfair acts and practices that may arise in the gaming process.

HEALTHCARE

2016 Key Legislation

Bill: [SB 2744](#)

Sponsor: Sen. Harmon

Status: Re-referred to Senate Assignments

Position: Opposed

Description: SB 2744 proposes the repeal of Part 21 of Article VIII of the Code of Civil Procedure. Part 21 provides that all information, including third party confidential assessments of a health care practitioner's professional competence used in the course of internal quality control, or of a medical study for the purpose of reducing morbidity or mortality, or for improving patient care or increasing organ and tissue donation, shall be privileged, strictly confidential. Part 21 also provides that this information is not discoverable in litigation or admissible in court and a disclosure of this information, whether proper or improper does not waive this limitation.

Position Paper on SB 2744

Bill: [HB 108](#)

Sponsor: Rep. Flowers

Status: Re-referred to House Rules

Position: Opposed

Description: Creates the Illinois Universal Health Care Act. All individuals in Illinois would be covered under the Illinois Health Services Program for health insurance. The bill sets forth health coverage benefits that participants are entitled to under the program and provides that it is unlawful for private health insurers to sell coverage that duplicates the program. Makes investor-ownership of health delivery facilities unlawful.

Bill: [HB 4554](#)

Sponsor: Rep. Flowers and Sen. Link

Status: Signed by the Governor; Public Act 99-772

Position: Neutral with House Floor Amendment No. 4

Description: HB 4554 mandates coverage for pre-exposure prophylaxis and related pre-exposure prophylaxis services, including HIV and sexually transmitted infection screening, treatment for sexually transmitted infections, medical monitoring, assorted labs, and counseling to reduce the likelihood of HIV infection among individuals who are not infected with HIV but who are at high risk of HIV infection. House Floor Amendment 4 eliminates the insurance mandate upon individual or group policies, leaving only the changes to the Public Aid Code.

Bill: [HB 5591](#)

Sponsor: Rep. Lang

Status: Re-referred to House Rules

Position: Opposed

Description: HB 5591 contains a comprehensive, broad and burdensome regulation of Pharmacy Benefit Managers (PBMs).

Bill: [HB 5750](#)

Sponsor: Rep. Harris

Status: Re-referred to House Rules

Position: Opposed

Description: HB 5750 imposes a 1% assessment on every carrier or third-party administrator's paid claims.

[Position Paper on HB 5750](#)

2015 Key Legislation

Bill: [SB 455](#)

Sponsor: Sen. Munoz and Rep. Acevedo

Status: Signed Into Law; [P.A. 99-0200](#)

Position: Support

Description: SB 455 provides a clear pathway to allow pharmacists to dispense biologic medications to patients by substituting an FDA approved interchangeable biologic for a prescribed biologic product.

[Chamber One-Sheet](#)

Bill: [SB 1700](#)

Sponsor: Sen. Harmon

Status: Referred to Senate Assignments

Position: Oppose

Description: SB 1700 proposes the repeal of Part 21 of Article VIII of the Code of Civil Procedure. Part 21 provides that all information, including third party confidential assessments of a health care practitioner's professional competence used in the course of internal quality control, or of a medical study for the purpose of reducing morbidity or mortality, or for improving patient care or increasing organ and tissue donation, shall be privileged, strictly confidential.

Part 21 also provides that this information is not discoverable in litigation or admissible in court and a disclosure of this information, whether proper or improper does not waive this limitation.

Bill: [HB 1](#)

Sponsor: Rep. Lang and Sen. Kotowski

Status: Signed Into Law; [P.A. 99-0480](#)

Position: Support

Description: HB1 is a comprehensive package aimed at curbing opioid and heroin abuse and increasing prevention efforts. In particular, the Chamber supports the enhancements of the Prescription Monitoring Program (PMP), the establishment of a drug take-back program, and the increase in early education. HB 1 will assist in preventing inappropriate access to prescription drugs, the consequences of which results in opioid drug-related dependence. These provisions are helpful for purposes of maintaining a drug-free workplace.

Bill: [HB 120](#)

Sponsor: Rep. Flowers

Status: Referred to House Rules

Description: Mandates coverage for intravenous feeding and for nutritional supplements.

Bill: [HB 122](#)

Sponsor: Rep. Flowers

Status: Referred to House Rules

Description: Mandates coverage for intravenous feeding and for nutritional supplements.

PENSIONS

None

PROCUREMENT

2016 Key Legislation

Bill: [SB 2873](#)

Sponsor: Sen. Rezin

Status: Assigned to Senate Subcommittee on Procurement

Position: Support — **Chamber Initiative**

Description: SB 2873 streamlines and updates the state procurement process, improves efficiencies and improves vendor communications while putting into place compliance safeguards for vendors. The goal is to improve state-vendor interaction and opportunities while ensure that the state receives the best return on every dollar spent.

Position Paper on SB 2873

2015 Key Legislation

Bill: **HB 2669**

Sponsor: Rep. Ken Dunkin

Status: Referred to House Rules

Position: Oppose

Description: HB 2669 requires each vendor who contracts with state or local governments to submit workforce diversity reports, which shall include a list of all employees' racial and ethnic background and position within the company. Vendors must then follow-up with reports stating the total time the vendor worked on the contract; the racial and ethnic background of each employee; and the amount of time spent by each employee to work on the performance of the contract. The Chamber opposes the bill due to the burdensome reporting requirements.

III. Chamber and Chicagoland Chamber Position Paper

Bill: **HB 3438**

Sponsor: Rep. Mike Smiddy/Sen. David Koehler

Status: Passed the House **70-42-0**/ Assigned to Senate Labor

Position: Opposed

Description: HB 3438 requires all vehicles purchased by the state of Illinois must be assembled in the United States or Canada. It limits choices available to state agencies and also drives up the cost of vehicles purchased by the state. American and Illinois manufacturers and suppliers – who sometimes provide more than half of the parts for vehicles not made in the U.S. or Canada – would be harmed by this legislation as more than 100 Illinois manufacturing companies produce parts for vehicles assembled outside the U.S.

TAXES

2016 Key Legislation

Bill: **SB 2148**

Sponsor: Sen. Hutchinson

Status: Re-referred to Senate Assignments

Position: Oppose

Description: This bill amends the Illinois Income Tax Act to decouple from the federal domestic production activities deduction allowed under Section 199 of the Internal Revenue Code. The legislation also changes the definition of "unitary business group" to eliminate the long-standing provision of current law that businesses with differing statutory apportionment formulas may not be members of the same unitary business group – the "noncombination rule." The bill would also repeal the foreign dividend deduction. The legislation has an immediate effective date and applies to tax years ending on or after December 31, 2015.

Bill: **SB 2309**

Sponsor: Sen. Althoff

Status: Referred to Senate Assignments

Position: Support – **Chamber Initiative**

Description: Amends the False Claims Act to correct abuses under current law. Under current law, private parties may bring lawsuits against any other party alleging a failure to properly charge and collect taxes. The IFCA exempts the Illinois Income Tax Act from such suits, but all other taxes remain subject to the IFCA. SB 2309 creates a new procedure for reporting “false claims” relating to tax matters to the Illinois Department of Revenue (the “IDOR”) and eliminates the ability of private parties to file lawsuits directly against other parties in the circuit courts. Adoption of this legislation will eliminate the current rash of abusive private enforcement actions, while preserving the true intent of the law.

Position Paper for SB 2309

Bill: SB 2511

Sponsor: Sen. Nybo

Status: Re-referred to Assignments

Position: Support — **Chamber Initiative**

Description: Eliminates the “throwback” rule from the Illinois Income Tax Act (“IITA”) that taxes Illinois companies on sales made to other states.

Position Paper on SB 2511

Bill: SB 2748

Sponsor: Sen. McConnaughay

Status: Assigned to Senate Revenue Subcommittee on Special Issues

Position: Support — **Chamber Initiative**

Description: Authorizes businesses to sell or transfer excess EDGE credits.

Position Paper on SB 2748

Bill: SB 2786

Sponsor: Sen. Link

Status: Re-referred to Assignments

Position: Support — **Chamber Initiative**

Description: Creates a sales and use tax exemption for tangible personal property used in the construction or operation of a new or existing data center.

Position Paper on SB 2786

Bill: SB 2904

Sponsor: Sen. Brady

Status: Assigned to Senate Revenue Subcommittee on Special Issues

Position: Support — **Chamber Initiative**

Description: Extends the sunset (expiration) date of the expanded temporary storage exemption from the sales and use taxes.

Position Paper on SB 2904

Bill: SB 2921

Sponsor: Sen. Hutchinson and Rep. Zalewski

Status: Passed Senate 58-0-0; Assigned to House Executive

Position: Support — **Chamber Initiative**

Description: Amends the Uniform Penalty and Interest Act to automatically rescind underpayment penalties on taxpayers that are more than 95% compliant.

Position Paper on SB 2921

Bill: SB 3009

Sponsor: Sen. Weaver

Status: Assigned to Senate Subcommittee on Tax Credits

Position: Support — **Chamber Initiative**

Description: Replaces the EDGE credit with a new Business and Employment Development Tax Credit.

Position Paper on SB 3009

Bill: HJRCA 59

Sponsor: Rep. Mitchell

Status: Re-referred to House Rules

Position: Oppose

Description: Amends the Revenue Article of the Illinois Constitution to remove the prohibition against a graduated income tax. Authorizes the imposition of a graduated income tax on individuals and corporations. This proposed amendment retains the 8 to 5 ratio between corporations and individuals, although it is unclear how this limitation would be implemented in a graduated tax rate environment.

Bill: HJRCA26

Sponsor: Speaker Madigan

Status: Failed on 3rd Reading **68-47-0**

Position: Opposed

Description: Provides an additional 3% income tax shall be imposed on individual's income that is greater than \$1 million for the taxable year. The collected revenue from the tax is to be distributed to school districts on a per pupil basis.

Bill: HB 106

Sponsor: Rep. Flowers

Status: Re-referred to Rules

Position: Oppose

Description: This bill would create a Financial Transaction Tax Act. As currently drafted, the tax would be imposed retroactively, beginning September 1, 2015. The bill imposes a tax on the privilege of engaging in a financial transaction on any of the following exchanges or boards of trade: the Chicago Stock Exchange, the Chicago Mercantile Exchange, the Chicago Board of Trade, and the Chicago Board Options Exchange. The tax is imposed at a rate of \$1 per contract for all transactions for which the underlying asset is an agricultural product and \$2 per contract for all other contracts. Provides that the term "financial transaction" means a transaction involving the purchase or sale of a stock contract, futures contract, swap contract, credit default swap contract, or options contract, but does not include a transaction involving securities held in a retirement account or a transaction involving a mutual fund.

Chamber's Written Testimony on HB 106 (5/26/2016)

Bill: HB 293

Sponsor: Rep. W. Davis

Status: Assigned to House Revenue and Finance

Position: Oppose

Description: House Committee Amendment No. 1 includes provisions which would increase the corporate income tax rate to 6%, eliminate the rolling stock exemption from the sales tax for purchases for transportation equipment, eliminate the Manufacturing Machinery Equipment Exemption, change the way in which the income of multi-state companies is apportioned to Illinois, decouple from the federal domestic production activities deduction, and would impose burdens on the airline industry.

Bill: HB 5554

Sponsor: Rep. Batinick

Status: Referred to House Rules

Position: Support — **Chamber Initiative**

Description: Reinstates the Certified Audit Pilot Program.

Position Paper on HB 5554

Bill: HB 5563

Sponsor: Rep. Williams

Status: Re-referred to House Rules

Position: Support — **Chamber Initiative**

Description: Eliminates any Social Security number requirement for Illinois Department of Revenue ("IDOR") registration by responsible officers of publicly-traded companies.

Position Paper on HB 5563

Bill: HB 5634

Sponsor: Rep. Wheeler

Status: Referred to House Rules

Position: Support — **Chamber Initiative**

Description: Expands the Manufacturing Machinery and Equipment exemption to include "production-related tangible personal property formerly subject to the manufacturers' purchase credit.

Position Paper on HB 5634

Bill: HB 5659

Sponsor: Rep. K. Wheeler

Status: Referred to House Rules

Position: Support — **Chamber Initiative**

Description: Reinstates the Research and Development Illinois income tax credit and make the credit permanent.

Position Paper for HB 5659

Bill: [HB 5716](#)

Sponsor: Rep. Zalewski

Status: Referred to House Rules

Position: Support — **Chamber Initiative**

Description: Reinstates the graphic arts machinery and equipment exemption from Illinois sales and use taxes. Expand the statutory definitions of manufacturing machinery and equipment and graphic arts machinery and equipment to include production-related property as exempt from sales and use taxes.

[Position Paper on HB 5716](#)

2015 Key Legislation

Bill: [SB 1202](#) // [HB 3096](#)

Sponsor: Sen. Morrison // Rep. Conroy

Status: Referred to Senate Assignments // Re-referred to House Rules

Position: Opposed

Description: SB 1202 bans new permits for surface extraction activities on lands owned by the Department of Natural Resources or the federal government. It prohibits the Department of Natural Resources from entering into contracts in writing designating any person as the permittee of the State of Illinois with the exclusive right to prospect and explore public lands of the State of Illinois for the occurrence of petroleum.

Bill: [SB 1573](#)

Sponsor: Sen. Haine and Rep. Durkin

Status: Passed Senate [54-0-0](#); Referred to House Rules

Position: Support

Description: As amended, this bill amends the Insurance Code to provide that the tax imposed on industrial insureds' contracts of insurance by P.A. 98-978 will not apply to captive insurance companies. P.A. 98-0978 passed under the radar last session without an understanding of the tax impact of the changes and Governor Quinn signed the language into law despite a request for a veto of the legislation by the original sponsor. The Chamber supported this legislation which passed the Senate unanimously. The bill never made it out of the House Rules Committee for consideration by the House.

[Position Paper on SB 1573](#)

Bill: [SB 1660](#)

Sponsor: Sen. McConaughay

Status: Referred to Senate Assignments

Position: Support — **Chamber initiative**

Description: Focuses on the EDGE Credit sale or transfer. The EDGE credit is a credit against the Illinois Income Tax Act awarded for a combination of investment and new job creation in Illinois. This legislation provides that a company that is unable to use the credit against its own income taxes because it has no income may sell or transfer the credit to another company. Currently, in most cases if a company awarded an EDGE credit has no taxable income for the year for which the credit is awarded, it is unable to use the credit in that year. The credit

may be carried forward to the next five tax years, but if it is not used during that period, it expires.

Bill: SB 1682

Sponsor: Sen. T. Cullerton

Status: Referred to Senate Assignments

Position: Opposed

Description: Provides that not less than 75% of the amounts collected by a municipality within DuPage County pursuant to the municipal hotel operators' occupation tax and municipal hotel use tax shall be used to promote tourism within that municipality. Provides that the remainder of the amounts collected may be used by the municipality for economic development or capital infrastructure. Sunset of December 31, 2016.

Bill: SB 1828

Sponsor: Sen. Althoff

Status: Referred to Senate Assignments

Position: Support — **Chamber initiative**

Description: Amends the False Claims Act to provide that only the Attorney General and not private parties has the authority to file a civil action in court regarding sales and excise taxes administered by the IDOR. Only the IDOR has the authority to file an administrative action regarding taxes it administers. The bill contains provisions authorizing the payment of rewards who provide information that leads to recovery of funds by the Illinois Attorney General or the department.

Bill: HB 1352

Sponsor: Rep. Hoffman

Status: Referred to House Rules

Position: Support

Description: Amends the Property Tax Code to allow that property with a petroleum refinery in a county of fewer than 1,000,000 people can be subject to a real property tax assessment settlement if litigation involved the assessed valuation as of Jan. 1, 2003. Provides that wind turbines and ethanol producing facilities are not pollution control devices. Companion bill is **SB 741** by Sen. William Haine

Bill: HB 2667 // SB 1584

Sponsor: Rep. Gabel // Sen. Hunter

Status: Referred to House Rules // Referred to Senate Assignments

Position: Opposed

Description: SB 1584 and HB 2667 would impose a punitive tax on sugar-sweetened beverages, like sports drinks, juice drinks, teas and soda.

Bill: HB 3110

Sponsor: Rep. Lang

Status: Referred to House Rules

Position: Opposed

Description: HB 3110 creates special local sales tax sourcing rules for sales of fuel and petroleum products to operators of aircraft. Unlike all other sales which are sourced based on the location of the seller's selling activities, these sales would be sourced to the location of the aircraft. Amending the law on sourcing of sales by a limited group of sellers of a limited group of products, to a limited group of purchasers at a limited number of locations would violate the Uniformity clause of the Illinois Constitution.

Bill: **HB 3888**

Sponsor: Rep. Wheeler

Status: Referred to House Rules

Position: Support — **Chamber initiative**

Description: Addresses the sunset of the Manufacturers' Purchase Credit (MPC) by modifying the definition of manufacturing machinery and equipment to include production-related tangible personal property used in a manufacturing operation. The MPC "sunset" by operation of law on Aug. 31, 2014. The MPC provided for a credit against sales tax on production-related property. This legislation modifies the definition of exemption manufacturing machinery and equipment to include production-related property as an alternative to reviving the MPC. Expansion of the exemption will be much easier to administer for taxpayers and the IDOR.