

FIRST READING

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Major bills passed by the Illinois General Assembly

This issue of *First Reading* summarizes selected bills as they passed both houses of the General Assembly and reports the Governor's action, if any, on each of them. A total of 699 bills passed both houses during the 2003 spring session. Pages 20 and 21 of this issue give Public Act numbers for bills that have been signed or have become law without the Governor's signature, and information on vetoes. Information on all bills of the session is available on the World Wide Web at:

<http://www.legis.state.il.us>

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ILLINOIS GENERAL ASSEMBLY LEGISLATIVE RESEARCH UNIT

Appropriations & State Budget

The state budget for fiscal year 2004, as passed by the General Assembly and before the Governor's vetoes, was a nominal \$66.26 billion. But after eliminating redundant appropriations for pensions, net appropriations are about \$60.4 billion—some 14.8% over last year's \$52.71 billion. General Revenue Fund appropriations rose 5.4%, from \$22.3 billion to \$23.5 billion; appropriations from other state funds and from federal funds rose 21.0%, from \$30.4 billion to \$36.8 billion. These amounts do not include the \$4.79 billion in capital projects included in S.B. 1239.

The largest departmental dollar increases were to the Departments of Public Aid (\$1.1 billion, 13.1%); Central Management Services (\$436.0 million, 14.6%); Corrections (\$296.2 million, 21.9%), Human Services (\$170.5 million, 3.5%); and Transportation (\$124.9 million, 1.5%).

The increase for the Department of Public Aid will allow it to fully fund the Medicaid program with most of the increase designated for reimbursements to hospitals and for prescription drugs. The increases to Central Management Services include more funding for the state employees' group insurance program. The Department of Human Services appropriation increases reflect a 4% inflation adjustment for mental health and development disabilities workers. The higher Corrections appropriation reflects Build Illinois bond money to build prisons at Grayville and Hopkins Park, but both were vetoed.

The Department of Children and Family Services funding decreased by \$18.6 million (-1.4%). This reflects the removal of general revenue funding for program development for the Most Troubled Kids program.

Elementary and secondary education gets a 61.0% increase of \$5.1 billion from all funds. Local education got a much larger share of the total state budget than last year (22.0% versus 15.6%; see Figure 1). Its share of General Revenue Fund spending also rose slightly, from 27.5% to 27.9%.

The statewide Foundation spending level per student for 2003-04 is \$4,810, up \$250. Increases in federal funds for education are due to the federal No Child Left Behind Act of 2001. Total FY 2004 appropriations for local public schools are \$13.3 billion. (This total excludes a duplicate appropriation for pensions.)

State college and university funding rose \$1.4 billion (43.7%) from \$3.1 billion to \$4.5 billion; the percentage of the state budget going to higher education also rose, from 5.9% to 7.4% (see Figure 1). But General Revenue Fund appropriations to higher education declined about 2.8%, and higher education's share of General Revenue Fund spending also declined, from 11.2% to 10.3%. (This total similarly does not include a duplicate appropriation for retirement pensions.)

Fiscal 2004 completes the 5-year, \$12 billion "Illinois FIRST" program to rebuild Illinois' infrastructure. Amounts reported appropriated to the Department of Transportation reflect both new appropriations and reappropriations for this program. But FY 2004 appropriations for the Road Program are actually only \$1.7 billion—down from \$2.3 billion in each of the four preceding years.

The General Assembly authorized sale of \$10 billion in general obligation bonds to make state contributions to the five state retirement systems.

Of those proceeds, \$300 million is for contributions to those systems for the last quarter of fiscal year 2003 and \$1.9 billion for fiscal year 2004; the remainder is to be invested. Normal pension contributions from the General Revenue Fund are to resume in fiscal year 2005. No other increases in general obligation or Build Illinois bonds were authorized.

The General Assembly appropriated \$277.5 million from the Tobacco Settlement Recovery Fund for: SeniorCare, \$149.4 million; the "circuit breaker" property tax relief and pharmaceutical assistance programs, \$82.5 million; tobacco prevention and control, \$15.9 million; medical research and treatment, \$18.7 million; VentureTECH, \$9 million; and senior help lines, \$2 million.

Total fiscal 2004 appropriations exceeded the Governor's budget recommendations by \$13.7 billion. New appropriations are \$55.4 billion. The remaining \$5.1 billion consists of reappropriations. (These numbers, from the Comptroller's office, differ slightly from the \$60.4 billion total shown earlier.) Actual reappropriations as of July 1, 2003 are slightly less due to funds spent between the time of the budget requests and the end of the fiscal year. □

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Veto Summary

The Governor issued item or reduction vetoes of agency budgets totaling \$9.188 billion.

Agency	Vetoed Amount
State Retirement Systems	\$7,624,129,050
Dept. of Transportation	812,780,287
Dept. of Corrections	229,160,704
Environmental Protection Agency	164,468,500
Dept. of Com. & Economic Opportunity	91,680,070
Dept. of Natural Resources	57,133,200
Higher Education	54,012,809
Secretary of State	50,069,115
Dept. of Human Services	29,328,912
Elementary & Secondary Education	21,006,050
Dept. of Central Management Services	20,000,000
Dept. of Revenue	10,554,335
Supreme Court	7,533,500
Dept. of Public Health	5,393,500
Comptroller	2,809,000

Agency

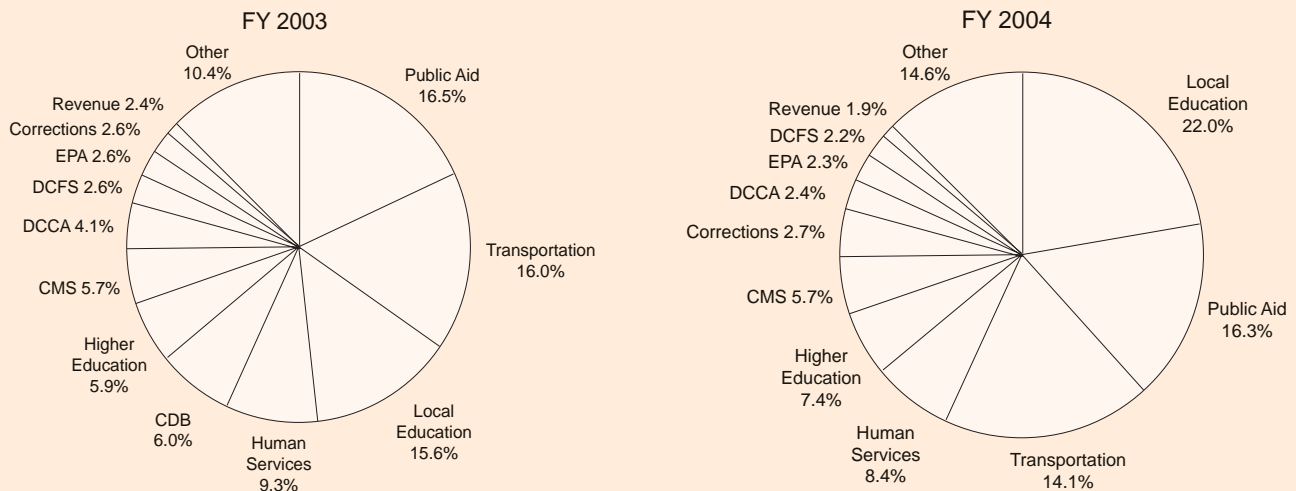
Vetoed Amount

Treasurer	\$2,466,000
Dept. of Public Aid	1,650,000
Attorney General	1,221,300
Illinois Commerce Commission	981,600
Dept. of State Police	565,100
Historic Preservation Agency	414,162
Illinois Labor Relations Board	354,300
Medical District Commission	347,589
Illinois Education Labor Relations Board	312,500
Rural Bond Bank	275,000
Dept. of Employment Security	213,942
Military Affairs	63,506
Dept. of Agriculture	6,400

The total state budget for fiscal year 2004, after all vetoes issued by early August, is \$49.56 billion. General Revenue Fund appropriations after vetoes are \$23.4 billion, down only \$172.3 million. Appropriations from other state funds and federal funds fell from \$42.7 billion to \$26.2 billion. The totals shown do not include the \$4.8 billion in capital projects included in S.B. 1239, still awaiting the Governor's action.

The fiscal 2004 budget was passed in 25 appropriation bills (not counting S.B. 1239). See p. 21 for a list of them.

Figure 1: Allocation of Appropriations by Program Area



Appropriations From All Funds (billions)

	FY 2003	FY 2004	Share of '04 total
Elementary & secondary education	\$8.2	\$13.3	22.0%
Public Aid	8.7	9.8	16.3
Transportation	8.4	8.5	14.1
Human Services	4.9	5.1	8.4
Higher Education	3.1	4.5	7.4
CMS	3.0	3.4	5.7
Corrections	1.4	1.6	2.7
DCEO (formerly DCCA)	2.3	1.4	2.4
Environmental Protection Agency	1.4	1.4	2.3
DCFS	1.4	1.4	2.2
Revenue	1.3	1.1	1.9
CDB	3.1	.01	0.0
All others	5.5	8.8	14.6
Total appropriations	\$52.7	\$60.4*	100.0%

* Total excludes duplicate appropriations for education pensions in two different bills.

Types of Actions Governor Can Take on Bills

The Illinois Constitution allows the Governor to make any of four kinds of vetoes: total, amendatory, item, or reduction. The following describes each kind of veto and legislative responses to it.

Total Veto

The Governor may reject an entire bill and return it to its house of origin. Overriding such a total veto requires the affirmative votes of at least three-fifths of the members elected to each house (71 in the House, 36 in the Senate). Unless a total veto is overridden, the bill dies.

Amendatory Veto

A Governor can return a bill "with specific recommendations for change" to its house of origin. Such an amendatorily vetoed bill is considered like a vetoed bill, except that each house can accept the Governor's recommendations by vote of a mere constitutional majority (60 in the House and 30 in the Senate). Thus if a bill is amendatorily vetoed, the General Assembly can do any of three things to it: (1) Override the veto by three-fifths vote in each house, enacting the bill as it originally passed the General Assembly. (2) Accept the Governor's recommendations and return the bill to the Governor for his certification that the acceptance conforms to his recommendations. (3) Do neither, in which case the bill dies.

Item and Reduction Vetoes

The Governor can cut line items, and/or reduce the amount of any line item, in an appropriation bill without vetoing the entire bill. The amounts not eliminated or reduced become law immediately when the Governor transmits his veto message. But the majorities needed to restore those amounts differ. If a line item is vetoed, a three-fifths majority in each house is needed to restore it. But if the item is merely reduced, it can be restored to its original amount by a mere constitutional majority in each house.

Business & Economic Development

The General Assembly voted to promote economic development in Western Illinois, and construction of clean-burning power plants for Illinois coal. The Department of Revenue will keep track of business incentives given and report on their results. Protections are added against securities fraud, grain-buyer insolvency, theft of credit and debit card numbers, and unsolicited advertising. The state's minimum wage will rise in two stages to \$6.50 per hour beginning in 2005.

Abuse Victims. *Employment leave.* Employers must allow victims of domestic or sexual violence (or family members of victims) up to 12 weeks of unpaid leave per year with medical benefits to seek medical care, counseling, or other services (H.B. 3486, Bailey-Mendoza-Washington-Dunkin-Yarbrough et al.—Obama-Martinez-Ronen-J.Collins et al.).

Insurance. Restrictions on denying coverage or charging different rates to abuse victims are extended to property and casualty insurance (H.B. 3547, Howard et al.—Hunter-Ronen-Martinez-Lightford et al.).

ATMs. *Link cards.* ATM operators cannot charge fees for using Link or other public aid cards (H.B. 467, Yarbrough-Washington-McGuire-O'Brien-Mendoza et al.—Obama-J.Collins-Harmon-Trotter-Hunter et al.).

Safety. ATMs may be programmed to allow users to alert police by entering their personal identification number digits in reverse order (S.B. 562, Link-Geo-Karis-Garrett-Peterson—Mathias-Washington-J.Lyons-L.Jones-M.Davis et al.).

Automobile Rentals. Car-rental companies, on request, must inform renters of estimated total rental costs including taxes (H.B. 44, J.Lyons-Capparelli-Miller-Washington-M.Davis et al.—Schoenberg).

Automobile Repair. A mechanic replacing a vehicle's dashboard may move its VIN plate to the new dashboard, but must notify the Secretary of State. The owner must then notify and have the vehicle inspected by the Department of State Police (H.B. 3106, Bassi-Black-Hoffman-Millner-J.Lyons—Rutherford).

Business Assistance. *Power plants.* The Illinois Development Finance Authority can sell \$300 million in bonds for building clean-coal power plants. Applicants for aid from the Department of Commerce and Economic Opportunity (DCEO) to build new power plants must provide verified information and revenue projections (H.B. 2866, Reitz-Granberg-Novak-Bost-Stephens et al.—Demuzio).

Small businesses. Each state agency must post laws and regulations affecting small businesses that it administers on a small business advisory Web page. DCEO will offer an access point for these pages (H.B. 3209, Mathias-Chapa LaVia-Aguilar-Coulson et al.—J.Sullivan-Althoff-Obama-Garrett et al.; S.B. 1133, Wojcik-B.Brady—Mathias-Nekritz-Flider-Aguilar-Moffitt et al.).

Tracking. Starting in 2005, the Department of Revenue will track and annually report to the General Assembly on all state business development assistance. Applicants must make extensive disclosures about their



operations. Recipients failing to meet state investment or employment requirements may have to repay grants (H.B. 235, Franks-Moffitt-Scully-Dunkin-Young et al.—Clayborne-Trotter-Obama-Harmon-Sandoval et al.).

Card Fraud Prevention. Starting in 2005, merchants may not print a credit or debit card account number (except the last four digits) or expiration date on a receipt—with an exception for imprinted or handwritten receipts (H.B. 259, Fritchey-Feigenholtz-Howard-Osterman-Hamos et al.—Silverstein).

Child Care. Persons convicted of any of a long list of crimes may not operate, work for, or live at child-care facilities. Some prohibitions may be waived if the crime is over 5 years old (10 for drug crimes) and DCFS does a background check (H.B. 59, Acevedo-Phelps-Hoffman-Forby-Fritchey et al.—Maloney-Munoz-Martinez et al.; S.B. 110, DeLeo-Garrett-Crotty et al.—Acevedo-Fritchey-Mendoza-Flowers-Ryg et al.).

Consumer Fraud and Deceptive Business Practices Act protections cannot be waived by consumers (H.B. 2441, Chapa LaVia-Brosnahan-Millner-McGuire-Washington et al.—Sandoval-Munoz-Martinez-J.Collins et al.).

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Business & Economic Development

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Consumer Installment Loans may be made for up to \$40,000 (now \$25,000) (H.B. 2543, J.Lyons-Capparelli-B.Mitchell-Mathias-Holbrook—Lightford-Rutherford).

E-mail Advertisements, if unsolicited, must begin with “ADV” (or if for adults only, “ADV:ADLT”). They must offer e-mail addresses or toll-free numbers for recipients to stop them. Advertisers may not transfer recipients’ e-mail addresses to others (H.B. 2972, Joyce-Froehlich-May-Nekritz-Feigenholtz et al.—Halvorson-Maloney-Garrett-Crotty-Harmon et al.; S.B. 611, Halvorson et al.—Reitz-McCarthy-Scully-Bailey-Howard et al.).

Employment. *Equal pay.* Employers, with some exceptions, are prohibited from paying different wages based on sex for the same or substantially similar jobs under similar conditions (S.B. 2, Ronen-Meeks-Martinez-Link-J.Collins et al.—Currie-Feigenholtz-Krause-Lindner-Soto et al.).

Language use. Employers may not prohibit employees from using a language they choose in non-work-related speech (S.B. 679, Sandoval-Obama—Acevedo-Fritchey-Berrios-Mendoza).

Minimum wage. The state minimum wage is raised to \$5.50 per hour in 2004 and \$6.50 in 2005 (S.B. 600, Lightford-Ronen-Trotter-Sandoval-Martinez et al.—Madigan-Currie-W.Davis-Acevedo-Osterman et al.).

Whistleblower protection. Employers may not bar workers from reporting perceived legal violations (unless that would violate attorney-client privilege), or require them to participate in unlawful activities. Violation is a

Class A misdemeanor and can support a civil suit by an employee (S.B. 1872, Garrett-Schoenberg-Trotter-Obama-J.Collins et al.—Fritchey-Joyce-Jakobsson-Slone-Smith et al.).

Enterprise Zones. DCEO can create one new enterprise zone per year from 2004 through 2008 (S.B. 133, Garrett-Link-Obama-J.Sullivan—Washington et al.).

Family-Friendly Employers can be recognized with awards from DCEO (S.B. 374, Hunter—Millner-Ryg-Kelly-Graham).

Film Production Incentive. Starting in 2004, DCEO may grant movie or television producers tax credits equaling 25% of their Illinois labor costs of up to \$25,000 per employee in Illinois (S.B. 785, Hendon-E.Jones-Harmon-Hunter-Link et al.—Dunkin-Granberg-Saviano-Molaro-Turner et al.).

Financial Institutions. Protections against predatory lenders are created for high-risk home loan borrowers. The types of financial instruments that can be used as collateral for invested public funds are expanded. Banks and savings banks may operate as limited liability companies (S.B. 1784, Link-Rutherford-J.Collins-Schoenberg-Lightford et al.—Currie-M.Davis-Black-Fritchey-Aguilar et al.).

Grain Farmers. Numerous changes are made to protect grain farmers from buyer insolvency. Requirements and penalties on licensed grain dealers and warehouses are strengthened (H.B. 1458, O’Brien-Lindner-Reitz-Moffitt-Smith et al.—Walsh-Welch-Halvorson-J.Sullivan et al.).

Heating Cutoff. Public utilities may not disconnect gas or electric service used for heating by Energy Assistance Act participants from December through March (S.B. 1330, J.Collins-

Geo-Karis-Sandoval-Trotter-Hunter—Chapa LaVia-Franks-Ryg-Joyce-Phelps et al.).

Insurance. Issuers of private policies on vehicles and dwellings will be restricted in how they can use credit information in underwriting starting in October. An insurer taking adverse action based on credit information must notify the insured or applicant, and explain the decision. (H.B. 1640, Osmond-Mautino-Parke-Yarbrough-Colvin et al.—Jacobs-Peterson-Harmon et al.).

Mail Solicitations asking recipients to call a phone number at which they will hear a sales pitch must so inform recipients (S.B. 329, Link-Obama-Martinez-J.Collins et al.—Washington-Kelly-Ryg-Miller et al.). (An identical 2002 bill was vetoed.)

Point-of-Sale Cost Disclosure. Electronic terminals used for point-of-sale purchases must notify users of any surcharges, and allow cancellation without penalty (H.B. 1150, Fritchey-Millner-Mendoza-Berrios-Miller et al.—Link).

Prevailing Wage Act. *Renewable fuels.* DCEO may grant a total of \$15 million per year to build or modify renewable fuel plants, with preference to plants using Illinois farm products. These projects will be subject to the Prevailing Wage Act. Maintenance and construction workers must be paid the same wage under the Act. Prevailing wages must be posted at each job site (H.B. 46, Reitz-Moffitt-O’Brien-Scully-Boland et al.—Walsh-J.Jones-Halvorson et al.).

Subcontracts. Holders of public contracts must require Prevailing Wage Act compliance in subcontracts. The contractor and subcontractors must keep records on each worker for 3 years (H.B. 3398, McGuire-Franks et al.—Walsh et al.).

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Civil Law

Legislators voted for safeguards against sales of personal information on children, and restrictions on removal of children from the state during custody disputes; a doubling of the size of estates that can be handled without formal administration; and a ban on inheriting from an elderly or disabled person after abusing, financially exploiting, or neglecting that person.

Adoption Intermediaries. Numerous changes are made in the Adoption Act's provisions on appointment of confidential intermediaries to exchange information between adoptees and their biological relatives (H.B. 2504, Feigenholtz-Sommer-Jakobsson-Scully et al.—Cullerton).

Children. Information privacy. The sale or purchase of personal information on a person known to be an unemancipated person under age 16 is prohibited. If a parent identifies a child to an information broker and asks that personal information on the child not be sold, the broker must stop doing so (S.B. 404, Schoenberg et al.—Nekritz-Colvin-Ryg-Graham-Kelly et al.).

Interstate custody enforcement. A new Uniform Child-Custody Jurisdiction and Enforcement Act replaces the current Uniform Child Custody Jurisdiction Act next January 1. It will control decisions on custody of children involved in multistate custody disputes (H.B. 1157, Hamos-May-Mathias—Silverstein-Martinez et al.).

Removing from state. An Illinois court may prohibit removal of a child from the state pending custody or visitation proceedings, with an exception if there is substantial evidence of abuse or stalking by the other parent (H.B. 1382, Fritchey-Mathias-Black—Garrett).

Support. The minimum “guideline” for support of two children is raised

from 25% to 28% of the supporter's net income (H.B. 2863, McCarthy-Bellock-E.Lyons-Hamos-Joyce et al.—Crotty et al.).

Estates. Abusers as heirs. A person convicted of financial exploitation, abuse, or neglect of an elderly or disabled person cannot inherit from the victim unless the victim knew of the conviction and clearly conveyed a desire that the convicted person inherit (H.B. 51, Lang-Kelly-Flider-Dunkin-Boland et al.—Silverstein-J.Collins et al.).

Small estates. Estates up to \$100,000 (now \$50,000) can have summary administration (S.B. 1347, Winkel—Mathias).

Flag Displays. Condominium boards, and homeowners' associations, may not prohibit proper displays of American or military flags in limited common areas, exteriors to an owner's unit, or a homeowner's property (S.B. 1147, Dillard-J.Sullivan-Obama et al.—Kosel-Verschoore-Joyce-Lindner-Bost et al.).

Gender-Related Violence. Victims of gender-related violence or sexual assault can seek civil remedies for 7 years afterward, and persons receiving threats of such acts can seek civil remedies for 2 years. A victim who was under 18 when the incident occurred can seek civil remedies for those numbers of years after turning 18 (H.B. 536, Cross-Lindner-

Coulson-E.Lyons-Moffitt et al.—Ronen-Geo-Karis-Link et al.).

Health-Care Liens. A new Health Care Services Lien Act replaces numerous individual acts on health-care liens. Total medical liens cannot exceed 40% of an award; provisions are made for allocating amounts if claims exceed that (S.B. 274, Cullerton et al.—Fritchey-Madigan-Turner). (Note: This act upon signing overrode H.B. 1205, Burke-S. Davis et al.—DeLeo-Cullerton, proposing a Naprapathic Lien Act.)

Mediation. The Uniform Mediation Act, effective next January 1, will protect against disclosure of statements made during mediation for dispute resolution. Union negotiations and some other kinds of mediation are excluded (H.B. 2146, Brosnahan-Mathias-Franks-Lang-Chapa La Via—Cullerton).

Medical Malpractice. Members of a hospital's medical staff who are not its actual or alleged agents may not communicate with its legal counsel or risk manager about a malpractice suit after the complaint has been served, except with patient consent or during discovery (S.B. 1414, Obama—Hamos).

Open Meetings. A public body may close a meeting to consider issues regarding employment of its legal counsel (S.B. 1204, Harmon-Lightford-Obama—Kelly-Biggins-Yarbrough-Colvin-Graham).

Sheriffs' Liability. Sheriffs are protected from civil liability for serving lawful warrants and other court orders, absent willful or wanton misconduct (S.B. 291, Shadid et al.—Mathias). □

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Criminal Law

The General Assembly voted to impose new safeguards on criminal investigations, interrogations, and prosecutions (especially in homicide cases); make it easier to prosecute or sue for sex crimes; and broaden protections against identity theft. Other laws will impose additional criminal penalties and restitution on operators of illegal drug labs; make it harder for criminals to buy firearms; and require police to record information about drivers they stop or ticket for a 3-year study period. Courts will require corporate officers or directors who engage in financial wrongdoing to pay damages into a fund for restitution to victims.

Academic Degree Fraud. Using false academic credentials, or forging them for profit, becomes a Class A misdemeanor (H.B. 1448, Eddy-Churchill-Mathias-Aguilar-Froehlich et al.—Righter).

Addicted Prisoners. A prisoner sentenced for a crime committed after the bill becomes law, resulting from use

or abuse of alcohol or a controlled substance, cannot get good-conduct credit without taking drug-abuse treatment if offered (S.B. 424, Lightford-J.Collins-Hunter et al.—Giles-Rose-Delgado-L.Jones-Bailey et al.).

Animals. Fight promotion. A person who promoted animal fights or depicted cruelty to animals cannot get



mere court supervision (S.B. 387, Haine-Viverito-Harmon et al.—Delgado-Feigenholtz-Bailey-Black et al.).

Forfeitures. Proceeds of, and property used for, illegal animal fighting (including real estate) can be forfeited to the governments that investigated and

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Business & Economic Development

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Securities Fraud. The Secretary of State can appoint special agents with police powers, limited to Illinois Securities Law investigation and enforcement. The Secretary of State, through the Attorney General, can seize assets if a court finds probable cause to believe they were obtained by securities fraud (S.B. 1865, Welch-Garrett-Obama—Molaro-Washington).

Slave Insurance. The Department of Insurance must seek and disclose information on policies issued by insurers on lives of slaves (H.B. 2379, M.Davis-Howard-Flowers-L.Jones-Yarbrough et al.—Trotter-J.Collins-Hunter et al.).

Telemarketing. Cancellation after trial. Telemarketers offering goods or services for free trials must send in-

voices that can be used to cancel service before charges begin (H.B. 1632, Soto-Yarbrough-Jakobsson-Kelly-Turner et al.—Martinez-Hunter-J.Collins-Radogno et al.).

“Do Not Call” registry. The national registry is adopted as Illinois’ registry, taking effect October 1, 2003 (H.B. 3407, Forby-Hoffman-Currie-Brosnahan-McCarthy et al.—Sieben-Obama-J.Collins).

Telephone Regulation. Directory assistance for local numbers must be free to blind customers (H.B. 236, Franks-Flowers-Ryg-Washington-Millner et al.—Link-Crotty-J.Collins-Garrett).

Rates. The ICC is to raise wholesale rates that SBC can charge competitors for using its phone lines. For 2 years

the new rates will not apply to the first 35,000 phone lines leased to a competitor (S.B. 885, Clayborne—S.Davis-Poe-Acevedo-Delgado-W.Davis et al.). (On June 9 a federal court enjoined implementation of this law.)

Western Illinois Economic Development. A Western Illinois Economic Development Authority is created, with broad powers for economic development in 13 Western Illinois counties. It can sell up to \$250 million in bonds with the Governor’s approval (S.B. 1754, J.Sullivan-Schoenberg-Shadid-Demuzio-Welch—Smith-J.Watson-Myers-Tenhouse-Boland). □

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Criminal Law

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prosecuted (H.B. 1089, Joyce-Millner-Froehlich-Holbrook-Bailey et al.—DeLeo-Dillard-Harmon-Maloney et al.).

Arson of a place of worship becomes a Class 1 felony. Any arson will incur an extra \$500 fine for the State Fire Marshal (H.B. 3091, Pihos-Franks-Chapa LaVia-Hultgren et al.—Roskam-J.Collins-Silverstein-Crotty et al.).

Background Checks using fingerprints will be required of applicants to several kinds of public or private employers including schools, child-care facilities, gambling or liquor licensees, and housing authorities, and of prospective adoptive parents (H.B. 564, Joyce-Currie-O’Brien—Cullerton).

Betting by Minors. The age below which a person may not enter a racing establishment without a parent, or bet on races, is raised from 17 to 18 (H.B. 333, Holbrook-Froehlich-Smith-McCarthy-Brosnahan et al.—Crotty-Maloney et al.).

Child Abduction. The Department of State Police, working with several other agencies, will provide public information, personnel training, school curricula, and messages on highway signs about missing children (H.B. 345, Bellock-E.Lyons-O’Brien-Millner-Hamos et al.—Dillard-J.Collins-Geo-Karis-Bomke-Althoff et al.).

Construction Zone Reckless Homicide can bring a sentence of 3-14 years or, if two or more people die, 6-28 years in prison (H.B. 3215, Hoffman-Franks-Chapa LaVia-Mathias et al.—Haime).

Corporate Accountability. Several kinds of financial misconduct by cor-

porate directors or officers are prohibited. In addition to fines for a felony, violators can be assessed penalties up to three times the value involved, to go to a new Corporate Crime Fund to provide restitution to victims (H.B. 3053, Molaro-Joyce-Franks-Boland-Fritchey et al.—Welch et al.).

Dismembering a human body is prohibited as a Class X felony (H.B. 2653, Fritchey-Millner-Miller—Haime).

Drugmaking. Child endangerment. A person 18 or older who endangers a person under 18 by making or storing methamphetamine can get up to twice the usual sentence for the crime (S.B. 1793, J.Sullivan-Haime-Obama-J.Collins-Wojcik et al.—Phelps-Flider-McCarthy-L.Jones-Verschoore et al.). Under another bill, a person who endangers the life and health of a person under 18 by exposure to an illegal drugmaking operation or its products will commit a Class 2 felony (Class X if the minor suffers death or great harm) (H.B. 2844, D.Brady-Millner-Brosnahan-O’Brien-Schmitz et al.—J.Sullivan-Haime et al.).

Dangerous place. Keeping a place for illegal drugmaking, and thus exposing anyone to risk of fire, explosion, or dangerous chemicals, becomes a Class 1 felony (H.B. 3072, Delgado-Moffitt—del Valle-Martinez et al.).

Emergency response. A person maintaining an illegal drug lab in which an entering emergency worker is injured commits a Class X felony (H.B. 2841, D.Brady-Millner-Brosnahan-O’Brien-Schmitz—J.Sullivan-Haime et al.). An illegal maker of methamphetamine, whose actions necessitate an emergency response, can be required to pay all response and cleanup costs (S.B. 1578, Haime-J.Sullivan-Obama et al.—Flider-Jakobsson-McCarthy-L.Jones-Hartke et al.).

Explosive compounds. Chemicals for making methamphetamine are added to the definition of explosive compounds whose possession with intent to commit a felony becomes a Class 1 felony punishable by 4-30 years in prison (H.B. 561, Moffitt-O’Brien-Grunloh-Mathias—Shadid-J.Sullivan).

Sentencing. A repeat offense of possession of a methamphetamine-making chemical will be nonprobationable (H.B. 3387, Rose-Eddy-Sacia-Brauer-Moffitt et al.—Obama-J.Sullivan-J.Collins.).

Synthetic drug manufacture. Conspiring to make a synthetic controlled substance (primarily methamphetamine) becomes a crime punishable like the crime that is the object of the conspiracy. Tampering with anhydrous ammonia is raised from a Class A misdemeanor to a Class 4 felony (H.B. 2843, D.Brady-Millner-Brosnahan-O’Brien-Schmitz et al.—J.Sullivan-Haime et al.).

Drug Paraphernalia. Definitions of prohibited items are expanded from those “peculiar to and marketed for use” with illegal drugs to those “intended to be used unlawfully” with illegal drugs (S.B. 642, Radogno-J.Collins—Acedo-E.Lyons-Bailey-Delgado-Soto et al.).

DUI. Impaired minors. Starting in October 2004, an adult who gets a person under 18 drunk or drugged, causing the minor to harm person or property, can be sued for that harm (H.B. 3528, Joyce-Froehlich-Pihos-Mathias—Cullerton-Maloney-Garrett).

Interlocks. A person charged with DUI can be required, as a condition of bail, to drive only motor vehicles equipped with ignition interlocks to detect intoxication (S.B. 1199,

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Cullerton et al.—Boland-Froehlich-Joyce-Younger).

Sentencing. DUI that kills a person becomes aggravated DUI, punishable by up to 14 years in prison if one person was killed or up to 28 years if two or more were killed—replacing similar penalties for reckless homicide while under the influence. Good-conduct credit for a prisoner whose aggravated DUI caused death cannot exceed $4\frac{1}{2}$ days per month served (S.B. 96, F. Watson-Bomke et al.—Flider-Feigenholtz-Verschoore-B. Mitchell).

Firearms. *Buying.* Current prohibitions on illegally buying firearms are extended to illegally *attempting* to buy them (H.B. 312, Kelly-Miller-L. Jones-Howard-Osterman et al.—Harmon-Obama-Munoz-Martinez-J. Collins; S.B. 382, Harmon—Kelly-Mathias-Miller-Feigenholtz-Graham et al.).

Delinquents and FOIDs. A Firearm Owner's Identification Card can be denied to a minor charged in a delinquency petition with committing, or an adult who was adjudicated as a minor for committing, a felony (H.B. 1536, Mendoza-R. Bradley-Millner-Sacia-Bailey et al.—Clayborne-Dillard-Haine et al.).

Selling. Being in the regular business of selling firearms is prohibited to persons who are not federally licensed firearms dealers (H.B. 1377, Millner-Dunkin-Bassi-Chapa LaVia-Bellock et al.—Petka-Rutherford-Althoff).

Gang Members. *Bail.* If the state offers credible evidence that an arrestee committed a crime due to gang loyalty, the court is to prohibit the person from associating with members of that gang as a condition of bail (H.B. 506, Bailey-Aguilar-Sacia-Lindner-Rose et al.—J. Collins-Hunter et al.).

Painting symbols. Defacing property with a gang symbol can trigger Illinois' Streetgang Terrorism Omnibus Prevention Act (H.B. 2529, Aguilar-Millner-Mendoza-McAuliffe-Chapa LaVia et al.—Cronin).

Hate Crimes are expanded to include electronic harassment, if done for any of the existing list of motives (S.B. 407, Silverstein-Schoenberg—Feigenholtz-Kelly-Ryg-Miller-Graham et al.).



Homicide. *Confessions* during custodial interrogations, in places of detention, are to be presumed inadmissible in homicide prosecutions unless recorded by machine, beginning July 18, 2005 (H.B. 223, M. Davis-Madigan-Currie-Flowers-L. Jones et al.—Obama-Hendon-J. Collins-Hunter et al.; also S.B. 15, Obama-Martinez-J. Collins-Trotter-Hunter et al.—M. Davis-Madigan-Scully-Flowers-Lang et al.).

Prosecutions. The Criminal Justice Information Authority will have pilot programs for at least 2 years in which police in Cook County and three other places record interviews with first-degree murder suspects. Police officers can be decertified for making false sworn statements in homicide proceedings. The “felony murder” provision allowing the death penalty is

modified by making the underlying offense an “inherently violent crime” instead of a list that now include some drug crimes. Juries in death-penalty cases are to consider both aggravating and mitigating factors—the latter to include a defendant’s reduced mental capacity or history of extreme emotional or physical abuse. The trial court will be bound by a jury’s decision on imposing death, but can “non-concur” for purposes of appellate review. The court can exempt a person convicted of first-degree murder from eligibility for death if the conviction was based solely on the testimony of an informant about a confession, or of one eyewitness or accomplice. The Illinois Supreme Court can overturn a death sentence as “fundamentally unjust” without citing procedural grounds. New lineup procedures designed to reduce false identifications will be tried for 1 year in Chicago and two other places. Public agencies investigating homicides or other felonies must give the prosecution all information they obtain. A person convicted of first-degree murder can be exempted from death due to mental retardation. In death cases the prosecution must give advance notice of any informant testimony and disclose any compensation to an informant, and disclose information on any other state witnesses before trial. A convicted defendant can move for comparison of DNA related to the crime with other DNA, including that in police databases, or petition for consideration of newly discovered evidence. The Capital Crimes Litigation Act, now set to expire in mid-2004, is made permanent (S.B. 472, Cullerton-Obama-E. Jones-Schoenberg-Harmon et al.—Cross-O’Brien-J. Watson-Sacia-Lindner et al.).

Identity Theft. *Broadening.* The crime of financial identity theft is renamed “identity theft” and broadened to include a wider range of activities seeking to steal a person’s identity,

credit, or property, or to help others do so (H.B. 1486, Joyce-Froehlich-Miller-Lang-Flider et al.—Welch-Munoz-Martinez et al.; S.B. 242, Silverstein-Obama-J.Collins et al.—Joyce-Pihos-Froehlich-Dunkin-McCarthy et al.).

Investigations; exoneration. A person reasonably claiming to be a victim of financial identity theft can require local police to start investigating the matter or to refer it to the correct police department. A person whose name or identity was used by another in a convicted or charged criminal act can seek a court determination of factual innocence. A credit-card issuer that receives a completed application with a different address than the one to which the form was sent must verify the address change before issuing a card. A consumer lender with notice of a police report of financial identity theft against a person may not open a credit account for that person without verifying the applicant's identity (H.B. 2188, Nekritz-Washington-Coulson-Fritchey-Pihos et al.—Schoenberg-Silverstein-Maloney-J.Collins et al.).

Insurance Applications. Giving a false address on an automobile insurance application can bring a fine up to \$1,200 (H.B. 3522, Burke—Sandoval et al.).

Juvenile Detention. A juvenile 17 or older taken into custody need not be confined with adults; the juvenile's record is to be considered in choosing a place of confinement (H.B. 524, Turner-A.Collins-Dunkin-Bailey—Cullerton-Lightford).

Orders of Protection. Violations of orders having elements listed in the law are to be (now “may be”) criminally enforced (H.B. 206, M.Davis-Flowers-Bailey-Ryg-A.Collins et al.—Silverstein-J.Collins-Hunter et al.).

Police. Arrest powers. A peace officer of any jurisdiction in the state can, on request by a law-enforcement officer of another jurisdiction, enter that jurisdiction to aid its police and make arrests (H.B. 532, Millner-Acevedo-Mendoza-Bassi-McAuliffe et al.—Munoz-Geo-Karis).

Chases. Aggravated fleeing of a peace (changed from police) officer is expanded to include situations in which the driver disobeys at least two traffic control devices (H.B. 92, Schmitz-Rose-Millner-Froehlich-Dunn et al.—Cullerton et al.).

Probation officers can act as peace officers when fulfilling their duties, and can carry firearms with consent of their chief judge (S.B. 1458, Harmon-Cullerton-Welch—Lindner).

Traffic stops. From 2004 through 2007, all police officers stopping vehicles for alleged Vehicle Code violations, whether or not they issue tickets, must record their impressions of each stopped person's race and other details of each stop. Results are to be compiled and reported to the General Assembly. Police must be trained in cultural sensitivity. (H.B. 361, M.Davis-Madigan-Currie-Turner-Osterman et al.—Obama-Hendon-Hunter et al.; S.B. 30, Obama-Hendon-Trotter-J.Collins-Harmon et al.—M.Davis-Miller-Bellock-Hartke-Hoffman et al.).

Police-Car Markings, if still present, must be removed by a car dealer before selling a used police car. Unauthorized operation of a car bearing indicia of police authority is prohibited (H.B. 136, Soto-Miller-Dunkin-Delgado-Yarbrough et al.—Martinez-Hunter).

Post-Conviction Petitions. An imprisoned person can file only one post-conviction petition, except with leave of the court on a showing of

good cause for failure to raise a claim in the first post-conviction proceeding with resulting prejudice to the prisoner (S.B. 1440, Dillard-Munoz et al.—Brosnahan).

Repair Fraud. The dollar-value thresholds that make home repair fraud (against a person over 60 or disabled) the next higher class of offense are halved. Licenses of persons committing aggravated home repair fraud can be suspended or revoked (S.B. 240, Silverstein-Garrett-Sandoval-J.Collins et al.—Dunkin-Mathias-Jakobsson-Froehlich-Colvin et al.).

Secret Compartments. Having a secret compartment in a motor vehicle is raised from a Class C misdemeanor to a Class 4 felony. An owner cannot avoid vehicle forfeiture by removing or promising to remove such a compartment (S.B. 1175, J.Collins—Acevedo-Bailey et al.).

Sentencing. Minor changes are made in the law on concurrent and consecutive sentences. A presumption that sentences for crimes committed during a crime spree are to be concurrent is removed, but a general presumption favoring concurrent sentences remains (H.B. 1280, Brosnahan-Black-McCarthy-Joyce-R.Bradley et al.—Maloney-Haine-Munoz et al.)

Sex Crimes. Consent. For purposes of forcible sex crimes, a person who consented to sexual contact can withdraw consent at any time (S.B. 406, Rutherford-Radogno-Lightford-Crotty-J.Collins et al.—Mulligan-O'Brien-Smith-L.Jones-Phelps et al.).

Incest. A provision allowing a person convicted of criminal sexual assault of a family member to get probation with some conditions, including supporting the family, is eliminated (H.B. 571, Dunn-O'Brien-E.Sullivan-Rose-Mendoza et al.—Harmon).

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Criminal Law

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Limitations. The limitations period for prosecuting a forcible sex crime against a person under 18 (or for prosecuting failure to report such a crime) is extended from 10 years after the child reaches age 18 to 20 years after. Civil suits for childhood sexual abuse can be filed for 10 years after a child reached age 18 (or otherwise ceased to be under legal disability), or within 5 years after discovery that abuse occurred and caused injury. These civil limitations periods will not run while the victim is subject to threats or manipulation by or on behalf of the abuser (S.B. 1035, J.Collins-Geo-Karis-Hunter et al.—Brosnahan-L.Jones-Holbrook-Dunkin-Washington et al.).

No-contact order. A victim of nonconsensual sexual contact can seek a “no contact” order against the perpetrator. Violation of the order will be a Class A misdemeanor the first time, or a Class 4 felony for a repeat offense (H.B. 1400, Fritchey-Hamos-Millner-Kosel-Osterman et al.—Cullerton-Dillard-Martinez-Walsh et al.).

Parental rights. Consent to adoption will not be required from a biological father who was “indicated” as committing child sexual abuse with the mother of the child, or was at least 5 years older than her if she was under 17 when the child was conceived (H.B. 3552, Berrios-Graham-Fritchey-Acevedo-Miller et al.—Martinez-J.Collins-Hunter-Lightford et al.).

Prostitution. A victim of prostitution or a related crime can make an impact statement before sentencing (H.B. 2478, Delgado—Hendon-J.Collins-Hunter et al.; S.B. 1176, J.Collins-Obama—Delgado-Mendoza-Bailey).

Releasing offender. Felony sex offenders, before being considered for probation, must be evaluated for treatment, risk, and need for monitoring of behavior. An offender who has been recommended for any such intervention must be required to get it as a condition of release (H.B. 3556, O’Brien-Hoffman-Ryg-Moffitt-Kelly et al.—J.Collins-Hunter et al.).

Statute of Limitations; Bail. Criminal statutes of limitation are not to run while a material witness is on active military duty or leave. A person on bail for any of several kinds of domestic violence offenses, who is then charged with another such offense, cannot be bailed (H.B. 558, Fritchey-Rose-Currie-O’Brien—Dillard-Hunter-J.Collins).

Theft or Money Laundering involving over \$500,000 becomes nonprobationable (S.B. 265, del Valle-Obama—Acevedo-Bailey).

Trespass at Performance. A person entering a restricted area of a stadium, stage, locker room, or similar place after notice that the general public is

barred will commit a Class 4 felony, punishable by at least a \$1,000 fine plus community service (S.B. 1915, Hunter-J.Collins—Fritchey-Mathias).

Vehicles. A vehicle driven by an unlicensed, uninsured person, who causes death or injury to another person, can be forfeited (S.B. 1581, Peterson-Althoff-Geo-Karis—Beaubien-Boland-McCarthy-Miller-Mathias et al.).

Victim Statements by victims of violent crimes can be made by toll-free phone line to the Prisoner Review Board (H.B. 1359, Kurtz-Mathias—Geo-Karis et al.). □

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Education

Elementary & Secondary

The General Assembly enacted significant changes for Chicago public schools, including doubling the limit on charter schools and expanding the allowable subjects of union bargaining. It also raised the foundation level of state aid by \$250 per student; authorized more grants and scholarships for schools or future teachers; and voted for changes in statewide testing in accord with the federal No Child Left Behind Act of 2001. All schools must have mentoring programs for new teachers by 2004-05.

Bus Drivers. Contracts with in-state companies chartering buses for inter-scholastic activities must require drivers to send fingerprints to the State Police and FBI. Drivers must show by medical (including drug) testing

that they are fit to drive children, and may not have been convicted of any of a long list of crimes (H.B. 2840, Holbrook-Hoffman-J.Mitchell-Cultra—Link).

Chicago School Finance Authority. The suspension of the Authority's powers over functions such as planning, budgeting, and contracting is extended from July 2004 through December 2010 (S.B. 1368, del Valle et al.—Giles).

Chicago School Reform. The limit on Chicago charter schools is doubled to 30, and the Chicago school district need not bargain over decisions to grant, deny, or revoke charters. New charter schools in Chicago may have only one campus each, and cannot contract with for-profit entities to run schools before the 2005-2006 year. New and existing Chicago charter schools must give all national, standardized tests that Chicago public schools give, and give results in assessment reports. By 2006-2007, at least 50% of teachers in new, and 75% of those in existing, Chicago charter schools must have certificates. But Chicago charter schools are exempted from any existing annual limits on participation in alternative certification programs.

Several formerly barred matters become allowable for Chicago teacher bargaining, including contracting out for services; firings, layoffs, and reductions in force; class sizes and schedules; and use and staffing of experimental or pilot programs. To comply with the No Child Left Behind Act of 2001, other matters are bargainable at the discretion of the school board. If agreement cannot be reached within 60 days over an allowable subject of bargaining, the dispute must go to a mediating panel for impasse resolution.

The Chicago school board and teachers' union are directed to agree within 90 days on a partnership to reform Chicago public schools further. They must report on reforms annually to the General Assembly (S.B. 19, E.Jones-

del Valle-Maloney-Martinez-J.Collins et al.—McKeon-Cross-Delgado-Currie-Acevedo et al.).

Civil Defense. School boards can cooperate with relief organizations such as the Red Cross to prepare school buildings as shelters (S.B. 877, Woolard et al.—Meyer-Eddy).



Curricula. *Asian Americans* are added to the list of groups to be studied in history courses (S.B. 890, Obama-Hunter—McKeon-Boland-Osterman-Coulson).

Driver training. Schools may no longer allow students, after 3 hours' practice driving, to take proficiency exams for such driving (S.B. 70, Cullerton-Trotter—Giles).

Sex education must include instruction on the Abandoned Newborn Infant Protection Act and information on confidential adoption services (H.B. 2298, Coulson-M.Davis-Bassi-Osterman-Mulligan et al.—Geo-Karis-Garrett-Trotter-Crotty et al.).

Diabetes Screening (but not testing) must be a part of health exams for children starting kindergarten and 1st, 5th, and 9th grades (S.B. 1081, Martinez-del Valle-Sandoval et al.—Berrios-Cross-Graham-Mendoza-Aguilar et al.).

Election Practice. If private funding is offered, and election authorities and schools participate, students in kindergarten through 12th grade can vote in a simulated election on election day in November 2004, accompanying their parents to the polls and voting in separate booths (H.B. 30, Lang-Boland et al.—Crotty-Silverstein et al.).

Fund Transfers. From mid-2003 to mid-2005, school boards outside Chicago can make interfund transfers for purposes in addition to meeting one-time, non-recurring expenses (H.B. 765, Flider-J.Mitchell-Krause-Miller-Hannig et al.—Demuzio).

Homework Help Information. The State Board's Web site must offer parents strategies to help children with homework (S.B. 891, Obama-Hunter—Osterman-Yarbrough-Graham).

Kindergartens may be offered in summer for 2 months before the regular school year or, for students making unsatisfactory progress, 2 months after the regular school year (S.B. 903, Garrett-Lightford-Sandoval-Obama-Harmon et al.—M.Davis-Moffitt-Miller-Giles-J.Mitchell et al.).

Mandate Waivers. School boards may not hold public hearings on requests for mandate waivers on the same days as regular board meetings; must give advance notice of them to local state legislators; and must summarize the hearings in waiver requests to the State Board (S.B. 206, Lightford—Giles).

School Boards. Child sex offenders cannot become board members (H.B. 338, Kosel-Dunkin-Dunn et al.—Radogno-Maloney et al.).

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Elementary & Secondary Education

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Science Kits are added to the materials the State Board must lend free of charge for student use (H.B. 2332, Giles-Dunkin-M.Davis-J.Mitchell et al.—Lightford-Cronin; S.B. 618, Cronin-Link—Giles-Boland-McGuire-M.Davis).

State Aid. Achievement grants. Two-year grants will be offered to districts on the academic watchlist or with the lowest student achievement, if they create accountability programs including use of statewide testing standards. A grant will be renewed if a district meets achievement goals (S.B. 207, Lightford—Rita-W.Davis).

General aid; scholarships. The foundation level of state aid is raised from \$4,560 to \$4,810 per student for 2003-2004. If money is appropriated, the State Board in fiscal 2004 will make up the difference for districts getting lower total payments in fiscal 2004 than in 2003. Gifted education is excluded from the general education block grant. The Department of Human Services will determine the number of low-income eligible students based on student eligibility for medicaid, Kidcare, TANF, or food stamps. The State Board must pay approved claims for charter schools granted charters before June 1, 2003. If funds remain, it may pay remaining approved claims *pro rata*.

Public community colleges teaching adults and youths may get grants from the State Board. To be eligible, a district must pay at least 50% of program costs from unrestricted revenue sources. Beginning July 2004, community colleges must charge at least 85% of state average tuition to get equalized funding.

The annual limit on scholarship aid for college students who will teach at hard-to-staff schools is doubled to \$10,000. Recipients who will teach in teacher-shortage subjects at such schools can get \$5,000 more. But the maximum duration of aid is halved to 2 years. Recipients must pledge to teach at least 5 years (now 1 year per year of scholarship aid), but need not teach in a subject having a teacher shortage (S.B. 744, Trotter-E.Jones—Madigan-Hannig-Lang).

Math and science block grants are authorized to help students through 8th grade meet the Illinois Learning Standards for math and for science, and to improve teaching and materials through 12th grade. Districts must apply for grants (S.B. 201, Lightford—W.Davis-Graham-Kelly-Miller-Bailey).

Technology loans. Public schools, charter schools, area vocational centers, and laboratory schools can get technology loans to update computers. Grades 9-12 will be eligible every even year after 2003; grades up to 8 will be eligible every odd year after 2004 (H.B. 2354, Howard-Feigenholtz-M.Davis-A.Collins-Giles et al.—Schoenberg-Garrett-J.Collins).

Teacher Aides. In addition to academic study, schools must accept relevant life experiences as qualifications for teacher aides (H.B. 2350, Colvin-Krause-Dunkin-J.Watson-Joyce et al.—Meeks-Woolard-Crotty et al.).

Teachers. Certificate renewal. A teacher who has had a valid and active Standard Teaching Certificate for 5 years, and completed a certificate renewal plan before July 1, 2002, must receive a renewal (H.B. 210, J.Watson et al.—Demuzio-Burzynski et al.).

Housing aid. The Illinois Housing Development Authority can have a

program to help new teachers buy first homes. It would offer 30-year mortgages at moderate rates to teachers agreeing to stay at least 3 years at schools that are financially needy or have teacher shortages (H.B. 2345, Hamos-Leitch-Jefferson-Hultgren-Osterman et al.—Schoenberg-Garrett-Obama-Peterson-J.Collins et al.).

Mentors. Public schools must start mentoring programs for new teachers in 2003-2004, to be implemented in 2004-2005. Schools with existing programs not meeting requirements will get an additional year. Among other things, new teachers will be assigned for at least 2 years to mentors to assess and support their teaching. The State Board will pay \$1,200 per year per teacher for 2 years to districts meeting requirements (S.B. 533, Maloney-Cronin-Crotty-Obama et al.—Coulson-Joyce-McCarthy-Osterman-Froehlich).

Union work leave. A teacher elected to a union position must be allowed a leave of absence while continuing in that post (now limited to 6 years) (S.B. 230, Link—Washington-Ryg-M.Davis-Howard-Bailey).

Testing. Through 2004-05, the State Board may continue testing 3rd, 5th, and 8th graders in English, and 4th and 7th graders in biology and social sciences. By 2005-06, 3rd to 8th graders must be tested in reading and math; 3rd, 4th, 6th, and 8th graders in writing; 4th and 7th graders in biology and physical sciences; and 5th and 8th graders in social sciences. Students enrolled in bilingual education less than 3 years can take an Illinois Measure of Annual Growth in English exam in lieu of the regular state test if they cannot take the regular one due to lack of English proficiency (H.B. 2352, J.Mitchell-Currie-Giles-Kosel—del Valle-Lightford-Hunter-J.Collins).

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Environment & Conservation

The General Assembly voted for studies of Illinois' underground water flows, to allow modeling of effects of future water withdrawals. Other bills call for research on how to dispose of old computer equipment, and local planning to preserve natural and cultural resources.

Animal Cremation. Crematories for companion animals need not comply with waste management regulations (H.B. 176, Bellock-Hassert-Novak-Kosel-Cross et al.—Radogno-Walsh et al.).

Aquifer Study. The Department of Natural Resources (DNR) is to study underground aquifers, and create geologic and groundwater flow models to predict the impact of adding wells or

groundwater withdrawals (S.B. 1085, Winkel-Althoff-Radogno-Risinger-Garrett et al.—Jakobsson-Reitz-Rose-Churchill-Scully et al.).

Computer Disposal. A new commission will study and recommend ways to recycle and dispose of old computer equipment (H.B. 1165, Colvin-E.Sullivan-Washington-Boland-Coulson et al.—Trotter).



Heritage Preservation. A new Local Legacy Board can make grants to local governments to inventory and plan for preservation of natural areas, farmland, and cultural resources (H.B. 231, Winters-Osterman-Munson-Franks-Kurtz et al.—Walsh-Garrett-Schoenberg et al.).

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Secondary Education

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Legislators voted to increase scholarship opportunities for college students and freeze each state university student's tuition at the initial level for 4 years of study. State university appropriations and accounting must be more detailed.

Accounting for Funds. Appropriations to Illinois public universities must show amounts for personal services, contractual services, Medicare, travel, commodities, equipment, automobiles, telecommunications, awards and grants, and permanent improvements. Each state university must give the Board of Higher Education an accounting for all revenues and spending within 120 days after each fiscal year (H.B. 1543, Granberg-Slone-Hoffman-Nekritz-Kelly et al.—del Valle-Schoenberg-Viverito).

Privacy. Credit card issuers cannot be given the name, address, phone number, Social Security number, e-mail address, or other personal information

of a student under age 21 (H.B. 761, Flider-Currie-Giles-Grunloh-McCarthy et al.—Crotty).

Scholarships.*General Assembly.* Each legislator can name two students each year to receive scholarships to any state university(ies) including the University of Illinois (instead of one for the University of Illinois and one for another state university) (H.B. 3274, W.Davis-Dunkin-Kelly-Boland-Giles et al.—Hendon et al.).

Silas Purnell. Under the newly renamed Silas Purnell Illinois Incentive for Access grant program, the maximum annual grant is doubled to \$1,000 for students whose families cannot contribute to their education; those applicants must get priority for grants. Others can get up to \$500 per year (H.B. 1119, Turner-Giles-Dunkin et al.—Garrett-Hunter-Harmon-J.Collins et al.).

Tuition.*Immigrants.* Beginning this fall, public colleges and universities must charge in-state tuition to a non-citizen who lived with a parent or

guardian while in school in Illinois; attended school here at least 3 years; got a high school diploma or equivalent; and promises to apply for citizenship as soon as possible (H.B. 60, Acevedo-Beaubien-Mendoza-Berrios-Aguilar et al.—Munoz-Sandoval-del Valle-Martinez-Link et al.).

Level amounts. Students enrolling in public colleges and universities in 2004-2005 or later will pay the same tuition yearly for 4 years of study unless they switch to a major having a different tuition rate (H.B. 1118, Joyce-Colvin-Brosnahan-McAuliffe-Kosel et al.—Maloney-Walsh-J.Collins et al.).

Unions. The University of Illinois' colleges of medicine, pharmacy, dentistry, law, and veterinary medicine will each have separate bargaining units. Except for those, all tenured and tenure-track faculty at each U of I campus must be in a single bargaining unit (S.B. 1360, Maloney-Bomke—McKeon-Howard-Tenhouse). □

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Environment & Conservation

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Hunting. Large handguns may be used to kill deer during specified hunting seasons (S.B. 257, Sieben-Woolard-Risinger-J.Jones-J.Sullivan—Phelps-Flider-Grunloh). Additionally, a new Class B license for year-round hunting is created for game bird breeding and hunting preserve owners (H.B. 1096, Phelps-Forby-Froehlich-Reitz-Grunloh—Sieben et al.).

DNR can announce gun or bow-and-arrow deer hunting seasons to manage diseased herds (H.B. 2918, Reitz-Winters—Sieben-J.Jones-Walsh).

Trails. At least 85% (now 60%) of amounts spent by DNR from the Off-Highway Vehicle Trails Fund must go for motorized recreation (H.B. 2273, Holbrook-Reitz-Smith-S.Davis-Boland et al.—Walsh; S.B. 1804, Woolard et al.—S.Davis-Holbrook-Phelps-Smith-Hartke et al.) A prohibition on using the Off Highway Vehicle Trails Fund to build motorized recreation trails on DNR land is deleted (S.B. 1521, Jacobs et al.—S.Davis-Phelps-Hartke-Forby et al.).

Weeds. Kudzu and six species of buckthorn are added to the state's list of exotic weeds, whose sale is banned (H.B. 666, Phelps-Reitz-May-Osmond-E.Sullivan—Woolard et al.).

Wild Food Collection. DNR can allow collection of mushrooms, nuts, and berries on its lands if consistent with natural resource management or area recreation programs (H.B. 2950, Reitz—Walsh). □

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Health & Safety

Legislators voted to expand the kinds of medical facilities that must allow patients access to their records upon request, and require some data on hospital costs and quality to be published by 2006; require children up to age 8 in automobiles to be restrained by safety or booster seats; ban sales of ephedra and of most manufactured products containing mercury; require public information campaigns on several diseases; and require health insurers to cover contraceptives. Fireworks displays must be controlled by licensed operators, and may not be used in liquor establishments without State Fire Marshal permission



Animal Control. County boards may require that dogs and cats have microchips implanted to identify them. Animal shelters may not release dogs or cats to a rescue group that is not licensed or a not-for-profit corporation. A dog may be deemed vicious only if detailed procedures are followed (H.B. 184, Saviano-Brosnahan-Morrow-McAuliffe-Mendoza et al.—Harmon-E.Jones-Maloney-J.Collins et al.).

Childbirth. HIV transmission. A medical provider caring for a pregnant woman must provide HIV-related counseling and testing as early in the pregnancy as possible. A medical professional caring for a pregnant woman in labor and/or delivery must provide HIV counseling and offer testing if that was not done earlier. A medical professional or facility caring for a newborn must offer HIV counseling and testing within 48 hours after the birth to a parent or guardian if the mother's HIV status is unknown

(S.B. 263, Obama-Martinez-Munoz-Trotter-J.Collins et al.—Delgado-McKeon-Feigenholtz-Fritchey-M.Davis et al.).

Umbilical blood donation. Hospitals must allow women giving birth to donate blood extracted from umbilical cords after delivery, with exceptions. Such blood can be used for stem-cell research and some treatments (H.B. 1843, Leitch-Mautino-Krause-Currie-Coulson et al.—Ronen-Rutherford-Risinger-Trotter et al.).

Children. Cigarette sales. Distribution of cigarettes from a lunch wagon operating within 1,000 feet of a school is prohibited (S.B. 1030, Meeks-Viverito—Miller-Kelly-McCarthy-Howard-Froehlich et al.).

Mental health. The State will develop a Children's Mental Health Plan to provide mental health prevention, early intervention, and treatment from birth to age 18, and report to the Governor by September 2004 and June

2005. School districts must develop policies for including social and emotional development in their programs. The Department of Public Aid will require screening and assessment of a child before medicaid-funded admission to an inpatient hospital for psychiatric services (S.B. 1951, Crotty—Hamos-Bellock-Coulson-Lang-A.Collins et al.).

Pesticides and day care. Existing requirements for schools to notify parents before, and exercise caution when, using pesticides are extended to places providing day care. Pesticides may not be applied when children or their toys are present (S.B. 1079, Martinez-Radogno-Obama et al.—Coulson-Currie-Berrios-Bellock-Mulligan et al.).

Safety seats. Child passengers under age 8 (changed from 4) in a motor vehicle except a bus must be secured in an “appropriate” child restraint system (not defined) (S.B. 52, Cullerton-Obama et al.—Schmitz-Currie-Colvin-May-Fritchey et al.).

School vision screening. The Illinois Department of Public Health (IDPH) must require that school vision screeners give a child’s parent or guardian written notice that vision screening is not a substitute for services of an eye doctor (S.B. 805, Radogno-J.Sullivan et al.—E.Lyons-Ryg-Coulson).

Clinical Research Subjects. Clinical researchers using state funds must ensure that women and minority groups are included as subjects when appropriate. Their research must also be designed to allow analysis of whether the variables being studied affect women or minority groups differently than other subjects (H.B. 274, Soto-Yarbrough-Delgado-Mulligan-Wirsing et al.—Martinez-Obama-Hunter-J.Collins et al.).

Defibrillators at Health Clubs. By July 2004, indoor physical fitness facilities are to have written plans for medical emergencies, and if privately owned, have at least one automatic external defibrillator (AED). A public entity owning multiple fitness facilities must have AEDs in at least 25% by July 2004, rising to 100% by July 2007. A trained AED user must be on staff (S.B. 777, Crotty-E.Jones-D.Sullivan-Wojcik-Maloney et al.—Osmond-Burke-Feigenholtz-Flowers-Black et al.).

Death Certificates—Dementia. Death certificates must have an area where the certificate can indicate that death was caused at least in part by a dementia-related disease, Parkinson’s disease, or Parkinson-Dementia complex (S.B. 376, Hunter-Trotter et al.—Miller-Graham).

Disasters. IDPH and the Illinois Emergency Management Agency must work together to plan for and respond to public health emergencies. In awarding funds for disaster preparedness by first responders, IDPH is to take into account hospitals’ role as first responders to terrorism (H.B. 6, Feigenholtz-Miller-Rita-Smith-Boland et al.—Obama et al.).

Employee Background Checks. Numerous crimes are added to those that disqualify persons from providing direct medical care. Medical employers may fire direct-care employees who have committed or attempted any of those crimes (S.B. 1912, Demuzio-J.Collins et al.—Chapa LaVia-Franks-Mendoza-Berrios et al.).

Fire Safety. *Alarm service disconnection.* Before stopping service to a fire or other emergency alarm system which a local authority requires to have a dedicated phone line to a central dispatcher or police department, a telephone company must notify that

authority in writing (H.B. 2489, Rita-Molaro-Yarbrough—Welch).

Fireworks supervisors. Persons supervising fireworks displays must be licensed by the State Fire Marshal. A licensee must supervise out-of-state persons operating fireworks displays. There will be separate licenses for indoor and outdoor displays. Indoor displays must be in buildings protected by automatic sprinklers. Where a local pyrotechnic display permit is required, it must be signed by or on behalf of the chief of the fire department providing fire protection (H.B. 1482, Schmitz-S.Davis-Rita-Franks-Smith et al.—Link-Garrett-Crotty-Haine et al.).

Liquor establishments. Fireworks may not be used in places licensed for on-premises alcohol consumption without State Fire Marshal permission. Persons attempting to flee such premises in an emergency must not be stopped by bouncers or locked doors (S.B. 1493, Obama-Link et al.—Lang-McAuliffe-L.Jones-Verschoore et al.).

Hazardous Items Banned. *Ephedra.* The sale of dietary supplements containing ephedra or related substances is banned, except drugs containing ephedrine that are federally approved for sale (S.B. 1418, Obama-Bomke-J.Sullivan et al.—Feigenholtz-D.Brady-B.Mitchell-Miller-Flider et al.).

Mercury products. Beginning July 2004, mercury fever thermometers may not be distributed in Illinois except for use in medical facilities. Other products containing mercury (including children’s flashing shoes) are banned, except button-cell batteries and fluorescent lights (H.B. 1530, Jakobsson-Coulson-Meyer-Feigenholtz-Mathias et al.—Hunter et

(continued on p. 18)

Health & Safety

(continued from p. 17)

al.; S.B. 371, Hunter-Trotter-D.Sullivan—Mathias-Feigenholtz-Howard-Holbrook-Meyer).

Hospitals. Billing and quality information. IDPH must require hospital systems for billing patients to be based on a uniform electronic hospital billing form created under the federal Health Insurance Portability and Accountability Act of 1996. By January 2006, IDPH must make available on its Web site a Consumer Guide to Health Care comparing caseloads, average charges, mortality rates, and nosocomial (hospital-acquired) infection rates, but prevent identification of individual patient records (H.B. 2202, Hamos-Flowers-Turner-Delgado et al.—Garrett-Radogno-Crotty-Martinez).

Closing—records storage. Hospitals that close must tell IDPH where patient records will be stored or transferred (S.B. 402, Schoenberg-Crotty—Mathias-Chapa LaVia-Parke).

Staffing and safety. Hospitals must report quarterly to IDPH on (1) nursing hours per patient day, average daily census, and average daily hours worked per clinical service area, and (2) nosocomial infection rates. They must report annually on vacancy and turnover rates of licensed nurses by clinical service area. IDPH must annually summarize the quarterly reports to the General Assembly, and publish the information on its Web site. Hospitals may not punish an employee who, after giving management an opportunity to correct an apparently unsafe condition in a hospital if time allows, in good faith informs authorities about it (S.B. 59, Obama-Radogno-Meeks-Garrett-J.Collins et al.—Flowers-Hamos-Howard-Bailey-M.Davis et al.).

Information Campaigns. Folic acid. The Department of Human Services, consulting with IDPH, must provide an information campaign for women on the value of consuming folic acid before and during pregnancy, and on sources of folic acid (H.B. 275, Soto-Yarbrough-Delgado-Mulligan-Wirsing et al.—Martinez-Obama-Radogno-Garrett-Hunter et al.).

Hepatitis C, lupus, Wilson’s disease. If funds are appropriated, IDPH will conduct education and outreach campaigns on these three diseases, and catalog and coordinate resources to address Wilson’s disease (H.B. 687, L.Jones-Currie-Howard-Delgado-A.Collins et al.—Trotter-Meeks-J.Collins et al.).

HIV. Starting July 2004, IDPH is to publicize the importance of AIDS/HIV screening (H.B. 200, M.Davis-Dunkin-Rita-Bellock-Jefferson et al.—Obama-Garrett-J.Collins-Hunter et al.).

Prostate cancer. Starting July 2004, IDPH must publicize the importance of prostate screening for men over 40 (H.B. 199, M.Davis-Forby-R.Bradley-Capparelli-Molaro et al.—Obama-Hendon-Hunter-Trotter-J.Collins et al.).

Kosher Foods. Regulation of preparation and consumption will be based on the requirements of a certifying organization or supervising rabbi (changed from “the Code of Jewish Laws”) (H.B. 983, Lang-Madigan-Nekritz-Franks-Feigenholtz et al.—Schoenberg-Silverstein-Ronen-Link et al.).

Language Interpreters. Hospitals and nursing homes must develop language assistance services for limited- or non-English-speaking residents and deaf residents. IDPH must develop a system for filing complaints about

language assistance services (S.B. 61, del Valle-Obama-Munoz-Martinez-Hunter et al.—R.Bradley).

Lead Poisoning. Advisory council. Within 9 months after formation, a Lead-Safe Housing Advisory Council must report to the Governor and General Assembly on plans for prevention, blood screening at high-risk locations, funding sources for lead abatement, and lead-safe remodeling and rehabilitation practices (H.B. 3229, Osterman-Hamos-Miller-Delgado-Coulson et al.—Ronen-J.Collins-Harmon-Trotter).

Prevention. If funds are available, IDPH is to offer a program of lead poisoning screening for women who live in high-risk areas, are at least age 13, and are pregnant or nursing (H.B. 197, M.Davis-L.Jones-Flowers-Howard-A.Collins et al.—Hendon-Hunter-J.Collins et al.).

Screening. Providers of school health exams must screen for lead poisoning in children who they think are at high risk for it (H.B. 207, M.Davis-Flowers-Bailey-Ryg-A.Collins—Trotter-J.Collins-Hunter et al.).

Mandated Insurance Coverage. Colorectal cancer. Health insurers and HMOs must provide benefits or coverage for all colorectal cancer exams and labs tests prescribed by a physician in accordance with specified accepted guidelines. Deductibles, coinsurance, waiting periods, and other cost-sharing limitations on such coverage may not exceed those required for other coverage (S.B. 1417, Obama-Garrett-Trotter-J.Collins et al.—Washington-M.Davis-B.Mitchell-Ryg-McCarthy et al.).

Contraceptives. Group health insurers, HMOs, and voluntary health service plans must cover outpatient contraceptive services and approved outpatient contraceptive drugs and

devices, excluding abortion- or sterilization-related services (H.B. 211, Feigenholtz-Hamos-Stephens-Flowers-Fritchey et al.—Martinez-Ronen-Schoenberg-del Valle-Garrett et al.).

Inhalants. Group health insurers, HMOs, and voluntary health service plans covering prescription drugs may not deny or limit coverage for prescription inhalants based on refill restrictions if the treating physician prescribes them and they are medically appropriate (S.B. 467, Maloney-Crotty-Harmon et al.—Franks-Dunkin-Mautino-Yarbrough-M.Davis et al.).

Medical Records. All medical facilities (formerly only hospitals) and practitioners must allow patients and their doctors or attorneys to examine their records within 30 days after a written request by a patient or authorized representative. Medical facilities and practitioners must notify the public at least 30 days before closing, and say how patients can get copies of their records (H.B. 1038, McCarthy-Currie-Fritchey-Parke-Brosnahan et al.—Crotty et al.).

Needle Sales. Pharmacists may sell up to 20 sterile hypodermic needles and syringes to persons 18 and older, and a person 18 or older may buy and possess up to 20 needles and syringes. IDPH must develop educational materials for buyers, including information on safer injection practices, HIV prevention, syringe and needle disposal, and drug treatment programs (S.B. 880, Trotter-Rauschenberger-Ronen-Syverson-Cullerton et al.—Feigenholtz-Wirsing-Delgado-Miller-Osmond et al.).

Nursing Home Vaccinations. Life-care facilities and nursing homes must give annual flu shots to residents, and one pneumococcal pneumonia shot to any resident 65 or over who has not

been vaccinated (H.B. 3440, J.Lyons-McGuire-Franks et al.—Obama-Demuzio-Walsh).

Obesity Study and Prevention.

If funds are available, IDPH or a designee will study individual cases of obesity treatment to find effective methods of treatment, and report to the General Assembly by March 2005

(S.B. 1589, Hunter—L.Jones-McGuire-Graham-Mathias-Bailey).

Pharmacy Data to Doctors. On request, a pharmacist must send information from a customer’s patient profile, including prescriptions filled for controlled substances, to a physician who plans to prescribe, or has prescribed, a controlled substance for that patient (S.B. 1983, Demuzio—Yarbrough-Froehlich-Miller-Colvin et al.).

Seizure-Alert Dogs. Seizure-alert or seizure-response dogs are added to those allowed in places of public accommodation (S.B. 1366, del Valle-Link et al.—R.Bradley-Ryg).

Snowmobile and Watercraft DUI. Operating snowmobiles or watercraft while under the influence is prohibited. Operators give implied consent to blood, breath, or urine testing for alcohol, drugs, and other intoxicating compounds. Results of blood or urine tests for drugs and/or alcohol, done in hospital emergency rooms for injuries



from a snowmobile or watercraft accident, must be disclosed to the Department of Natural Resources or local police. Persons committing DUI may be required to attend a victim impact panel (H.B. 1237, O’Brien-Froehlich et al.—Haine).

Tongue Splitting of humans may be done only by a licensed physician or dentist (H.B. 3086, Miller-D.Brady-Froehlich-Kurtz—Meeks-Dillard).

Urgent Care. Only hospital emergency rooms and licensed freestanding emergency centers may use terms such as “urgent” or “emergent” in their names or descriptions. Health-care plans must inform enrollees about their coverage for such facilities (H.B. 81, Flowers-Krause-Franks-Bailey-Sommer et al.—Trotter-Obama-Radogno-J.Collins-Hunter; S.B. 460, Trotter-Meeks et al.—Flowers-M.Davis). □

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Bills With Governor's Action

All bills summarized in this issue of *First Reading* are listed below. Beside the number of each bill on which the Governor had acted by mid-August is the Public Act number or other indication of his action. This table uses the following abbreviations: AV means amendatorily vetoed, IV means item vetoed, RV means reduction vetoed, I+RV means item and reduction vetoed. See page 4 for additional explanation.

Information on all 2003 bills and Public Acts, including their texts, is available at: <http://www.legis.state.il.us>

Click on the [Bills & Resolutions](#) or [Public Acts](#) link near the top of the page for information on a given bill or Public Act.

H.B.	Action	H.B.	Action	H.B.	Action	H.B.	Action	H.B.	Action
6	93-249	312	93-451	1157	93-108	2345		3091	93-169
16	93-116	313	AV	1165	Total veto	2345		3101	93-346
30	93-230	333	93-363	1179		2350	93-332	3106	93-456
32	93-117	338	93-309	1186	Total veto	2352	93-426	3141	93-409
44	93-118	345	93-310	1205	Total veto	2354	93-368	3209	93-318
46	93-15	361	Total veto	1237	93-156	2379	93-333	3215	93-178
51	93-299	429		1267	93-364	2413	93-246	3229	93-348
59	Total veto	467		1280	93-160	2441	93-400	3274	93-349
60	93-7	468	93-253	1284	93-137	2477	93-247	3285	93-350
81		499	93-174	1359	93-235	2478	93-317	3298	93-33
85	93-300	506	93-254	1377	93-162	2489	93-412	3313	AV
87	93-301	524	93-255	1382	93-139	2504	93-189	3316	93-208
88		526	93-256	1389	93-140	2529	93-337	3387	
92	93-120	527	93-415	1400	93-236	2543	93-264	3398	93-38
102	93-307	528	93-330	1423	93-142	2618	93-338	3402	93-226
105	93-79	532	93-232	1425	93-237	2634	93-109	3407	93-49
115	93-35	536	93-416	1448	93-239	2653	93-339	3412	
116	93-302	539	93-43	1458	93-225	2660	93-2	3440	93-384
120	93-304	544	93-126	1475	93-262	2663	I+RV	3486	
121	93-305	556	93-105	1482	93-263	2671	I+RV	3488	93-227
123	93-80	558	93-417	1486	Total veto	2685	93-65	3522	93-269
136	93-513	561		1530	93-165	2700	I+RV	3528	
138	93-308	564	93-418	1532	Total veto	2716	I+RV	3547	93-200
176	93-121	571	93-419	1536	93-367	2730	RV	3552	93-510
184		625		1543	93-229	2750	IV	3556	
197	AV	666	93-128	1574	93-447	2840	93-476	3612	93-270
199	93-122	687	93-129	1630	93-515	2841	93-111	3743	93-66
200	AV	707	93-34	1632	93-194	2843		3745	I+RV
206	93-359	721	93-450	1640	93-114	2844	93-340	3749	93-67
207	93-104	761		1809	93-395	2848	93-147	3750	93-68
209	Total veto	765	93-393	1843	93-143	2863	93-148	3754	RV
210	93-81	771	93-498	2146	93-399	2866	93-167	3758	IV
211	93-102	784	93-130	2188	93-195	2895	Total veto	3759	IV
218	Total veto	841	93-420	2202	93-144	2918	93-37	3763	93-70
223	93-206	865	93-131	2203	93-145	2950	93-341	3771	I+RV
231	93-328	954	93-422	2205	93-244	2972	93-199	3774	93-71
235		983	93-134	2221	93-204	3023		3776	93-72
236	93-82	988	93-411	2246	93-316	3044	93-342	3778	93-73
259	93-231	1038	93-87	2273	Total veto	3053	93-496	3779	93-74
269	93-39	1089	93-192	2289	93-64	3061		3785	RV
274	93-514	1096		2291	93-146	3062	93-343	3790	RV
275	93-84	1118	93-228	2298	93-88	3072	93-516	3792	RV
277	93-251	1119	93-455	2301	93-177	3082	93-370	3796	RV
300	93-362	1150	93-136	2332	93-212	3086	93-449		

S.B.	Action	S.B.	Action	S.B.	Action	S.B.	Action	S.B.	Action
2	93-6	242	93-401	487	93-438	989		1414	93-492
3	93-18	245	93-321	505	93-511	1028		1417	
4	93-534	252	93-503	524		1030	93-284	1418	93-8
15	93-517	255	93-524	533	93-355	1035	93-356	1440	93-493
19	93-3	257		562	93-273	1044	93-36	1458	
21	Total veto	263		563	AV	1066	93-285	1476	93-494
30	93-209	265	93-520	600		1079	93-381	1493	
46	93-17	267		611	Total veto	1081	93-530	1521	AV
50	93-99	274	93-51	618	Total veto	1085	Total veto	1530	
52	93-100	277	93-379	619	93-537	1093	93-181	1543	
58	93-101	291	93-386	642	93-526	1109		1578	93-297
59		293	93-528	679	93-217	1117	93-182	1581	93-187
61		306	93-536	680	93-464	1133	Total veto	1586	93-523
70	Total veto	311	93-180	689	93-465	1147	93-481	1589	93-60
75		319		699		1168	93-220	1606	93-27
78	93-519	329	93-459	715	93-468	1175	93-276	1607	93-28
96	93-213	330	Total veto	719	93-19	1176	Total veto	1634	93-29
105	93-214	354	93-280	726	93-405	1199	93-184	1638	
110	93-151	371		744	93-21	1204	93-57	1725	93-30
130	93-63	374	93-478	777		1205	93-58	1754	AV
133	93-436	376	93-454	785		1239		1765	
154		382	Total veto	805	93-504	1330	93-289	1784	
167	93-437	386	93-281	842	93-24	1347	93-277	1793	93-223
171	Total veto	387	93-388	877	93-390	1353	Total veto	1804	AV
172		402	93-322	880	93-392	1360	93-445	1848	
180	AV	404	93-462	881	93-324	1363	93-487	1865	
185	93-410	406	93-389	885	93-5	1366	93-532	1872	
200	93-376	407	93-463	886	93-219	1368	93-488	1903	93-32
201	93-50	417	93-298	890	93-406	1370	93-290	1912	93-224
206		424	93-354	891	93-471	1383	93-491	1915	93-407
207		428		903	93-472	1401	93-292	1923	
212		460		946		1407	93-391	1951	93-495
230	93-377	467	93-529	969	93-26	1408	93-185	1983	
240		472	AV					2003	93-509

The fiscal year 2004 budget was passed in 26 bills, listed below. Those on which the Governor put item and/or reduction vetoes are marked with an asterisk (*):

Public Act 64, enacted by H.B. 2289 (Morrow—Trotter).

Public Act 115,* enacted by H.B. 2663 (Madigan-Hannig-Smith-Slone—Welch-Schoenberg).

Public Act 90,* enacted by H.B. 2671 (Madigan-Hannig-Slone—Trotter).

Public Act 65, enacted by H.B. 2685 (Madigan-Hannig-Morrow—Welch).

Public Act 91,* enacted by H.B. 2700 (Madigan-Hannig-M.Davis-Morrow—Welch).

Public Act 92,* enacted by H.B. 2716 (Madigan-Hannig-Feigenholtz—Trotter).

Public Act 62,* enacted by H.B. 2730 (Madigan-Hannig-M.Davis—Trotter).

Public Act 14,* enacted by H.B. 2750 (Madigan-Hannig-M.Davis-Howard-Flowers et al.—Garrett-Welch-E.Jones-Link-J.Collins).

Public Act 66, enacted by H.B. 3743 (Madigan-Hannig-M.Davis—Welch).

Public Act 93,* enacted by H.B. 3745 (Hannig-M.Davis—Welch).

Public Act 67, enacted by H.B. 3749 (Hannig-Morrow—Trotter).

Public Act 68, enacted by H.B. 3750 (Hannig-Morrow—Trotter).

Public Act 69,* enacted by H.B. 3754 (Hannig-Feigenholtz—Welch).

Public Act 94,* enacted by H.B. 3758 (Hannig-Morrow—Trotter).

Public Act 95,* enacted by H.B. 3759 (Hannig-M.Davis—Welch).

Public Act 70, enacted by H.B. 3763 (Hannig-Morrow—Trotter).

Public Act 96,* enacted by H.B. 3771 (Hannig-M.Davis—Welch).

Public Act 71, enacted by H.B. 3774 (Hannig-Feigenholtz—Welch).

Public Act 72, enacted by H.B. 3776 (Hannig-M.Davis—Welch).

Public Act 73, enacted by H.B. 3778 (Hannig-Morrow—Trotter).

Public Act 74, enacted by H.B. 3779 (Hannig-Morrow—Trotter).

Public Act 75,* enacted by H.B. 3785 (Hannig-M.Davis—Welch).

Public Act 76,* enacted by H.B. 3790 (Hannig-Morrow—Trotter).

Public Act 97,* enacted by H.B. 3792 (Hannig-M.Davis—Welch).

Public Act 98,* enacted by H.B. 3796 (Madigan-Hannig-M.Davis—Welch).

S.B. 1239 (Welch-E.Jones—Hannig) had not been acted on at publication time.

* These Public Acts received item and/or reduction vetoes.

Local Government

The General Assembly voted to fight terrorism by protecting more information on public or utility property from disclosure under the Freedom of Information and Open Meetings Acts; create a new court circuit and subcircuits; allow local and school employees military leave with no loss of income; promote development of affordable housing; allow property developers to be charged impact fees to help build schools (not only to buy land for them); and help fire departments and fire protection districts buy firefighting equipment or transfer it among themselves.

Cable TV System Notification.

Counties and municipalities that require notice to public utilities before residential construction must also notify cable TV systems (S.B. 886, Clayborne—Pankau-Hartke).

Chicago Park District Bonds. The District can issue bonds in maturities up to 30 (up from 20) years (H.B. 2618, R.Bradley—Harmon-Martinez-Hunter et al.).

Civic Center Bidding. The minimum size of a civic center contract that must be let by bidding is quadrupled (or in a few cases doubled) to \$10,000 (S.B. 1383, Shadid-Syverson-Jacobs-Walsh-Risinger—Smith-Sacia-Winters-Slone-McGuire et al.).

County Board Referenda. Voters can petition a county board, or the board can decide on its own, to hold an advisory referendum on its number of members, type of election districts, and/or cumulative voting in electing it (H.B. 138, Franks-May-Froehlich—Link-Walsh et al.).

Court Circuits. In December 2006, McHenry County will be separated from Lake County to become the 22nd judicial circuit. The circuits of Will (12th), Lake (19th), and McHenry (22nd) will be divided into additional subcircuits. The circuits of Will (12th) and DuPage (18th) will each add 3 resident judgeships and

Lake (19th) will add 4, all to be filled in the 2006 general election (S.B. 75, Link-Cullerton—Franks et al.).

Court Fees. *Circuit clerk fees.* For counties up to 500,000, many circuit clerk fees are changed to ranges; the minimum fee will apply unless the county board increases it (H.B. 269, Mautino-Black-Sacia-McGuire—Walsh).

Services fees may be as high as \$25 (was \$15), but may be used only by the sheriff for court security (S.B. 267, Jacobs-Haine—Mautino-Black).

Energy Contracts. Municipalities can make energy contracts lasting beyond the terms of the approving authorities (S.B. 1205, Harmon-Lightford—Mathias).

Fines. Limits. The maximum criminal fine a county can impose is doubled to \$1,000 (S.B. 1370, Clayborne—Holbrook-Moffitt-Mathias-Hassert-Millner).

Paying through Internet. Courts can accept Internet credit card payment of fines for minor traffic and conservation offenses (S.B. 1407, Obama—Mathias et al.).

Fire Departments & Districts. Annexation. Fire protection districts can annex, without referendum, unincorporated areas under 60 acres, wholly



surrounded by units of government providing fire protection—or by them plus a forest preserve district (H.B. 1267, McCarthy-Kosel-S.Davis-Brosnahan-R.Bradley—Walsh).

Audits. A fire protection district receiving less than \$850,000 per year can prepare a financial report instead of being audited (H.B. 544, Hannig-Moffitt—Demuzio).

Civil service. Detailed procedures are imposed for promoting full-time firefighters in fire protection districts and unionized municipal fire departments, excluding Chicago's (H.B. 988, O'Brien-Moffitt-Smith-Franks-Washington et al.—Link-Obama-J.Jones).

EMTs. The term “firefighter” under the Public Safety Employee Benefits Act includes an EMT who is a sworn member of a public fire department (S.B. 1638, Jacobs-E.Jones—R.Bradley-E.Lyons-Joyce-Capparelli et al.).

Equipment exchange. The State Fire Marshal can promote donation of equipment among fire departments and protection districts (H.B. 121, J.Watson-Smith-Moffitt-Mathias-Bellock et al.—Demuzio et al.).

False alarms. Townships offering fire protection, and fire protection districts, can enact civil penalties for repeated false alarms (H.B. 116, Smith-Moffitt-Granberg-Sommer-Mathias et al.—Shadid-Munoz).

Stipends; background checks. Fire protection districts may pay up to \$240 per year to a volunteer firefighter who has served over 5 years. Felons, and violators of some misdemeanor sections, cannot be appointed by a fire protection district (S.B. 524, Walsh-J.Sullivan—Moffitt-Washington-Bost-Smith-Boland et al.).

Truck loans. Subject to appropriation, the Illinois Rural Bond Bank and State Fire Marshal will make zero-interest loans to fire departments and fire protection districts to buy fire trucks. No borrower can get over \$250,000 (H.B. 115, Moffitt-Smith-Sommer-Mathias-Black et al.—Shadid-Woolard-Risinger-J.Jones-Halvorson et al.).

Forest Preserve Roads. Approval by 6/7 of the members of the DuPage County Forest Preserve District board is needed to vacate a roadway in a forest preserve (H.B. 2477, Pankau—Roskam).

Freedom of Information. *Geographic information.* News media can inspect and copy “computer geographic systems” information if the purpose is to distribute information about health, safety, welfare, or legal rights of the public (H.B. 539, Currie—Cullerton).

Program participant names. Names of participants and registrants in park, forest preserve, and conservation district programs are exempted from the Freedom of Information Act (H.B. 1425, Nekritz-Lindner-Yarbrough—Garrett).

Security plans. Vulnerability assessments, utility system maps, building construction plans, and response procedures for terrorism are exempted from disclosure under the Act (H.B. 954, Meyer-Currie-Franks-Dunn-Bassi et al.—Trotter). (This bill also makes the same change as H.B. 105, summarized under “Open Meetings Act”.)

Housing Promotion. *Regulatory obstacles.* A municipality or county in which less than 10% of year-round housing is judged “affordable” by the Illinois Housing Development Authority must send the Authority an affordable housing plan before July 2004. Starting in 2009 in localities required to file such plans, builders can seek relief from ordinances that impede affordable housing construction (H.B. 625, Slone-Ryg-Currie-Hamos et al.—Martinez-Trotter-J.Collins et al.).

Tax incentive. In counties of over 200,000, tax abatements can go to owners of housing in townships with above-average tax capacity if residents of the housing get federal Section 8 subsidies (H.B. 2246, Krause-Yarbrough-Hamos-Biggins-Kelly et al.—Peterson-Radogno-Obama-Schoenberg-J.Collins et al.).

Impact Fees on Developers. Municipal or county ordinances imposing “impact” fees on developers can require that they help pay for building new schools—not only buying school lands (H.B. 528, Franks-E.Lyons-Hassert-McGuire et al.—Walsh-Radogno).

Leaf & Brush Removal. Townships and highway commissioners can use public funds to dispose of brush and leaves on roadways, or to provide disaster relief and support (H.B. 2634, Munson-Schmitz-Lindner-Froehlich-Chapa LaVia—Walsh; S.B. 1353, Walsh—Munson-McGuire).

Military Service. *Discharge papers* that counties have recorded are not open to public inspection (S.B. 715, Welch-E.Jones-Sieben-Jacobs-Hunter et al.—Moffitt-Mautino-Flider-J.Watson-Stephens-et al.).

Leave. Local and school district (added to state) employees in reserve components of the U.S. military or state militia may take employment leave, without reduction in income, for periods of military training or service (H.B. 3141, Chapa LaVia-Capparelli-Franks-Moffitt et al.—Viverito-Obama-Maloney).

Nonresident Fees. Townships can charge reasonable fees to provide services such as firefighting, and municipalities can provide and charge for emergency medical services, to non-residents (H.B. 120, Smith-Moffitt-Sommer-Mathias-Granberg et al.—Shadid et al.).

Open Meetings Act. *Public safety.* A public body can close a meeting to discuss procedures to protect the safety of the general public (formerly only of students, staff, and public property) (H.B. 105, Bassi-Dunn-Meyer-Pihos-Mathias et al.—W.Jones-Crotty).

Recording meetings. Public bodies holding closed meetings must make and keep audio or video recordings of them for at least 18 months, when the recordings can be destroyed if the body approves written minutes (S.B. 1586, Obama-Lauzen-Demuzio-Viverito et al.—Currie-Cross-Franks-McCarthy-Joyce et al.).

Virtual attendance. A member of a public body can attend a meeting by telecommunications if the member is ill, absent from the territory, or having a family or other emergency, and a majority of a quorum is physically

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Local Government

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present. No member may so attend more than half of regular meetings in a year without a doctor's certification. Members attending electronically will not count toward a quorum when the body is issuing bonds or holding a hearing. No one not present may testify in a contested case unless all parties consent (S.B. 699, Viverito—Molaro).

Park District Civil Service. The Park District Civil Service Act's application is limited to park districts of over 500,000 (up from 150,000) (S.B. 1168, Syverson-Shadid—Washington-Winters).

Parking Expansion. A county can condemn property for parking lots and garages (H.B. 841, Holbrook-S.Davis-Stephens-Reitz-Hoffman—Clayborne).

Police Complaints. Any complaint under the Uniform Peace Officers' Disciplinary Act against an officer must be supported by a sworn affida-

vit (S.B. 946, Cullerton-E.Jones—Brosnahan-Acevedo-R.Bradley-M.Davis).

Port District. A Heart of Illinois Regional Port District is created in Peoria, Fulton, Tazewell, Woodford, Marshall, and Mason Counties (except Havana Township), authorized to regulate, collect fees, and issue revenue bonds but not to tax (H.B. 1475, Smith-Leitch-Slone-Moffitt—Shadid-Risinger-Rutherford-J.Sullivan).

Records. Fees. A county can charge a document filing fee to help fund Internet access to records and county information (H.B. 526, Ryg-May-Churchill-E.Sullivan et al.—Walsh; S.B. 171, Walsh-J.Jones—Ryg-Boland-McGuire).

Internet access. A county can offer Internet access to public records it keeps in electronic form. It can sell such records in bulk or compiled form, charging 10% over the cost to provide them (H.B. 300, Mathias-May-E.Sullivan-Osmond-Beaubien et al.—Walsh).

Southwestern Illinois Development Authority. Clinton County is added to the Authority's area, and its quick-take powers are extended 2 years through August 2005 (S.B. 212, Clayborne-W.Jones—Holbrook-Stephens-S.Davis-Bassi-Reitz).

TIF Projects. Deadlines for several identified TIF redevelopment projects are extended from their 23rd to the 35th years. Title to all properties acquired for a municipality in a TIF project will vest in the municipality (S.B. 417, Haine—Hoffman-Molaro et al.).

Water Supply. A municipality contracting with a county water commission must provide water to unincorporated areas having tainted or contaminated well water on request of the county board. Water rates charged to municipalities cannot be raised for 5 years. In each of the next 4 years, each county water commission must annually transfer \$15 million to the county board for county purposes (H.B. 3402, Cross et al.—Harmon-Cronin). □

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Professions & Occupations

Legislators voted to rewrite the acts licensing private detectives and guards, and veterinarians; to help foreign nursing students learn about Illinois licensing requirements; and to allow physician assistants and advanced practice nurses to certify disabilities under a physician's supervision.

Disability Certifications. With authority delegated from a supervising physician, a physician assistant or advanced practice nurse can certify that a person has a disability (S.B. 1117, Crotty—Moffitt-J.Mitchell-Mathias-Smith-Slone).

Electrology. The continuing education requirement to obtain a 'grandfa-

ther' license is reduced from 75 to 30 units (H.B. 468, Burke-Osmond-Rita—DeLeo).

Massage Therapists. The date by which persons doing massage for compensation must be licensed is delayed 1 year to January 2005 (S.B. 255, Haine—Saviano-Coulson).



Nurse Licensing. The Department of Professional Regulation (DPR) must post nurse licensing requirements and

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Revenue

Many taxes and fees have been raised to help balance the state budget. A broad tax amnesty will be offered from October 1 to November 15. Along with higher riverboat taxes and fees, the state may withdraw one or more expiring riverboat licenses and operate riverboats through hired managers. Illinois will continue taxing estates despite the phaseout of federal estate taxation.

Estate Tax

Decoupling. Illinois will avoid the effects of the phaseout of federal estate tax between now and 2010. The Illinois Estate and Generation-Skipping Transfer Tax will remain as it was before the 2001 federal law, except the minimum estate size subject to it will rise to \$1.5 million in 2004 and \$2 million in 2006 (S.B. 1725, Trotter-E.Jones—Madigan-Currie-Washington).

Income Tax

Corporations. Several income tax credits including those for personal

property tax replacement tax, training expense, and research and development are eliminated. Carryback of net operating losses is eliminated, and their carryforward period shortened from 20 years to 12. The surplus line tax is raised from 3% of gross premiums to 3.5% (S.B. 1634, Link-E.Jones—Madigan-Currie-Washington).

Earned Income Tax Credit. The state's earned income tax credit (5% of the federal credit) is made permanent and refundable (payable even to taxpayers owing no state income tax). Such refunds will be ignored in determining eligibility or benefits by need-based government programs (S.B. 4,



Obama-Welch-J.Collins-Hunter-Harmon et al.—Currie-Lindner-Turner-Black-Delgado et al.).

Tax Checkoffs. *Asthma and lung research.* An income tax checkoff is created to make grants to the Asthma Clinical Research Program of the American Lung Association (S.B. 1401, Maloney-J.Collins-Trotter-Harmon-Geo-Karis et al.—O'Brien-Franks-Ryg-J.Lyons et al.).

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Professions & Occupations

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a list of training and education programs for foreign nurses on its Web site, in English and Spanish (S.B. 78, del Valle-Sandoval-Martinez—Soto-Delgado-Berrios-Acevedo-Mendoza et al.).

Physicians. *Complaint board.* DPR's Medical Disciplinary Board will have a committee to review and make recommendations on complaints filed (S.B. 105, Cullerton—Saviano).

Witnessing executions. Medical practitioners may not participate in executions. Death of an executed person will be pronounced by a nonphysician coroner (S.B. 277, Cullerton-Obama—D.Brady-Currie).

Security Guards. A Private Detective, Private Alarm, Private Security, and Locksmith Act is enacted, replacing the old act effective immediately. It has separate articles on private detectives, private alarm contractors, private security contractors, and locksmiths, and has stricter training requirements for security guards and heavier penalties for operating without a license or obtaining a license by fraud (S.B. 487, E.Jones-Munoz—Saviano).

Surgical Assistants and Technicians. Title protection is provided for registered surgical assistants and registered surgical technologists. To be registered, a person must be certified by a

national organization listed in this law (S.B. 354, Peterson-Cullerton—Burke-Rita-Biggins-R.Bradley-Bellock).

Veterinarians. The Veterinary Medicine and Surgery Practice Act is rewritten effective December 31, 2003. More classes of persons are exempted from licensing as veterinarians. New grounds for discipline are failing to report suspected animal abuse and providing prescription drugs without being the animal's veterinarian (S.B. 386, Munoz—Saviano-D.Brady). □

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Revenue

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Leukemia. A checkoff is created to make grants for education about and treatment of leukemia and related disorders (S.B. 881, Link-Harmon et al.—Lang-Mendoza-McCarthy-Colvin-Verschoore et al.).

Lou Gehrig's disease. A checkoff is created to make grants to the Les Turner ALS Foundation for research on amyotrophic lateral sclerosis (S.B. 1044, Schoenberg-Silverstein-Garrett-Link-Harmon et al.—Lang-Froehlich-Colvin-Dunkin-Biggins et al.).

Local Taxes

Historical Societies. A provision allowing tax districts to abate taxes on property of federally tax-exempt historical societies is extended 5 years through 2008 (H.B. 3612, Franks—Garrett).

Records On-line. With consent of the county treasurer, a county board can use its Tax Sale Automation Fund to put tax records on-line (H.B. 527, Ryg-May-Churchill-E.Sullivan et al.—Walsh).

School Supplemental Tax. If a referendum authorizes raising a school district's rate for education or operations and maintenance after its budget is adopted, the county clerk must extend the addition (H.B. 3101, Beaubien-Lang et al. et al.—Link-Garrett).

Senior Homesteads. Senior citizens who become first occupants of a residence after January 1 can get a *pro rata* homestead exemption for the rest of the year (S.B. 505, J.Collins-B.Brady-Peterson-W.Jones-Hendon et al.—Mathias-Colvin-Ryg-Verschoore-Phelps et al.).

Veteran's Mobile Home. A disabled veteran or the veteran's unremarried surviving spouse can get exemption from Mobile Home Local Services Tax starting in 2004 (H.B. 2291, Novak-Boland et al.—Halvorson).

Riverboat Taxes

Increases. One new law calls for admissions taxes to rise July 1, 2003 from \$3 per person to \$4 or \$5 based on the licensee's admissions in the preceding year (see also next summary). This act also raises privilege tax rates on each riverboat's annual adjusted gross receipts over \$25 million, reaching a maximum of 70% of amounts over \$250 million; they are to revert to the former rates on the sooner of July 1, 2005 or when another riverboat gambling license becomes active (S.B. 1606, Welch-E.Jones—Hoffman).

State-Run Riverboat. Under another new law, expiring owners' licenses can be either awarded by bidding, or kept by the state if the Gaming Board thinks a state-operated riverboat would bring more revenue. A manager's license to run any state-operated riverboat would be issued by bidding. All three boats on the Mississippi River (now only one) can move "inland" a few miles. This act calls for admissions taxes to rise to \$3 to \$5 based on admissions the preceding year (S.B. 1607, Link-E.Jones—Madigan-Hoffman).

Sales Taxes

Ethanol. Gasohol's tax break is reduced from 30% to 20% of the sales tax rate, but extended through 2013. Fuels containing high percentages of ethanol, or biodiesel compounds, are completely exempted from state sales

tax until 2013. (S.B. 46, J.Sullivan-Walsh-Welch-Demuzio-Halvorson et al.—Reitz-Moffitt-Bost-Phelps-Stephens et al.)

Incentives Ended. A new use tax of 6.25% is imposed on aircraft used in Illinois. Use tax exemptions are repealed on graphic arts machinery, oilfield machinery, coal exploration equipment, distillation equipment, vending machines, and aggregate mining equipment. Manufacturers' purchase credits cannot be used after September 2003 (S.B. 842, Link-E.Jones-Trotter—Madigan-Currie-Washington).

Other Provisions

Amnesty. From October 1 to November 15, 2003, persons paying amounts they owe the Department of Revenue for state taxes from 1983 to mid-2002 can avoid interest, penalties, and prosecution. Interest and penalties will double after the amnesty, for eligible persons who do not use it (S.B. 969, Link-E.Jones-Welch-Clayborne-Trotter—Colvin-Yarbrough-McKeon-Kurtz-Washington).

Budget Provisions. Some \$154 million was to be transferred from 97 special-purpose funds to the General Revenue Fund; other transfers can be made discretionarily within percentage limits. Amounts collected from fee increases in other 2003 laws are to be allocated between dedicated funds and the General Revenue Fund by the Bureau of the Budget (now the Office of Management and Budget). Penalties on tax underpayments or late payments will rise in 2004. A collection penalty is created for tax payments due after June 2003 and not paid in 31 days. A surcharge is imposed on businesses for workers' compensation

insurance premiums (or wages if self-insured). The fee per new or used tire sold is raised from \$1 to \$2.50. An additional \$4 penalty applies to all criminal or moving traffic violations. Many fees and penalties on insurers are raised by 50% or doubled. Fees are also raised on lobbyists, credit unions, nursing homes, applicants for EPA permits, motorists, and many kinds of businesses (S.B. 1903, Welch—Madigan-Currie).

State Debt Collection. A new Debt Collection Bureau in the Department of Revenue will collect most debts owed to state agencies starting in 2004 and 2005. The Bureau can contract with collection agencies, and may seek the Attorney General's assistance (S.B. 1923, Demuzio-Schoenberg-Garrett—Lang-Franks-Chapa LaVia). □

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Social Services

New laws authorize a new prescription discount program for seniors and disabled persons, and extend the Children's Health Insurance Program. The General Assembly also voted to raise the pay of workers caring for adults at home; require more oversight of nursing homes, state mental institutions, and foster homes; add classes of mandated reporters of suspected child or elder abuse; and add drugs for multiple sclerosis to the "circuit breaker" prescription drug plan.

Autism Diagnosis. Subject to appropriation, the Department of Human Services (DHS) can establish an autism diagnosis education program at three sites (H.B. 1809, Stephens-Madigan-Currie-Holbrook-Hoffman et al.—DeLeo-Obama-Shadid-Trotter-Crotty et al.).

Child Abuse Reporting. Licensed clinical and professional counselors become mandated child abuse and neglect reporters (H.B. 1284, May-Hamos-Krause-Meyer-Osterman et al.—Peterson-J.Collins et al.).

Children's Health Insurance Program. This program is made permanent, and its income limits raised (S.B. 130, Obama-Munoz-Martinez-Schoenberg-Trotter et al.—Pihos-May-Currie-Fritchey-Mathias et al.).

Child Placement Oversight. Private agencies must supervise and keep track of children they placed in foster homes (H.B. 3062, L.Jones-Dunkin-Jefferson-M.Davis et al.—Hendon-Lightford-Hunter-J.Collins et al.).

Children With Disabilities. *Early intervention.* Prospective early-intervention workers must be screened for histories of abuse or neglect before working with children (H.B. 2848, Coulson-Chapa LaVia—Crotty-J.Collins).

Home services. The Department of Public Aid (DPA) can offer home- and community-based services to prevent institutional placement of children

with developmental disabilities, severe mental illness, or emotional disturbances who do not otherwise qualify for medicaid due to family income (S.B. 989, Obama-E.Jones-J.Collins—Daniels).

CHIP Changes. Some changes were made in the Comprehensive Health Insurance Plan due to the federal Trade Adjustment Act of 2002 (H.B. 3298, Mautino-Leitch-Rita-Giles-Boland et al.—E.Jones-Welch-Jacobs). Another measure, which was contingent on enactment of that law, made some changes to the CHIP Act to conform to that law (H.B. 707, Mautino-Currie-Delgado-M.Davis-Flowers—Welch-Haine).

Disabilities Database. DHS will create a database of Illinoisans with mental illness, physical disabilities, or developmental disabilities who may need its disability services (S.B. 252, Halvorson-Radogno-Martinez-Garrett-Walsh et al.—Kosel-Jakobsson-Dunn-Coulson-Joyce et al.).

Elder Abuse. The Department on Aging will coordinate an elder abuse awareness training program with other state entities. Penalties are created for mandated reporters who do not report criminal neglect of residents in nursing homes; abuse of the elderly or disabled; and financial exploitation of the elderly or disabled. Persons convicted of those crimes may not inherit from their victims.

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Social Services

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Alleged victims of elder abuse can give testimony in abuse prosecutions by deposition. (H.B. 87, Lang-Washington-Flowers-Coulson-Franks et al.—Crotty-Trotter-Hunter-J.Collins et al.). (Note: House Bill 51, summarized in the Civil Law article under “**Estates**,” contains provisions similar to H.B. 87’s on inheriting by abusers.)

A partly overlapping bill adds paramedics and EMTs as mandated reporters of elder abuse, and creates penalties for not reporting (H.B. 85, Lang-Washington-Flowers-Ryg-Coulson et al.—Crotty-J.Collins-Trotter-Hunter et al.).

Energy Assistance. The Department of Commerce and Economic Opportunity will administer a fund to help the poor pay energy bills, seeking contributions in twice-yearly utility bill inserts (S.B. 1066, Crotty-Clayborne-J.Collins-Sandoval-Hunter et al.—Delgado-Soto-Yarbrough-Acevedo-R.Bradley et al.).

Fatherhood. A new Council on Responsible Fatherhood will promote positive involvement of fathers in their children’s lives. It will evaluate state programs and policies, host a statewide symposium on responsible fatherhood, seek grants, and report in 2004 and 2005 to the Governor and General Assembly (S.B. 167, Lightford-Munoz-Martinez-Trotter-Sieben et al.—Froehlich-Delgado-Giles-Fritchey-Acevedo et al.).

Home Services Workers. *Employment status.* Personal care attendants and assistants in the Home Services Program, intended to avoid institutionalization of adults, become state employees and can bargain collectively, but are not eligible for benefits such as group insurance (H.B. 2221,

Burke-Colvin-Delgado-Bost-Black et al.—Ronen-Schoenberg-Obama-Sandoval-Munoz et al.).

Pay. The minimum wage of personal care attendants in that program rises from \$5.40 an hour to \$8.00, then \$9.00 on January 1, 2004 (H.B. 1179, McGuire-Dunkin-Kelly-Washington-Boland et al.—Walsh-Crotty-J.Collins-Hunter-Link et al.).

Housing Development. A task force appointed by the Governor and legislative leaders, and including representatives of several statewide officers or departments, will develop a comprehensive housing plan for the state, focusing on building or rehabilitating housing for persons with low income and disabilities. Each year until 2008 the Governor is to “identify” state moneys that can be used to promote the plan by grants or other means (H.B. 2345, Hamos-Leitch-Jefferson-Hultgren-Osterman et al.—Schoenberg-Garrett-Obama-Peterson-J.Collins et al.).

Immigrants. *Aid eligibility.* Several categories of noncitizens of the U.S. are added to those who can get public assistance (H.B. 3044, Washington-Delgado-Soto-Chapa LaVia-Dunkin et al.—Martinez-del Valle).

Minors. Immigrant minors who are court wards can be eligible for long-term foster care due to abuse, neglect, or abandonment if a search for parents fails, reunification is infeasible, and it is not in their interest to return to their countries. This does not apply to minors seeking this status solely for financial assistance (H.B. 2203, McKeon-Aguilar-Hamos—Sandoval-D.Sullivan-Martinez et al.).

Outreach. The Attorney General will establish a program to assess immigrants’ needs for and access to government services. Subject to appro-

priation, the Attorney General can provide education and outreach to them (S.B. 680, Sandoval-Obama-Hunter et al.—Froehlich-Aguilar-Berrios-Nekritz-Acevedo et al.).

Jobs for Ex-Prisoners. The Departments of Human Services and Corrections can create a pilot program to place released prisoners and other hard-to-employ persons in jobs. Priority must go to regions with the highest concentration of released prisoners (H.B. 3316, Turner-Giles-Feigenholtz-Howard-Delgado et al.—Hendon-Obama-Harmon-Dillard-J.Collins et al.).

Mental Treatment. *Civil commitment.* IDPH will offer training on civil commitment and involuntary treatment to judges, lawyers, doctors, and others interested in mental health issues (S.B. 200, F.Watson-Crotty et al.—Daniels).

State institutions. DHS must report to the Governor and General Assembly by January 2004 on compliance with Medicare standards by state mental facilities that may be eligible for Medicare payments. By January 2005 DHS must adopt a protocol and treatment record forms for all state facilities for the mentally ill or developmentally disabled. The Inspector General will function independently within DHS to investigate mental health and developmental disabilities treatment, and monitor corrective actions (H.B. 88, Lang-Flowers-Bailey-M.Davis—Trotter-J.Collins).

Nursing Homes. *Abuse reporting.* Mandated reporters of abuse and neglect may sue persons who cause them damage for reporting. But a person other than a resident who knowingly makes a false report will commit a Class A misdemeanor (S.B. 319, Schoenberg—Lang-Washington-Graham).

Abuse review. The IDPH Director must appoint a sexual assault and death review team for nursing homes in each region of the state, to review suspicious deaths and confirmed cases of sexual assault of residents (S.B. 1543, Radogno-Crotty-Garrett-Schoenberg-J.Collins et al.—E.Lyons-Bellock-Delgado).

Oversight. The Department on Aging will establish a council to oversee and make recommendations on the nursing home industry (H.B. 771, Osterman-McGuire-M.Davis-Krause-Bassi et al.—Halvorson).

Parent Finding. *Employer help.* On request by a public agency, employers, unions, and telephone companies must help them find parents who owe child support, or alleged fathers. Utility and cable companies must provide location information if served an administrative subpoena (H.B. 16, Lang-Fritchey-E.Lyons-Bellock-Miller et al.—Cullerton-Crotty-Silverstein-Martinez-J.Collins et al.).

Tip followup. DPA must try to find a noncustodial parent within 60 days after getting credible information on the parent's location from the other parent (H.B. 2895, E.Lyons-Bellock-Winters-J.Watson-Pihos et al.—Crotty-Radogno).

Prenatal and Perinatal Care. DPA can offer medicaid reimbursement for prenatal and perinatal care, and must develop a plan for preventive prenatal and perinatal care by January 2004 (S.B. 306, Ronen-Garrett-Trotter-Obama-Hunter et al.—Feigenholtz-Miller-Nekritz-Colvin-Kelly et al.).

Prescription Drugs. *Added disease.* Multiple sclerosis drugs will be covered by the "circuit breaker" Pharmaceutical Assistance program (S.B. 293, Radogno-Obama-Crotty-Maloney-Trotter et al.—McGuire-Mathias-Boland-Flider-Jakobsson et al.).

Changes in charges. The Department of Revenue can make rules for participation in the Pharmaceutical Assistance program, including copayments and spending limits. To the extent practicable, these rules are to parallel those for DPA's pharmacy assistance program (H.B. 784, Coulson-Currie-McGuire-Holbrook et al.—Schoenberg-J.Collins-Obama).

Medicaid. Copayments for generic drugs under medicaid are eliminated. Brand-name drugs retain a \$3 copayment (S.B. 1109, Hendon-Trotter-Obama-J.Collins et al.—Miller et al.).

New program. The Department of Central Management Services will offer a prescription discount program for eligible seniors and disabled persons, using rebates from drugmakers (H.B. 209, Franks-B.Mitchell-Hoffman-Joyce-Chapa LaVia et al.—Halvorson-Welch-Harmon-Hunter-J.Collins et al.; S.B. 3, Halvorson-Crotty-J.Sullivan-Garrett-Welch et al.—Franks-O'Brien-Flider-L.Jones-Delgado et al.).

Public Aid Eligibility. A provision preventing an assistance unit's aid from changing due to the birth of another child is to be phased out by July 2007. Public Aid recipients must be treated the same regardless of marital status (H.B. 3023, Feigenholtz-Flowers-Howard-Currie—Martinez-Obama-Radogno-Hunter-J.Collins).

Senior Centers. Subject to appropriation and other funding, and starting in 2005, the Department on Aging will make grants to nonprofit agencies and local governments to help establish centers for activities for senior citizens and their family members (H.B. 2413, Forby-Kosel-Reitz-Wait-Joyce et al.—Shadid-Woolard-Wojcik-Schoenberg-Crotty et al.).

Teen Pregnancy Prevention. DHS can establish a Latino Teen Pregnancy Prevention and Intervention Initiative (H.B. 1630, Soto-Delgado-Mulligan-Yarbrough-Aguilar et al.—Martinez-Hunter et al.).

Veterans' Home. Subject to appropriation, the Department of Veterans' Affairs is to expand the LaSalle Veterans Home by at least 80 beds (H.B. 1423, Mautino-Meyer-Moffitt—Welch-Lauzen).

Youth Transitional Housing. The Department of Children and Family Services can license youth transitional housing programs to provide services to homeless minors aged 16 or 17. A homeless minor can be emancipated for the sole purpose of consenting to services and shelter (H.B. 556, A.Collins-Howard-Hamos-Feigenholtz-Bellock—Hunter-J.Collins-Martinez). □

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2003 VETO SESSION

October
23 Perfunctory

November
4, 5, 6 Session
18, 19, 20 Session

State Government & Pensions

Legislators passed bills to make initial voter registration and voting easier; restrict political work by state employees and political fundraising; sell \$10 billion of bonds to support state-funded pension systems; and authorize the mortgage or sale of the Thompson Center, Elgin Mental Health Center, and Toll Highway Authority headquarters. A Downstate sports facilities authority is created, and state employees who are military reservists will not suffer loss of income if called to active duty.

Board and Commission Member Changes. The Governor can appoint new members of the Illinois Labor Relations Board, Educational Labor Relations Board, Pollution Control Board, Prisoner Review Board, and Industrial Commission. The Governor may also appoint executive directors of the last three of those bodies. Members of these bodies may not hold other office or employment (S.B. 2003, Demuzio—Madigan-Hoffman-Franks-Nekritz).

Budget Performance Measures. The Bureau of the Budget (renamed Office of Management and Budget) will develop program objectives for state programs by October 2004, and performance measures by October 2005. Those measures are to be used in preparing state budgets starting with fiscal year 2007 (H.B. 3313, Slone-Hamos—Schoenberg-Lauzen-Obama).

Community Investment. The State Treasurer may consider a financial institution's commitment to its community in deciding where to deposit state funds (H.B. 277, Washington-Howard-Turner-Yarbrough-Churchill et al.—Link).

Contracts. Felons barred. A business may not contract with the state for 5 years if it is convicted of, or ordered to pay punitive damages due to a manager's conviction of, a felony under the federal Sarbanes-Oxley Act or

Illinois Securities Law (S.B. 1530, Demuzio-Schoenberg-Woolard-Harmon-Maloney et al.—Franks-Brauer-Joyce-Washington-Yarbrough et al.).

Forced labor ban. Contractors with state agencies (except on public works) must agree not to supply foreign goods that were made by forced or convict labor (H.B. 102, Boland-Bellock-Jefferson et al.—Harmon-Silverstein-Viverito-J.Collins).

Service contracts. Prevailing wage requirements are extended to building and grounds services, site technician services, and natural resources services. Pay levels set in state employee union agreements will be considered in determining "prevailing wages" for state service contract purposes (H.B. 3082, Joyce-Washington-Colvin-W.Davis-Yarbrough et al.—Lightford-J.Collins-Hunter et al.).

Elections. The State Board of Elections must post printable voter registration forms on its Web site, and local election authorities must allow applicants to register by mailing such forms. Applicants no longer must have Social Security numbers (now required). Polling places must have 100-foot no-electioneering zones marked; places outside them are declared public forums for campaigning. Political committees must report spending during campaign periods to help any candidate clearly identified



in an advertisement (as in H.B. 3412). Persons who claim to be registered, but are not listed on registration rolls, may vote provisionally; their votes may later be counted, and their names added to the rolls, based on their statements or other sources of information. If punch cards are used for voting, slight physical indications that a voter attempted to punch them will count as votes. Local election authorities can try electronic voting systems, approved by the State Board of Elections, in some or all precincts; such systems must allow write-in votes. Advisory referenda may be called by signatures of 8% of the number of votes most recently cast for Governor (instead of 10% of registered voters), or by majority vote of a unit of local government (S.B. 428, Walsh-Dillard-Link-Haine et al.—Boland-Reitz-Turner-Lindner-McGuire et al.).

Ethics. General. A new State Officials and Employees Ethics Act changes numerous provisions on state executive and legislative branch ethics. Each officer and employee must

get annual ethics training. Employees cannot be required to do, or be rewarded for, political work while earning state benefits (including vacation and personal time), and are forbidden from doing political work on state work time. Advertisements for a state-run program may not contain the voice or image of a legislator or state-wide executive-branch officer who is a candidate for office.

State officers and employees may not offer state jobs or pay raises for political contributions, or take contributions on state-owned or -leased property. Political fundraisers are banned in Sangamon County on regular legislative session days. State officials may not retaliate against an employee for disclosing or threatening to disclose apparently illegal activities to a supervisor or another governmental body.

Board and commission appointees must disclose contracts they or their families or majority-owned entities have with the state, and may not make contracts involving the bodies on which they serve. Political committees must report spending during campaign periods to help any candidate clearly identified in an advertisement. State funds may not be used to send newsletters in a general election year from February 1 until the primary election or from September 1 until the general election. Registered lobbyists may not serve on boards and commissions (H.B. 3412, Cross-Madigan-Aguilar-Coulson-Fritchey et al.—Garrett-Obama-J.Sullivan-Welch-Halvorson et al.).

Lobbyist gifts. If a public official returns or reimburses a gift or honorarium within 10 days after receiving a copy of a lobbyist's preliminary report of gifts, the lobbyist's final report must not list the expenditure unless the official was informed that it was a

reportable expenditure at the time of receipt (H.B. 2205, Currie-Black-E.Sullivan—Cullerton).

Foreign Adoptions. A person born in a foreign country and adopted under its laws by an Illinois resident may have a Record of Foreign Birth filed by the State Registrar of Vital Records (S.B. 180, D.Sullivan—Feigenholtz-Sommer).

Gender-Neutral Statutes. A new legislative commission will study the cost and other effects of making all Illinois statutes gender-neutral, and report to the General Assembly by January 2004 (H.B. 3285, McAuliffe et al.—Halvorson).

Lottery Prize Assignments. A lottery winner who will be paid in installments may, with court approval, assign some or all payouts to another entity, subject to restrictions (S.B. 689, Cullerton-Trotter—Molaro-Washington).

Military Leaves. Military reservists called to active duty while in full-time state employment will receive the amount (if any) by which their state pay exceeds their regular military pay (S.B. 619, Halvorson—Scully-Novak-Miller-Ryg-Delgado et al.).

Pensions. Bonds. The state can use \$10 billion of new bond-issuance authority to shore up the State Employees', Teachers', State Universities', General Assembly, and Judges' Retirement Systems. Of the proceeds, \$300 million is reserved for required state contributions to those systems for the fourth quarter of fiscal year 2003, and \$1.86 billion for all of fiscal 2004. The remainder will be allocated to reduce those systems' actuarial deficiencies. The required state contribution to each of those systems in fiscal 2005 and thereafter cannot exceed (a) what it would have been

without the bond issue minus (b) that system's proportional share of debt service on the bonds (H.B. 2660, Madigan-Hannig-Dunkin—E.Jones-Trotter-Welch-Harmon et al.).

General Assembly pensions. Future entrants to the General Assembly Retirement System will not be eligible for annual 3% increases in future pensions from the time they reach 55 with at least 20 years' service until they retire; instead they will get 3% annual increases after retiring or at age 60, whichever is later (S.B. 1476, J.Sullivan-Obama-Harmon-J.Collins-Lauzen et al.—Granberg-Graham-Yarbrough).

Property Disposition. The Director of Central Management Services may sell, sell and lease back for up to 99 years, or mortgage the Thompson Center and/or Elgin Mental Health Center. The Illinois State Toll Highway Authority can do those things with its headquarters building. Chicago and units of local government in it can sell and lease back their real estate without losing tax exemptions (S.B. 719, Welch-E.Jones—Madigan-Curie).

Slavery. Freedom Trail Commission. A new commission will teach the public about the Freedom Trail and Underground Railroad, preserve their histories, and seek historic registration of locations along them (S.B. 1363, Trotter-E.Jones-Dillard-Lightford-Clayborne et al.—M.Davis-Howard-Flowers-Curie-Turner et al.).

National Freedom Day. The third Saturday in June each year becomes Juneteenth National Freedom Day to honor the abolition of slavery in the U.S. in 1865 (S.B. 1028, Hunter-E.Jones-J.Collins-Meeks-Obama et al.—Dunkin-Colvin-Bailey-Howard-M.Davis et al.).

(continued on p. 32)

State Government & Pensions

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Snackfood. Popcorn becomes Illinois' official food for snacking (S.B. 185, Walsh-Viverito-Hunter et al.—McGuire-Yarbrough).

Sports Facilities Authority. A Downstate Illinois Sports Facilities Authority can arrange loans with facility owners, regulate use and operation of sports facilities, issue bonds, and (with municipal approval) charge local hotel taxes anywhere in the state except Chicago (H.B. 3488, Black-Mautino-Holbrook—Demuzio-Winkel-Woolard).

Telephone Access to Agencies. A new board will make grants to test use of the number “211” as a portal to government and nonprofit information and services (H.B. 429, Leitch-Coulson-Krause-Pihos-Hamos et al.—Garrett et al.).

Web Site Privacy. State Web sites may not install permanent “cookies” or other tracking programs on visitors' computers except in limited conditions, including full disclosure. An Internet Privacy Task Force will study privacy risks in visiting state agency Web sites and recommend changes (H.B. 32, Lang—Meeks et al.).

World War II Memorial. An income tax checkoff is created to fund a memorial in Springfield (H.B. 865, J.Watson-Molaro-Grunloh-B.Mitchell et al.—Demuzio-Viverito et al.). □

Shawn E. Friedman
Research Assistant

Transportation

The General Assembly voted to allow major expansion of O'Hare Airport in coming decades, impose additional controls on the Toll Highway Authority, and study the possibility of merging it with the Regional Transportation Authority and other agencies in northeastern Illinois. Police can stop motorists for seatbelt violations, and holders of graduated drivers' licenses can have only limited numbers of passengers during their initial months of driving. A program will be created to attract and keep passenger air service at airports outside Cook County

Airports. *O'Hare expansion.* A new act will allow planning, construction, and reconfiguration of more O'Hare runways and facilities; acquisition of property, including a cemetery, needed for expansion; and “quick take” of specific parcels. IDOT approval of the expansion will not be required, except for building of any runways that are not approximately east-west or that would make the number of O'Hare runways exceed 8 (H.B. 721, Currie-Lang-Hoffman-Granberg-Novak et al.—E.Jones-F.Watson-Harmon-Hunter-J.Collins).

Recruitment of carriers. An “I-FLY” program and fund are created to recruit and retain air carriers at airports outside Cook County (S.B. 172, J.Sullivan et al.—Granberg-Sacia).

Automobiles. *Lane usage.* A driver may use the left lane of an Interstate or other controlled-access highway only (1) to pass a vehicle; (2) if no other vehicle is directly behind the

driver; or (3) when traffic congestion, inclement weather, obstructions, emergency vehicles, or exiting or paying a toll requires use of the left lane (H.B. 1574, Millner-Giles-Sacia et al.—Rutherford-Wojcik).

Seatbelt enforcement. Police may stop a vehicle for seatbelt violation, but may not search solely for that reason (H.B. 218, Beaubien-Currie-Osmond-Sacia-Turner et al.—Cullerton; S.B. 50, Cullerton-Obama-Martinez-Trotter-Viverito et al.—Beaubien-Currie-Osmond-Sacia-Turner et al.).

Van inspections. Out-of-state vans used to transport up to 15 workers in Illinois must be inspected and get IDOT certificates of safety (H.B. 313, Hoffman-Black et al.—Shadid-J.Jones-Munoz-Halvorson-Geo-Karis et al.).

Young drivers. For 6 months or until age 18, whichever comes first, a graduated licensee may not have more than one passenger under age 20 except immediate family members (S.B. 58, Cullerton-Cronin-Viverito et al.—Hultgren-Currie-Chapa LaVia-Beaubien-Froehlich et al.).

County Tax. A Special County Retailers' Occupation Tax may be used in whole or part to fund transportation. If it will be used for public highways or a passenger rail system, the county board must inform the public of its long-range transportation plan before passing the tax ordinance (S.B. 154, Link-Peterson-Garrett—Beaubien-Mathias).

Highways. *Design.* IDOT is to introduce context-sensitive design (harmony with the environment and residents) into its planning for transporta-

tion facilities (H.B. 3061, Ryg-Nekritz-Yarbrough-Soto et al.—Garrett-Roskam-J.Collins).

Obstruction. Fines for obstructing roadways are increased fivefold, to a range of \$50 to \$500 (H.B. 2301, O'Brien—Halvorson).

Stoplight controllers. Unauthorized sale or use of traffic control signal pre-emption devices, which change stoplights to green, is a Class A misdemeanor, punishable by a fine up to \$5,000 for selling (H.B. 123, Holbrook-Moffitt-Hoffman-Smith-Pankau et al.—Shadid-Dillard; S.B. 21, Dillard-Peterson-Radogno-Shadid—Meyer-Bellock-Mathias-Holbrook-E.Sullivan.).

Vacated. Highway commissioners may transfer a vacated highway or part of it to a township road district that petitioned for vacation and intends to make a public bike path or alley (in addition to other uses) (S.B. 245, Garrett-Link—Ryg-Froehlich-May-Osmond-Beaubien).

Motorcycle Safety. Starting in 2004, a motorcycle driver under 18 must have *successfully* completed (not merely completed) an IDOT-approved motorcycle training course (H.B. 499, Dunkin-Yarbrough—Cullerton et al.).

School Buses. *Lights.* School buses may have alternately flashing headlights, which may operate simultaneously with required alternately flashing red or amber lamps (S.B. 1093, Winkel-Bomke—Mathias).

Passing. The requirement to stop before meeting or passing a school bus loading or unloading students is extended to any location in the state (instead of only public roadways or private roads having a police-patrol agreement) (S.B. 311, Sieben-J.Collins—J.Mitchell-McCarthy-Moffitt-Brauer).

Tollway Authority. The Governor will appoint an Inspector General for fraud and mismanagement at the Toll Highway Authority. The Authority must notify the General Assembly of any plan to obligate or spend amounts deposited into a bond-repayment account beyond amounts needed under bond covenants. The Authority must hold two public hearings and send a 20-year strategic plan to the General Assembly by May 15, 2004. A streamlined administrative enforcement system will allow the Authority to collect tolls and penalties like court judgments unless contested by the vehicle owner. Photo (in addition to video) surveillance may be used to detect toll violators. The Authority can contract with local governments to collect tolls for them electronically. Authority personnel are prohibited from getting financial benefit from Authority contracts awarded during or within 1 year after their service, or using or disclosing nonpublic information for personal gain. (S.B. 1848, Schoenberg-Garrett-Crotty-Obama-Halvorson et al.—Nekritz-Froehlich-McCarthy-Osterman-Coulson et al.).

Transportation Studies. *Merger.* A Regional Transportation Task Force will study the feasibility of merging the RTA, Tollway Authority, and other transportation agencies in northeastern Illinois, and report to the Governor and General Assembly by March 1, 2004 (S.B. 726, Garrett-E.Jones—Krause-Coulson).

Public transportation. An Illinois Coordinating Committee on Transportation will study transportation needs, focusing on disadvantaged areas, and develop a process for requesting more federal funds (H.B. 1532, Winters-Mathias-Black-Hamos-Hoffman et al.—Obama-Hunter-J.Collins-Garrett; S.B. 1408, Obama-B.Brady et al.—Winters-Black-W.Davis-Hoffman-Hamos et al.).

Trucks. *Speed limits.* The 55 m.p.h. limit for trucks and similar vehicles is raised to 65 on divided multilane highways outside urban districts (H.B. 1186, Reitz-Tenhouse-Forby-Black-Sacia et al.—Shadid-E.Jones-J.Jones-Risinger).

Tow-truck length and weight limits. Towing vehicles may exceed length and weight limits when moving a disabled vehicle to a place of repair by IDOT-approved route (S.B. 330, Link-Walsh—Reitz-Poe-Sacia-Black). Under another bill, a tow truck and disabled vehicle can put a total weight of 56,000 pounds on a triple rear axle; and special permits can be issued to tow to the actual place of repair regardless of distance (S.B. 563, Link-Walsh—Reitz-Poe-Sacia-Black).

Veterans' Plates. The additional \$2 fee for renewing special plates for veterans is abolished (H.B. 1389, McCarthy-Capparelli-Stephens-McGuire-J.Watson et al.—Viverito-Maloney). □

Ursula S.V. Mackey
Research Associate



Abstracts of Reports Required to be Filed with General Assembly

The Legislative Research Unit staff is required to prepare abstracts of reports required to be filed with the General Assembly. Legislators may receive copies of entire reports by sending the enclosed form to the State Government Report Distribution Center at the Illinois State Library. Abstracts are published quarterly. Legislators who wish to receive them more often may contact the executive director.

Insurance Dept.

Cancer treatments report, FYs 2000-2002

Explains requirements on insurance companies to offer coverage for cancer clinical trials for 3-year trial period. Describes current studies and research on cancer clinical trials for. Recommends more study to determine whether mandatory coverage of clinical trials would be cost-effective. (20 ILCS 1405/56.3; May 2003, 15 pp.)

Law Enforcement Training & Standards Board

Mobile team training report, FY 2002
The 16 units statewide trained 50,524 police officers and criminal justice professionals at an average cost of \$134 each. They offered 37 mandatory firearms courses to 518 full-time officers. Total cost was \$6.8 million. (50 ILCS 720/6; Jan. 2003, 13 pp.)

Legislative Reference Bureau

Illinois delegation to National Conference of Commissioners on Uniform State Laws, annual report 2002

Summarizes eight new uniform laws proposed in 2002: (1) Uniform Apportionment of Tort Responsibility Act provides modified form of comparative fault and limits applicability of joint and several liability; (2) Uniform Child Witness Testimony by Alternative Methods Act authorizes courts to allow a child witness to testify out of court; (3) amendments to Uniform Commercial Code Articles 3 and 4 on negotiable instruments and bank deposits and collections; (4) amendments to Uniform

Computer Information Transactions Act cut off electronic self-help as a remedy, limit ability to prohibit reverse engineering, and make licensing contracts nonbinding until they are available for viewing electronically or in writing; (5) amendments to Uniform Interstate Enforcement of Domestic-Violence Protection Orders Act put anti-stalking orders under Act's coverage; (6) Uniform Nonjudicial Foreclosure Act allows foreclosure of real estate mortgages without court proceedings; (7) amendments to Uniform Parentage Act reinstate rules for nonmarital paternity presumptions eliminated in 2000 and provide for paternity registry, genetic testing standards, and rules to determine parentage under alternative conception methods; (8) revision of Uniform Securities Act seeks coordination with federal law; provides for registration of securities issues, broker-dealers, and investment advisors; and accommodates electronic records and filing systems. Table shows all states' passage of uniform, model, and similar acts. (25 ILCS 135/5.07; Dec. 2002, 22 pp.)

Northeastern Illinois Planning Commission

Statement of receipts and expenditures, FY 2002

Commission received \$4.75 million and spent \$5 million—\$1.52 million on salaries and \$3.48 million in other costs. Receipts are listed by source. Salaries are listed by staffer. Expenditures by vendor are also included without stating purpose. (70 ILCS 1705/35; June 2003, 24 pp.)

State Employees' Retirement System *Social Security Program biennial report, 2002*

At 2002 yearend, 4,509 local governments extended Social Security to employees; 3,087 of them were also under the Illinois Municipal Retirement Fund. Chicago and Cook County employees are under other retirement systems and not in Social Security. (40 ILCS 5/21-120; undated, rec'd April 2003, 10 pp.)

State Fire Marshal

Annual report, 2002

There were 147 state fire-related civilian deaths—lowest total in the last 10 years. There were no firefighter deaths (the last was in 1994). There were 1,080 arson investigations and 98 arrests. The Fire Marshal did 45,022 boiler and pressure vessel inspections; inspected 23,108 facilities such as day-care centers, nursing homes, and hotels; and issued 3,718 permits for self-service fuel stations. Fire Marshal's Command Center became operational in September and is the backup to the State Emergency Operations Center as headquarters for emergency response to terrorist attacks and other disasters. (50 ILCS 740/13; Feb. 2003, 28 pp.)

State Police Dept.

Report on eavesdropping, FY 2002

Reports from 60 counties listed 738 applications (688 original + 50 extension) for eavesdropping with consent of one party. Types of crimes investigated were: 68% drug, 7% murder, 6% sex-related, 4% theft-related, 4% other, and 11% not reported. Eavesdropping brought 639 arrests with 185 convictions, along with 292 arrests pending and 456 trials pending. Table gives basic facts on each order, including county, requesting police agency, and type of crime suspected. (725 ILCS 5/108A-11(c); April 2003, 21 pp. + appendix)

LRU Publications

The following Legislative Research Unit publications are made available and can be found on the LRU Internet site at: http://www.legis.state.il.us/commission/lru/lru_home.html

Illinois Tax Handbook for Legislators

This handbook gives information on every significant Illinois state tax. Each is described in a separate section listing its history, rates, statutory authority, revenue collected, and disposition of proceeds. The Tax Handbook also notes federal taxes (if any) that apply to the same transactions; taxes on similar transactions in selected states (usually those with the highest and lowest rates); and taxes on the same item or transaction that local governments in Illinois are authorized to impose.

1970 Illinois Constitution Annotated for Legislators

This book includes the text of the 1970 Constitution as amended through the November 1994 election; commentary describing relevant court decisions, laws, and Attorney General's opinions, and a detailed index to the Constitution's text. It emphasizes the constitutional structures of state and local government; legislative powers and procedures; and limitations on statutes.

County Data Book

This statistical compilation collects the major demographic, economic, and political statistics for each Illinois county. Part 1 describes Illinois as a whole and contains maps shaded to show some important data about counties. Part 2 gives a separate compilation of statistics for each county. Part 3 ranks all counties for most of these statistics. Part 4 contains sources and methodology and lists of counties by representative, legislative, and congressional district.

How a Bill Becomes Law in Illinois (English and Spanish versions)

This chart shows the progress of a bill through the Illinois General Assembly and the Office of the Governor. It is useful to researchers investigating the history of a bill or to observers of legislative sessions.

Penalties for Crimes in Illinois

This chart summarizes the sentences and fines for criminal offenses in Illinois

Laws for Older Adults

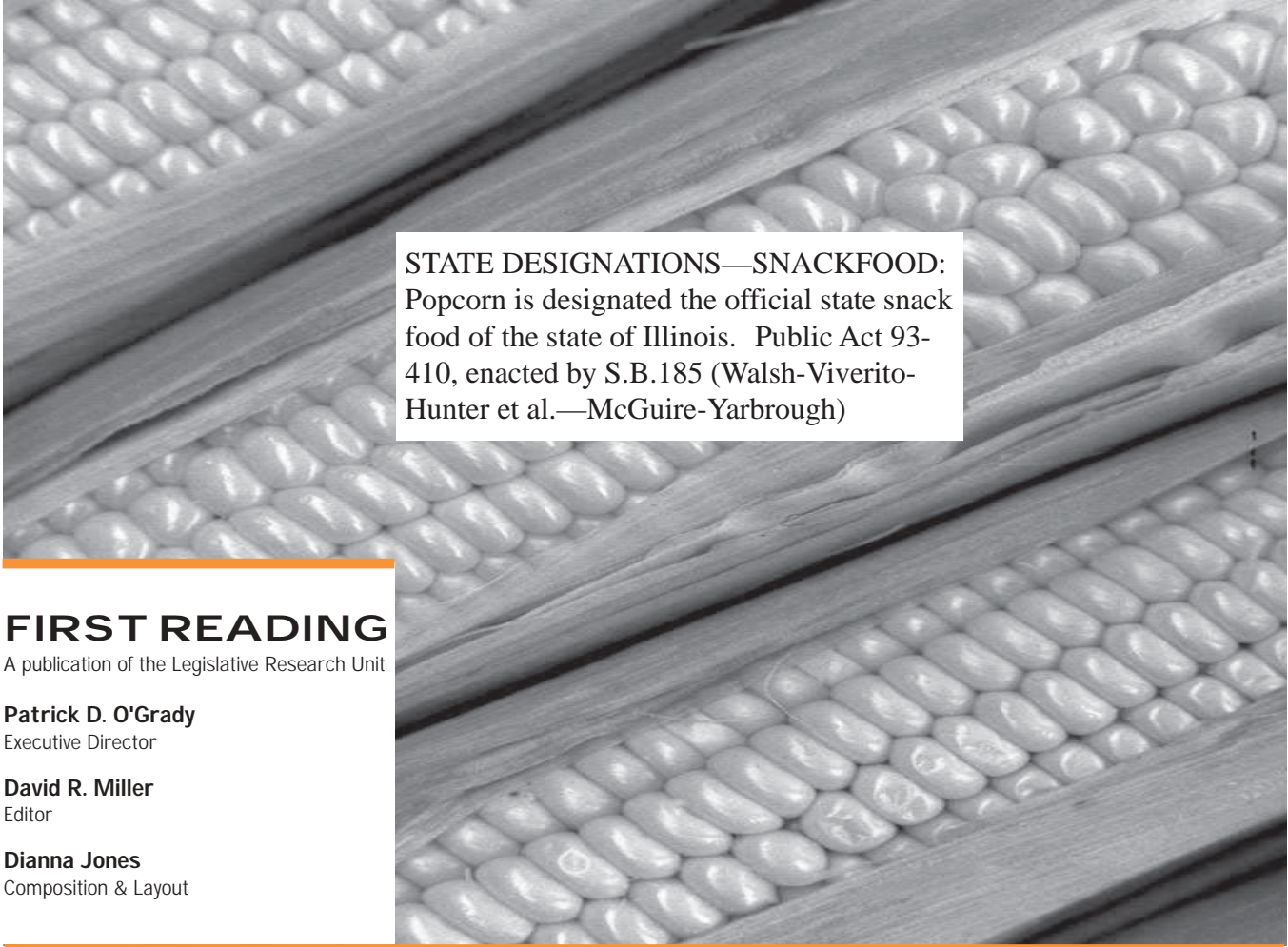
This booklet summarizes major Illinois and federal laws and programs for older adults. The summaries are arranged by subject and include citations to the laws described.

Laws for Youth

This booklet tells about major laws that affect Illinois' young residents. The laws are divided by subject and arranged in a question-and-answer format to make them easy to find.

First Reading

First Reading is a newsletter for Illinois legislators. It includes articles alerting legislators to issues of interest to them as well as biographies of newly elected legislators after each election and summaries of important bills of each session. It also contains abstracts of reports filed with the General Assembly.



STATE DESIGNATIONS—SNACKFOOD:
Popcorn is designated the official state snack food of the state of Illinois. Public Act 93-410, enacted by S.B.185 (Walsh-Viverito-Hunter et al.—McGuire-Yarbrough)

FIRST READING

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