

**COUNTY OF KENDALL, ILLINOIS  
LAW, JUSTICE AND LEGISLATION COMMITTEE**



**Kendall County Courthouse  
Jury Assembly Room  
807 W. John Street; Yorkville IL  
Monday, May 14, 2018 – 3:15 p.m.  
Meeting Agenda**



- 1. Pledge of Allegiance to the American Flag**
- 2. Roll Call and Determination of a Quorum:** Matthew Prochaska (Chair), Audra Hendrix, Tony Giles (Vice Chair), Judy Gilmour, John Purcell
- 3. Approval of the Agenda**
- 4. Approval of the April 9, 2018 Meeting Minutes**
- 5. Public Comment**
- 6. Status Reports**
  - ❖ Coroner
  - ❖ Circuit Clerk
  - ❖ Courthouse
  - ❖ Court Services
  - ❖ EMA
  - ❖ KenCom
  - ❖ Public Defender
  - ❖ State's Attorney
  - ❖ Sheriff's Report
    - a. Operations Division
    - b. Corrections Division
    - c. Records Division
- 7. Old Business**
  - ❖ *Courthouse Security Update – Sheriff Baird*
  - ❖ *Approval of Resolution Declaring Opposition of HB 4581, the amendment of Juvenile Court Act of 1987*
- 8. New Business**
  - ❖ *Approval of Resolution Supporting SB2260 - Amending the State Revenue Sharing Act for Funds Shared to School Districts*
  - ❖ *Approval of Resolution Opposing SB 2313 – Amending the Animal Control Act in relation to Animal Control Funds*
  - ❖ *Approval of Resolution Opposing HB5284 – Property Tax Solar Energy Valuation*
  - ❖ *Approval of Resolution Opposing SB482 – PTELL Extension Limitation*
  - ❖ *Approval of the Expenditure of Expenses not to exceed \$7,298.00 for Illinois State Association of Counties (consisting of \$2,295.00 for Cook and Collar Counties Caucus, \$4,015.00 for Large County Board Caucus, and \$988.00 for general Illinois State Association of Counties dues)*
- 9. Legislative Update**
- 10. Public Comment**
- 11. Executive Session**
- 12. Adjournment**

**COUNTY OF KENDALL, ILLINOIS**  
**Law, Justice and Legislation Committee**  
**Monday, April 9, 2018**  
**Meeting Minutes**

**Call to Order and Pledge Allegiance** - Chair Matthew Prochaska called the meeting to order at 3:15p.m. and led the Pledge of Allegiance.

**Roll Call:** Member Prochaska, Member Hendrix, Member Purcell, Member Giles and Member Gilmour were present. **With five members present voting aye, a quorum was determined to conduct business.**

***Member Hendrix and Member Purcell left the meeting at 3:45p.m.***

**Others Present:** Sheriff Dwight Baird, Public Defender Vicky Chuffo, EMA Director Joe Gillespie, Undersheriff Harold Martin, Presiding Judge Tim McCann, Chief Deputy Mike Peters, Judge Robert Pilmer, Chief Deputy Coroner Levi Gotte, Facilities Director Jim Smiley

**Approval of the Agenda** – Member Hendrix made a motion to approve the agenda, second by Member Giles. **With five members present in agreement with the amendment, the motion carried.**

**Approval of Minutes** – Member Hendrix made a motion to approve the March 12, 2018 Meeting Minutes, second by Member Giles. **With five members present in agreement, the motion carried.**

**Public Comment** – None

**Coroner** – Chief Deputy Coroner Gotte reviewed the office statistics for the month of March, including meeting with three area nursing home facilities regarding death reporting guidelines, and presentations to local high schools.

**Circuit Clerk** – No report

**Courthouse** – Judge McCann reported that the new Court Administrator will begin on April 11, 2018. Judge McCann thanked the Public Defender and Probation support staff for their assistance in the interim.

Judge McCann also stated that they will be shuffling judge court calls on April 16<sup>th</sup>, which is usually done every 2-3 years.

**Court Services** – No report

**EMA** – Written report provided. Director Joe Gillespie reported that a Search and Rescue Initial Operations Course was given on March 1 and 8 with sixty-nine Sheriff's Office Deputies attending. Director Gillespie also reported that they conducted a multi-agency Search and Rescue training on UTM at the Plano Police Department on March 10<sup>th</sup>, with thirty-seven professionals from nine area agencies in attendance.

Sire, STARCOM and WSPY EAS testing was conducted as usual on the first Tuesday of the month. Written report provided.

**KenCom** – No report

**Public Defender** – Vicky Chuffo provided a written report. Ms. Chuffo reported that her office was appointed to the second sexually violent person commitment filed in our county to date, which is a civil case and will involve a great deal of additional work.

**State's Attorney** – No report

**Sheriff's Report**

- a. Operations Division – Written report provided
- b. Corrections Division – Written report provided
- c. Records Division – Written report provided

**Old Business** - None

**New Business** - None

❖ **Legislative Update**

*Approval of a Resolution Declaring Opposition of HB 2628* – There was consensus by the committee to not take any action on this item.

*Approval of a Resolution Declaring Opposition of HB 4556* – After discussion on the proposed changes to the Sexually Dangerous Persons Act, Member Purcell made a motion to forward the item to the County Board for approval, second by Member Hendrix. **With five members voting aye, the motion carried.**

*Approval of a Resolution on Declaring Opposition of HB 4581*- Discussion on the recommended delinquent minor including a minor prior to his or her 21<sup>st</sup> birthday. **There was consensus to postpone consideration of this item until the May meeting, pending additional information.**

*Approval of a Resolution Declaring Opposition of HB 5489*- Discussion on the bill to amend the Illinois Vehicle Code to provide distinctive registration plates for non-highway vehicles (example of vehicles not designed for highway use such as golf carts, lawnmowers, ATV's). Member Gilmour made a motion to forward the item to the County Board for approval, second by Member Giles. **With three members voting aye, the motion carried.**

*Approval of a Resolution Declaring Support for HB 4584* – Discussion on the bill that would amend the State Finance Act, the Motor Fuel Tax Law, the Emergency Telephone System Act, the Riverboat Gambling Act, and the Video Gamin Act. Member Gilmour made a motion to forward the item to the County Board for approval, second by Member Giles. **With three members voting aye, the motion carried.**

**Public Comment** - None

**Items for the April 17, 2018 County Board meeting agenda**

*Approval of a Resolution Declaring Opposition of HB 4556  
Approval of a Resolution Declaring Opposition of HB 5489  
Approval of a Resolution Declaring Support for HB 4584*

**EXECUTIVE SESSION** – Member Gilmour made a motion to enter into Executive Session for the purpose of the review of discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06, 5ILCS 120-2, second by Member Giles.

**Roll Call:** Member Giles – yes, Member Gilmour – yes, Member Prochaska - yes. **With three members present voting aye, the committee entered into Executive Session at 3:56p.m.**

**Members Hendrix and Purcell were absent**

<b>Date of Executive Session</b>	<b>Retained</b>	<b>Released</b>
<b>February 10, 1997</b>	<b>X</b>	
<b>April 7, 1997</b>	<b>X</b>	
<b>May 12, 1997</b>	<b>X</b>	
<b>June 9, 2014</b>	<b>X</b>	
<b>April 13, 2015</b>	<b>X</b>	
<b>September 12, 2016 (Minutes Review)</b>		<b>X</b>
<b>April 10, 2017 (Minutes Review)</b>		<b>X</b>
<b>April 9, 2018 (Minutes Review)</b>		<b>X</b>

**The committee reconvened in Open Session at 3:59p.m.**

**Adjournment** – Member Giles made a motion to adjourn the meeting, second by Member Gilmour. **With all in agreement, the meeting adjourned at 4:03 p.m.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant and Recording Secretary



**KENDALL COUNTY CORONER**  
— JACQUIE PURCELL —

<b>Description</b>	<b>**</b>	<b>Month: April 2018</b>	<b>Fiscal Year-to-Date</b>	<b>April 2017</b>
<b>Total Deaths</b>		20	122	22
<b>Natural Deaths</b>		18	115	21
<b>Accidental Deaths</b>		0	3	1
<b>Pending</b>	*	2	2	0
<b>Suicidal Deaths</b>		0	2	0
<b>Homicidal Deaths</b>		0	0	0
<b>Toxicology</b>		3	10	1
<b>Autopsies</b>		3	10	1
<b>Cremation Authorizations</b>		15	75	11

**PERSONNEL/OFFICE ACTIVITY:**

1. Coroner Purcell and Chief Deputy Coroner Gotte attended the training, "Homicide in America" on April 5, 2018.
2. Illinois Violent Death Reporting System personnel reviewed case files for statistical gathering on April 27, 2018.
3. Coroner Purcell attended the training "Protocol for Law Enforcement: Elder Abuse and Abuse of People with Disabilities" on April 30, 2018.
4. Coroner Purcell and Dr. Amaal Tokars hosted an Opioid Study on April 30, 2017. All 2017 opioid related deaths were reviewed.

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CARORUM AD CURAM

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CORONER@CO.KENDALL.IL.US

# **Kendall County Emergency Management Agency**

1102 Cornell Lane, Yorkville Illinois 60560

630-553-7500

Joseph T. Gillespie, Director

Tracy Page, Deputy Director

## **EMA Report**

**April 2018**

1. April 5 - KCEMA hosted an a weather exercise for outdoor events planning instructed by the National Weather Service
  2. April 11 - Talk about Kendall County/ISARC Search and Rescue capabilities to DeKalb County Law Enforcement Executive Association by Kimberly Gotte and Justin Kness attended by all law enforcement agencies in DeKalb County.
  3. April 14 - Monthly Multi Agency Search and Rescue training on GPS (K Gotte) and Lightning Safety for First Responders (L Gotte). Training was attended by thirty-six (36) people from eight (8) agencies.
  4. April 14 - Search for Despondent Missing Person. Search was solved by finding missing person deceased before resources could be dispatched to scene.
  5. April 21 - Quarterly Multi Agency Search and Rescue Management Function Tabletop exercise. Exercise was attended by five (5) people from two (2) agencies.
  6. April 26 - Search for Alzheimer's Missing Person. Search was solved with a K9 find. Search resources deployed were twenty-two (22) from five (5) agencies, including nine (9) trained responders from Kendall County EMA and Kendall County EMA SAR. Agencies deployed were from Kendall County EMA, Kane County OEM, North Aurora CERT, Naperville EMA and Illinois Wisconsin Search and Rescue Dogs.
  7. Quarterly grant documentation was submitted
  8. Continued with siren testing on the first Tuesday morning of the month
  9. Continued with STARCOM testing first Tuesday morning of the month
  10. Continued with WSPY EAS testing first Tuesday morning of the month
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TO: Law, Justice and Legislation Committee Members

FROM: Victoria Chuffo, Public Defender; Monthly Report *VC*

NUMBER OF CASES ASSIGNED TO EACH PUBLIC DEFENDER  
AS OF MAY 14, 2018

VICTORIA CHUFFO, Public Defender

- 79 cases / last month 99 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender

- 169 cases / last month 178 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender

- 331 cases / last month 353 cases - Felony/ Juvenile cases

REID SEAGREN, Asst. Public Defender

- 222 cases/ last month 289 cases - Misdemeanor/Traffic cases

CHRISTOPHER WARMBOLD, Asst. Public Defender

- 318 case/ last month 335 cases -  
Misdemeanor/Traffic/Juvenile Cases

My office has been appointed a total of 212 new cases between April 9, 2018 and May 14, 2018. The Kendall County Public Defender's Office currently has 1,119 open cases as of today's date; May 14, 2018. The Public Defender misdemeanor, driving under the influence, juvenile delinquency and juvenile abuse/neglect appointments have increased since last month.

# **KENDALL COUNTY SHERIFF'S OFFICE**

## **MONTH-END REPORT**



**APRIL**

**2018**

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## **OPERATIONS DIVISION**

<b>POLICE SERVICES</b>	<b>April-17</b>	<b>April-18</b>
Calls for Service	701	589
Police Reports	259	308
Total Arrests	93	124
Cannabis Civil Law Citations Issued		11
Ordinance Citations Issued		1
<b>TRAFFIC SERVICES</b>	<b>April-17</b>	<b>April-18</b>
Traffic Contacts	344	1,038
Traffic Citations Issued	185	266
DUI Arrests	7	8
<b>TRAFFIC CRASH INVESTIGATIONS</b>	<b>April-17</b>	<b>April-18</b>
Property Damage	38	33
Personal Injury	9	5
Fatalities	0	0
<b>TOTAL CRASH INVESTIGATIONS</b>	<b>47</b>	<b>38</b>
<b>VEHICLE USAGE</b>	<b>April-17</b>	<b>April-18</b>
Total Miles Driven by Sheriff's Office	56,505	62,467
Vehicle Maintenance Expenditures	\$3,743.42	\$1,404.62
Fuel Expenditures	\$9,148.14	\$11,466.86
Fuel Gallons Purchased	4,152	4,595
Squad Damage Reports		1
<b>AUXILIARY DEPUTIES</b>	<b>April-17</b>	<b>April-18</b>
Ride-A-Long Hours	0	0
Auxiliary Hours	15.5	45.5
<b>TOTAL AUXILIARY HOURS</b>	<b>15.5</b>	<b>45.5</b>
<b>EVIDENCE/PROPERTY ROOM</b>	<b>April-17</b>	<b>April-18</b>
New Items into Property Room	81	119
Disposal Orders Processed	127	127
Items Disposed Of	4	2
DVD/VHS Copy Requests	42	61
Items Sent to Crime Lab for Processing	7	11
Pounds of Prescription Medication Collected from Drop Box Pr	39.5	30.75
<b>COURT SECURITY</b>	<b>April-17</b>	<b>April-18</b>
Entries	15,136	13,667
Items X-rayed	5,066	4,838
Bond Call	48	42
Kendall Prisoners	105	115
Other Prisoners	20	45
Arrests made at Courthouse	24	29
Contraband Refused	91	83

<b>INVESTIGATIONS/COPS ACTIVITIES</b>	<b>April-17</b>	<b>April-18</b>
Total Cases Assigned (Patrol/Invest)	18	35
Total Cases Closed (Patrol/Invest)	38	25
Total Current Open Cases (Patrol/Invest)	113	154
Community Policing Meetings/Presentations	36	39

## **CORRECTIONS DIVISION**

<b>JAIL POPULATION</b>	<b>April-17</b>	<b>April-18</b>
New Intake Bookings	220	201
Inmates Released	229	216
Average Daily Population	152	161
Kendall County Inmate ADP	51	66

<b>JAIL MEALS</b>	<b>April-17</b>	<b>April-18</b>
Number of Meals Prepared Kendall	0	0
Price Per Meal	0	0
Number of Meals Prepared Consolidated Food	13,006	13,964
Price Per Meal	\$1.18	\$1.20

<b>INMATE TRANSPORTS</b>	<b>April-17</b>	<b>April-18</b>
To and From Kendall County Courthouse	73	118
Other County Court Transports	7	3
Out of County Prisoner Pickups	24	38
To I.D.O.C	10	7
Medical/Dental Transports	5	11
Court ordered medical transports	0	0
Juvenile To and From Youth Homes/Courts	21	13
Federal Transports	15	16
<b>TOTAL INMATE TRANSPORTS</b>	<b>155</b>	<b>206</b>

<b>INMATE WORK CREWS</b>	<b>April-17</b>	<b>April-18</b>
Number of Inmates	0	14
Number of Locations	0	7
<b>Total Hours Worked</b>	<b>0</b>	<b>28</b>

<b>OUT OF COUNTY HOUSING</b>	<b>April-17</b>	<b>April-18</b>
Number of Inmates Housed for Other Jurisdictions	88	75
Amount Invoiced for Inmates Housed for Other Jurisdictions	\$114,600.00	\$107,940.00

<b>FEDERAL INMATES</b>	<b>April-17</b>	<b>April-18</b>
Number of Federal Inmates Housed	13	19
Amount Invoiced for Housing	\$24,375.00	\$39,675.00
Amount Invoiced for Court Transport	\$4,847.94	\$5,305.55
Amount Invoiced for Medical Transport	\$760.68	\$80.36

<b>MEDICAL BILLING</b>	<b>April-17</b>	<b>April-18</b>
Medical Contractual Services	\$14,447.47	\$15,081.24
Prescriptions	\$130.06	\$1,830.35
Medical	\$89.89	\$4,613.47
Dental	\$0.00	\$0.00
Emergency Medical Services	\$0.00	\$0.00
Medical Supplies	\$0.00	\$923.49
<b>TOTAL MEDICAL BILLING</b>	<b>\$14,667.42</b>	<b>\$22,448.55</b>

<b>Outstanding FTA Fees</b>	<b>April-17</b>	<b>April-18</b>
FTA Fees- Outstanding	\$225.00	\$150.00

<b>Sex Offender / Violent Offenders Against Youth Registrations</b>	<b>April-17</b>	<b>April-18</b>
Sex Offender Registrations	6	12
Sex Offender - Address Verifications Completed	3	11
Sex Offender - Address Verification Attempted	6	26
<b>Total # of Sex Offenders- Jurisdiction/Entire County</b>	<b>34/72</b>	<b>35/72</b>
Violent Offenders Against Youth Registrations	1	1
VOAY - Address Verification Completed	0	0
VOAY - Address Verification Attempted	0	0
<b>Total # of VOAY- Jurisdiction/Entire County</b>	<b>3/14</b>	<b>4/13</b>

## **RECORDS DIVISION**

<b>SHERIFF SALES</b>	<b>April-17</b>	<b>April-18</b>
Sales Scheduled	31	26
Sales Cancelled	18	18
Sales Conducted	13	8

<b>CIVIL PAPERWORK</b>	<b>April-17</b>	<b>April-18</b>
Papers Filed/Received		209
Papers Served/Executed	200	173

<b>REPLEVINS/LEVY</b>	<b>April-17</b>	<b>April-18</b>
Replevin/Levy Scheduled	0	0
Replevin/Levy Conducted	0	0

<b>SUBPOENA/FOIA REQUESTS</b>	<b>April-17</b>	<b>April-18</b>
Accident Reports	42	27
Background Checks	16	34
Incidents	52	80
Subpoenas	3	7
<b>Total Requests</b>	<b>113</b>	<b>148</b>

<b>WARRANTS</b>	<b>April-17</b>	<b>April-18</b>
Total Warrants on File	1,404	1,381
New Warrants Issued	74	118
Total Warrants Served	105	104
Warrants Quashed	32	26

<b>EVICTIONS</b>	<b>April-17</b>	<b>April-18</b>
Evictions Scheduled for Month	22	13
Evictions Cancelled	13	8
Evictions Conducted	9	5

<b>FEES</b>	<b>April-17</b>	<b>April-18</b>
Civil Process Fees	\$8,019.50	\$3,487.00
Sheriff Sales Fees	\$10,200.00	\$7,200.00
Records Fees/Fingerprinting	\$200.00	\$155.00
Bond Processing Fees	\$957.39	\$904.35
<b>Total Fees</b>	<b>\$19,376.89</b>	<b>\$11,746.35</b>

### **KCSO TRAINING**

<b>CORRECTIONS DIVISION</b>	<b>April-17</b>	<b>April-18</b>
<b>NATURE OF TRAINING</b>		
Web-Based Training		30.75
Annual Weapon Qualifications		122.5
Inmate Discipline Procedures		82.5
Inmate Classifications		31
<b>TOTAL HOURS</b>	<b>0</b>	<b>266.75</b>

<b>OPERATIONS DIVISION</b>	<b>April-17</b>	<b>April-18</b>
<b>NATURE OF TRAINING</b>		
Web-Based Training		30
Mental Health Training		80
Illinois Conservation Police Operations		32
Northwestern Crash Investigations 2		96
Cyber Bullying-Sexting Investigations		8
Foundational Defensive Tactis		8
CC350 Mobile Device Forensic Analysis		32
Crime Free Mult-Housing Program		8
Suburban Law Enforcement Academy		248
Cellebrite Certified Logical Operator		14
Cellebrite Certified Physical Analyst		21
Building a Patrol CQB Program		8
Homicide In America		4
ILACP 2018 Conference		32
2018 Firearms Qualification		157.5
Northwestern Police Staff and Command		88
Illinois Drug Enforcement Officers Association Conf		24
Roll Call Training		9.5
<b>TOTAL HOURS</b>	<b>765</b>	<b>870</b>

<b>COURT SECURITY</b>		<b>April-17</b>	<b>April-18</b>
<b>NATURE OF TRAINING</b>			
Web-Based Training			4.5
Weapon Qualification			21
<b>TOTAL HOURS</b>		<b>0</b>	<b>25.5</b>
<b>CORRECTIONS/OPERATIONS COMBINED</b>		<b>April-17</b>	<b>April-18</b>
<b>NATURE OF TRAINING</b>			
SRT		32	48
<b>TOTAL HOURS</b>		<b>32</b>	<b>48</b>
<b>RECORDS DIVISION</b>		<b>April-17</b>	<b>April-18</b>
<b>NATURE OF TRAINING</b>			
Web-Based Training			4.5
<b>TOTAL HOURS</b>		<b>0</b>	<b>4.5</b>
<b>AUXILIARY</b>		<b>April-17</b>	<b>April-18</b>
Meeting/Training Hours		32.75	34
Weapon Qualifications			3.5
40 Hour Mandatory Firearms Course			40
<b>TOTAL HOURS</b>		<b>32.75</b>	<b>77.5</b>

**County of Kendall, Illinois**  
**Resolution 18 – \_\_\_\_\_**

**A RESOLUTION CALLING FOR THE GENERAL ASSEMBLY TO OPPOSE  
INCREASING THE AGE OF “DELINQUENT MINORS”**

**WHEREAS**, Illinois Counties are subject to countless unfunded mandates, numerous budget challenges, and legal constraints,

**WHEREAS**, the Juvenile Court Act of 1987 (the “Act”) currently defines a “delinquent minor” as “any minor who prior to his or her 18<sup>th</sup> birthday has violated or attempted to violate, regardless of where the act occurred, any Federal, State, County or municipal law or ordinance”; and

**WHEREAS**, provides in the Article concerning delinquent minors that on and after January 1, 2019, “delinquent minor” includes a minor who prior to his or her 19<sup>th</sup> birthday has committed a misdemeanor offense and has violated or attempted to violate, regardless of where the act occurred, a federal law or State law, or county or municipal ordinance; and

**WHEREAS**, House Bill 4581 of the 100<sup>th</sup> General Assembly seeks to amend the definition of “delinquent minor” to increase the age from 18 to 19 years on January 1, 2018, and from 19 to 21 years, on January 1, 2021; and

**WHEREAS**, increasing the age for which an individual can be considered a delinquent minor will substantially increase the burdens on Illinois Counties and their respective Sheriff, Corrections, and Probation operations; and

**WHEREAS**, passage and approval of House Bill 4581 will only further exacerbate the fiscal challenges faced by Illinois Counties who are already subject to countless other unfunded mandates and increasingly difficult budget challenges, as well as complicated legal constraints related to the Act.

**NOW, THEREFORE, BE IT RESOLVED** by the Members of the Board of Kendall County, Illinois urges the Governor and the General Assembly to oppose House Bill 4581.

**BE IT FURTHER RESOLVED**; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

**PRESENTED and ADOPTED** by the County Board, this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

**AYES:** \_\_\_\_\_  
**PRESENT:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_  
**ABSTAIN/ABSENT:** \_\_\_\_\_

**Approved:**

**Attest:**

\_\_\_\_\_  
Scott R. Gryder, County Board Chairman

\_\_\_\_\_  
Debbie Gillette, County Clerk and Recorder

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# Juvenile Justice Initiative

## Emerging Adults-Raise the Age

JJI supports raising the age of juvenile court to 21 to bring our court system in line with research that shows young adults (people ages 18-21) are more similar to juveniles than adults in terms of criminal offending.

# JUVENILE COURT IS MORE EFFECTIVE THAN ADULT COURT

## ADULT COURT

## JUVENILE COURT



### POLICE OPTIONS

Arrest  
Jail (if Can't Make Bond)

Diversion  
Court Referral  
No Jail, No Bond

### COURT OPTIONS

Probation  
Incarceration  
Mandatory Minimums

Diversion  
Community Sanctions  
Counseling  
Rehabilitation  
Job Placement  
Expungement  
Confidentiality



## COMMUNITY IMPACT

Higher Reoffending  
Safety Concerns

Improves Public Safety  
Consistent with Legal Research  
Consistent with Public Opinion  
Safer Environment

## INDIVIDUAL IMPACT

Criminal Record  
Limited Future Prospects  
(Education, Housing, Employment)  
Stigmatization  
Increased Chances for Victimization.

Expunged Criminal Record  
Opportunities for Education  
Less Stigmatization  
Consistent with Research on Adolescent  
Development

## FINANCIAL IMPACT

Cost of Reoffending  
Increased Healthcare Costs  
Strain on County Budget

Reduced Adult Court Population  
Less Jail and Prison Crowding  
Cost- Effective  
Lowers Taxes  
Lower Re-offending Rates



# HB 4581

#raisetheagell

#21by21



Resources on IL Raise the Age:

- Click [here](#) to read JJI's fact sheet on HB 4581.
- JJI President Elizabeth Clarke's [testimony](#) to the Cook County Commission on Women's Issues, October 2017
- Read Temple University Criminal Justice Department's Raise the Age in Illinois Issue Brief [here](#).
- Read Public News Media's [article](#) on raising the age.
- Read the Illinois Parent Teacher Association's report on Raising The Age [here](#).

For more information on young adults in conflict with the law, see below:

- Read NYT [editorial](#) on San Francisco court calling on neuroscience to try a case involving a 19-year-old in young adult court.
- Read JJI's [testimony](#) on ending the practice of trying children in adult court filed November 20, 2015 before the Illinois Criminal Justice and Sentencing Reform Commission.
- Read JJI's [testimony](#) on Young Adults, filed Oct. 30, 2015 before the Illinois Criminal Justice and Sentencing Reform Commission.
- JJI attended a summit hosted by U.S. Attorney General Loretta Lynch on Sept 8, 2015, where she noted: *brain science also indicates that we may have a significant opportunity, even after the teenage years, to exert a positive influence and reduce future criminality through appropriate interventions.*
- Read JJI's [research](#) on Young Adults in Cook County Jail in 2013 – including the fact that 4,011 admissions of young adults to the jail were for misdemeanor offenses.
- Read JJI's [testimony](#) filed July 27, 2015 before the Illinois Criminal Justice and Sentencing Reform Commission, urging the replication of juvenile diversion and sentencing options for Young Adults.
- Read [commentary](#) in Chicago Tribune urging that the age of juvenile court be raised to 21.
- Read new national [report](#) urging community based responses to justice involved young adults.

1 AN ACT concerning juveniles.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Children and Family Services Act is amended  
5 by changing Section 17a-9 as follows:

6 (20 ILCS 505/17a-9) (from Ch. 23, par. 5017a-9)  
7 Sec. 17a-9. Illinois Juvenile Justice Commission.

8 (a) There is hereby created the Illinois Juvenile Justice  
9 Commission which shall consist of 25 persons appointed by the  
10 Governor. The Chairperson of the Commission shall be appointed  
11 by the Governor. Of the initial appointees, 8 shall serve a  
12 one-year term, 8 shall serve a two-year term and 9 shall serve  
13 a three-year term. Thereafter, each successor shall serve a  
14 three-year term. Vacancies shall be filled in the same manner  
15 as original appointments. Once appointed, members shall serve  
16 until their successors are appointed and qualified. Members  
17 shall serve without compensation, except they shall be  
18 reimbursed for their actual expenses in the performance of  
19 their duties. The Commission shall carry out the rights, powers  
20 and duties established in subparagraph (3) of paragraph (a) of  
21 Section 223 of the Federal "Juvenile Justice and Delinquency  
22 Prevention Act of 1974", as now or hereafter amended. The  
23 Commission shall determine the priorities for expenditure of

1 funds made available to the State by the Federal Government  
2 pursuant to that Act. The Commission shall have the following  
3 powers and duties:

4 (1) Development, review and final approval of the  
5 State's juvenile justice plan for funds under the Federal  
6 "Juvenile Justice and Delinquency Prevention Act of 1974";

7 (2) Review and approve or disapprove juvenile justice  
8 and delinquency prevention grant applications to the  
9 Department for federal funds under that Act;

10 (3) Annual submission of recommendations to the  
11 Governor and the General Assembly concerning matters  
12 relative to its function, including recommendations  
13 regarding the inclusion of emerging adults into a

14 developmentally appropriate justice system, reducing  
15 recidivism, and preventing deeper criminal involvement;

16 (4) Responsibility for the review of funds allocated to  
17 Illinois under the "Juvenile Justice and Delinquency  
18 Prevention Act of 1974" to ensure compliance with all  
19 relevant federal laws and regulations;

20 (5) Function as the advisory committee for the State  
21 Youth and Community Services Program as authorized under  
22 Section 17 of this Act, and in that capacity be authorized  
23 and empowered to assist and advise the Secretary of Human  
24 Services on matters related to juvenile justice and  
25 delinquency prevention programs and services; and

26 (6) Study the impact of, develop timelines, and propose

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1 a funding structure to accommodate the expansion of the  
2 jurisdiction of the Illinois Juvenile Court to include  
3 youth age 17 under the jurisdiction of the Juvenile Court  
4 Act of 1987. The Commission shall submit a report by  
5 December 31, 2011 to the General Assembly with  
6 recommendations on extending juvenile court jurisdiction  
7 to youth age 17 charged with felony offenses.

8 (b) On the effective date of this amendatory Act of the  
9 96th General Assembly, the Illinois Juvenile Jurisdiction Task  
10 Force created by Public Act 95-1031 is abolished and its duties  
11 are transferred to the Illinois Juvenile Justice Commission as  
12 provided in paragraph (6) of subsection (a) of this Section.  
13 (Source: P.A. 96-1199, eff. 1-1-11.)

14 Section 10. The Juvenile Court Act of 1987 is amended by  
15 changing Section 5-105 as follows:

16 (705 ILCS 405/5-105)

17 Sec. 5-105. Definitions. As used in this Article:

18 (1) "Aftercare release" means the conditional and  
19 revocable release of an adjudicated delinquent juvenile  
20 committed to the Department of Juvenile Justice under the  
21 supervision of the Department of Juvenile Justice.

22 (1.5) "Court" means the circuit court in a session or  
23 division assigned to hear proceedings under this Act, and  
24 includes the term Juvenile Court.

HB4581 Engrossed

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1 (2) "Community service" means uncompensated labor for

2 a community service agency as hereinafter defined.

3 (2.5) "Community service agency" means a  
4 not-for-profit organization, community organization,  
5 church, charitable organization, individual, public  
6 office, or other public body whose purpose is to enhance  
7 the physical or mental health of a delinquent minor or to  
8 rehabilitate the minor, or to improve the environmental  
9 quality or social welfare of the community which agrees to  
10 accept community service from juvenile delinquents and to  
11 report on the progress of the community service to the  
12 State's Attorney pursuant to an agreement or to the court  
13 or to any agency designated by the court or to the  
14 authorized diversion program that has referred the  
15 delinquent minor for community service.

16 (3) "Delinquent minor" means any minor who prior to his  
17 or her 18th birthday has violated or attempted to violate,  
18 regardless of where the act occurred, any federal, State,  
19 county or municipal law or ordinance. On and after January  
20 1, 2019, "delinquent minor" includes a minor who prior to  
21 his or her 19th birthday has committed a misdemeanor  
22 offense and has violated or attempted to violate,  
23 regardless of where the act occurred, a federal law or  
24 State law, or county or municipal ordinance. On and after  
25 January 1, 2021, "delinquent minor" includes a minor who  
26 prior to his or her 21st birthday has committed a

1 misdemeanor offense and has violated or attempted to  
2 violate, regardless of where the act occurred, a federal  
3 law or State law or county or municipal ordinance. The  
4 changes made by this amendatory Act of the 100th General  
5 Assembly apply to violations or attempted violations  
6 committed on or after the effective of this amendatory Act  
7 of the 100th General Assembly. A minor 13 years of age or  
8 older charged with an act that constitutes a crime under  
9 the laws of this State may be subject to a petition to  
10 permit prosecution under the criminal laws under  
11 subsection (3) of Section 5-805 of this Act.

12 (4) "Department" means the Department of Human  
13 Services unless specifically referenced as another  
14 department.

15 (5) "Detention" means the temporary care of a minor who  
16 is alleged to be or has been adjudicated delinquent and who  
17 requires secure custody for the minor's own protection or  
18 the community's protection in a facility designed to  
19 physically restrict the minor's movements, pending

20 disposition by the court or execution of an order of the  
21 court for placement or commitment. Design features that  
22 physically restrict movement include, but are not limited  
23 to, locked rooms and the secure handcuffing of a minor to a  
24 rail or other stationary object. In addition, "detention"  
25 includes the court ordered care of an alleged or  
26 adjudicated delinquent minor who requires secure custody

1 pursuant to Section 5-125 of this Act.

2 (6) "Diversion" means the referral of a juvenile,  
3 without court intervention, into a program that provides  
4 services designed to educate the juvenile and develop a  
5 productive and responsible approach to living in the  
6 community.

7 (7) "Juvenile detention home" means a public facility  
8 with specially trained staff that conforms to the county  
9 juvenile detention standards adopted by the Department of  
10 Juvenile Justice.

11 (8) "Juvenile justice continuum" means a set of  
12 delinquency prevention programs and services designed for  
13 the purpose of preventing or reducing delinquent acts,  
14 including criminal activity by youth gangs, as well as  
15 intervention, rehabilitation, and prevention services  
16 targeted at minors who have committed delinquent acts, and  
17 minors who have previously been committed to residential  
18 treatment programs for delinquents. The term includes  
19 children-in-need-of-services and  
20 families-in-need-of-services programs; aftercare and  
21 reentry services; substance abuse and mental health  
22 programs; community service programs; community service  
23 work programs; and alternative-dispute resolution programs  
24 serving youth-at-risk of delinquency and their families,  
25 whether offered or delivered by State or local governmental  
26 entities, public or private for-profit or not-for-profit

1 organizations, or religious or charitable organizations.  
2 This term would also encompass any program or service  
3 consistent with the purpose of those programs and services  
4 enumerated in this subsection.

5 (9) "Juvenile police officer" means a sworn police  
6 officer who has completed a Basic Recruit Training Course,

7 has been assigned to the position of juvenile police  
8 officer by his or her chief law enforcement officer and has  
9 completed the necessary juvenile officers training as  
10 prescribed by the Illinois Law Enforcement Training  
11 Standards Board, or in the case of a State police officer,  
12 juvenile officer training approved by the Director of State  
13 Police.

14 (10) "Minor" means a person under the age of 21 years  
15 subject to this Act.

16 (11) "Non-secure custody" means confinement where the  
17 minor is not physically restricted by being placed in a  
18 locked cell or room, by being handcuffed to a rail or other  
19 stationary object, or by other means. Non-secure custody  
20 may include, but is not limited to, electronic monitoring,  
21 foster home placement, home confinement, group home  
22 placement, or physical restriction of movement or activity  
23 solely through facility staff.

24 (12) "Public or community service" means uncompensated  
25 labor for a not-for-profit organization or public body  
26 whose purpose is to enhance physical or mental stability of

1 the offender, environmental quality or the social welfare  
2 and which agrees to accept public or community service from  
3 offenders and to report on the progress of the offender and  
4 the public or community service to the court or to the  
5 authorized diversion program that has referred the  
6 offender for public or community service. "Public or  
7 community service" does not include blood donation or  
8 assignment to labor at a blood bank. For the purposes of  
9 this Act, "blood bank" has the meaning ascribed to the term  
10 in Section 2-124 of the Illinois Clinical Laboratory and  
11 Blood Bank Act.

12 (13) "Sentencing hearing" means a hearing to determine  
13 whether a minor should be adjudged a ward of the court, and  
14 to determine what sentence should be imposed on the minor.  
15 It is the intent of the General Assembly that the term  
16 "sentencing hearing" replace the term "dispositional  
17 hearing" and be synonymous with that definition as it was  
18 used in the Juvenile Court Act of 1987.

19 (14) "Shelter" means the temporary care of a minor in  
20 physically unrestricting facilities pending court  
21 disposition or execution of court order for placement.

22 (15) "Site" means a not-for-profit organization,  
23 public body, church, charitable organization, or  
24 individual agreeing to accept community service from

25 offenders and to report on the progress of ordered or  
26 required public or community service to the court or to the

1 authorized diversion program that has referred the  
2 offender for public or community service.

3 (16) "Station adjustment" means the informal or formal  
4 handling of an alleged offender by a juvenile police  
5 officer.

6 (17) "Trial" means a hearing to determine whether the  
7 allegations of a petition under Section 5-520 that a minor  
8 is delinquent are proved beyond a reasonable doubt. It is  
9 the intent of the General Assembly that the term "trial"  
10 replace the term "adjudicatory hearing" and be synonymous  
11 with that definition as it was used in the Juvenile Court  
12 Act of 1987.

13 The changes made to this Section by Public Act 98-61 apply  
14 to violations or attempted violations committed on or after  
15 January 1, 2014 (the effective date of Public Act 98-61).

16 (Source: P.A. 98-61, eff. 1-1-14; 98-558, eff. 1-1-14; 98-685,  
17 eff. 1-1-15; 98-756, eff. 7-16-14; 98-824, eff. 1-1-15; 99-78,  
18 eff. 7-20-15.)

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1 AMENDMENT TO HOUSE BILL 4581

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4581 on page 2, line  
3 15, by replacing "involvement" with "involvement. The report to  
4 the General Assembly shall be filed with the Clerk of the House  
5 of Representatives and the Secretary of the Senate in  
6 electronic form only, in the manner that the Clerk and the  
7 Secretary shall direct"; and

8 on page 4, lines 21 and 22, by deleting "has committed a  
9 misdemeanor offense and"; and

10 on page 4, line 24, after "ordinance", by inserting "and the  
11 law or ordinance is classified as a misdemeanor offense"; and

12 on page 4, line 26, by deleting "has committed a"; and

13 on page 5, line 1, by deleting "misdemeanor offense and"; and

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1 on page 5, line 3, after "ordinance", by inserting "and the law  
2 or ordinance is classified as a misdemeanor offense"; and

3 on page 5, by replacing lines 7 through 11 with "of the 100th  
4 General Assembly.".



County of Kendall  
Resolution 18 – \_\_\_\_\_

**RESOLUTION DECLARING SUPPORT FOR SB 2260 – AMENDING THE STATE REVENUE SHARING ACT FOR FUNDS SHARED TO SCHOOL DISTRICTS**

**WHEREAS**, SB 2260 amends the State Revenue Sharing Act providing that, in fiscal year 2018, each school district having Personal Property Tax Replacement Fund receipts totaling 13% or more of its total revenues in fiscal year 2016 shall receive an additional amount equal to 11% of the total amount distributed to the school district from the Personal Property Tax Replacement Fund during fiscal year 2016.; and

**WHEREAS**, requires the State Board of Education to identify those school districts to the Department of Revenue. Provides that the total amount of additional distributions shall not exceed \$4,353,136; and

**WHEREAS**, it would be effective immediately;

**NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD**, that the County of Kendall asks the Illinois General Assembly to pass SB 2260; and

**BE IT FURTHER RESOLVED**; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, the sponsor and chief co-sponsor of SB 2260, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

**PRESENTED and ADOPTED** by the County Board, this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

Approved:

Attest:

\_\_\_\_\_  
Scott R. Gryder, County Board Chairman

\_\_\_\_\_  
Debbie Gillette, County Clerk and Recorder

County of Kendall  
Resolution 18 – \_\_\_\_\_

**RESOLUTION DECLARING OPPOSITION OF SB 2313 – AMENDS THE ANIMAL CONTROL ACT IN RELATION TO ANIMAL CONTROL FUNDS**

**WHEREAS**, SB 2313 amends the Animal Control Act to provide that ten dollars of the differential shall be placed either in a county animal population control fund (rather than or the State's Pet Population Control Fund); and

**WHEREAS**, it provides that the dog's owner shall pay a \$25 public safety fine to be deposited into the county animal control fund or the county pet population control fund (rather than \$20 of which shall be deposited into the Pet Population Control Fund and \$5 of which shall be retained by the county or municipality); and

**WHEREAS**, it deletes language providing that an animal control agency shall assist and share information with the Director of Public Health in the collection of public safety fines; and

**WHEREAS**, it provides that the owner of a biting animal must also remit a \$25 public safety fine to be deposited into the county animal control fund (rather than to the Department of Public Health, for deposit into the Pet Population Control Fund); and

**WHEREAS**, it provides that if a dog is found to be a vicious dog, the owner shall pay a \$100 public safety fine to be deposited into the county animal control fund (rather than the Pet Population Control Fund); and

**WHEREAS**, it provides that if a dog is deemed dangerous, a \$50 public safety fine to be deposited into the county animal control fund (rather than the Pet Population Control Fund); and

**WHEREAS**, it amends the Illinois Public Health and Safety Animal Population Control Act to deletes language providing that the Director of Public Health must make an annual written report relative to the progress of the program to the President of the Senate, the Speaker of the House of Representatives, and the Governor and makes changes to the definitions of "Director" and "Department"; and

**WHEREAS**, it would increase the financial burden on Kendall County taxpayers while restricting increasing the operational burden on Kendall County animal Control;

**NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD**, that the County of Kendall asks the Illinois General Assembly to not pass SB2313; and

**BE IT FURTHER RESOLVED**; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

Approved:

Attest:

\_\_\_\_\_  
Scott R. Gryder, County Board Chairman

\_\_\_\_\_  
Debbie Gillette, County Clerk and Recorder

County of Kendall  
Resolution 18 – \_\_\_\_\_

**RESOLUTION DECLARING OPPOSITION OF HB 5284 – PROPERTY TAX SOLAR ENERGY VALUATION**

**WHEREAS**, HB 5284 amends the Property Tax Code to change the definition of "solar energy system" to define "allowance for physical depreciation", "commercial solar energy system", "commercial solar energy system real property cost basis", "ground installation", "trending factor", and "trended real property cost basis"; and

**WHEREAS**, it provides exemptions for specific commercial solar energy systems property; and

**WHEREAS**, it provides that the owner of the land the ground installation commercial solar energy system is constructed upon may request a metes and bounds survey description of the area and provides the procedures for such a request; and

**WHEREAS**, it provides the equation for the fair cash value per acre of a parcel of land where a commercial solar energy system is installed; and

**WHEREAS**, it provides any real property assessed as farmland in the year prior to valuation shall return to being assessed as farmland in the year after the commercial solar energy system has been removed and the property is returned to farm use; and

**WHEREAS**, the bill would take control over zoning and assessment from local control;

**NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD**, that the County of Kendall asks the Illinois General Assembly to not pass HB 5284; and

**BE IT FURTHER RESOLVED**; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

Approved:

Attest:

\_\_\_\_\_  
Scott R. Gryder, County Board Chairman

\_\_\_\_\_  
Debbie Gillette, County Clerk and Recorder

County of Kendall  
Resolution 18 – \_\_\_\_\_

**RESOLUTION DECLARING OPPOSITION OF SB 482– PTELL EXTENSION LIMITATION**

**WHEREAS**, SB 482 Amends the Property Tax Extension Limitation Law in the Property Tax Code to provide that, for levy years 2017 and 2018, the term "taxing district" includes all taxing districts in the State other than the City of Chicago and school districts that were not subject to the Law in the 2016 levy year; and

**WHEREAS**, it provides that, for levy years 2017 and 2018, except with respect to school districts that were subject to the Law in the 2016 levy year, the extension limitation is 0% or the rate of increase approved by the voters; and

**WHEREAS**, it provides that, for levy years 2017 and 2018, only special purpose extensions (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund are exempt from taxing districts' aggregate extensions; and

**WHEREAS**, it preempts home rule;

**WHEREAS**, it makes a technical change in a Section authorizing the Department of Revenue to adopt rules; and

**WHEREAS**, SB 482 would continue to place additional financial burdens on Kendall County,

**NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD**, that the County of Kendall asks the Illinois General Assembly to not pass SB482; and

**BE IT FURTHER RESOLVED**; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

**PRESENTED and ADOPTED** by the County Board, this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

**Approved:**

**Attest:**

\_\_\_\_\_  
Scott R. Gryder, County Board Chairman

\_\_\_\_\_  
Debbie Gillette, County Clerk and Recorder

# Counties at the Capitol

May 2, 2018 • [www.ilcounty.org](http://www.ilcounty.org)

This report includes amendments filed to House and Senate bills of relevance to local governments.

**SB 2328 (Holmes) McDermed**

**Local Government Professional Services**

**Status: Passed Senate 49-0-0 / Arrived In House**

Allows for projects concerning architecture, surveying, and engineering, local governments to develop an alternative process for public notice, evaluation, and selection procedures if the cost of the project is between \$25,000 and \$50,000.

**SB 2610 (Clayborne) Davis**

**Motor Fuel Tax Law – Business Enterprise Program**

**Status: Passed Senate 54-0-0 / Arrived In House**

Requires any local government that received more than \$1,000,000 in motor fuel tax moneys shall not receive any future motor fuel tax money unless they implement a business enterprise program setting goals for the inclusion of minority, veteran, and female owned businesses in the procurement of contracts. Requires IDOT to publish all relevant data in its possession for establishing regional goals for affected municipalities, counties, and road districts to implement business enterprise programs.

**SB 2674 (Althoff) Sosnowski**

**Property Tax Code – Single Bidder Rule**

**Status: Passed Senate 54-0-0 / Arrived In House**

Provides that county collectors may adopt a single bidder rule to prohibit tax bidders from registering more than one related bidding entity. When applicable, county collectors may eject tax bidders who disrupt the tax sale or use illegal bid practices.

**HB 5466 (Phillips)**

**Illinois Vehicle Code – All Terrain Vehicles**

**Status: House Rules**

Provides that a utility terrain vehicle may operate on a roadway with a speed limit of 55 miles per hour or less if the roadway is not a State highway or interstate road and the utility terrain vehicle is licensed and registered in the county in which the roadway is located. Counties may, at their discretion, license and register such vehicles.

**HB 5749 (Finnie) Fowler**

**Illinois Vehicle Code – Overweight Axle Permits**

**Status: Passed House 92-2-2 / Arrived in Senate**

The Department of Transportation and local authorities, with respect to highways under their jurisdictions, may issue a special permit authorizing applicants to move loads of agricultural commodities on a 2-axle single vehicle registered by the Secretary of State with the axle loads not to exceed 45%, on a 3-axle or 4-axle vehicle not to exceed 30%, and on a 5-axle vehicle not to exceed 20% above allowed gross weights. The fee for such permit shall be \$500 to be distributed into the State Construction Account Fund.

## OMNIBUS ELECTION BILL

**SB 2651 (Link) Tabares**

**Status: Passed Senate 53-0-0 / Arrived In House**

Requires informational reports on election authority voting equipment; establishes standards relating to write-in candidates and primary ballots and elections; authorizes a committee for the purpose of making

nominations in certain instances for a judicial district or the MWRD for specific vacancies; establishes when county central committee conventions will be held; makes changes to write-in candidates filing requirements; lowers required number of election judges from five to three; establishes States campaign, party, or other organization that engages in a vote by mail operation in which voters are sent applications for vote by mail ballots will provide the voter with a return envelope addressed only to the correct local election authority for that registered voter. States an election authority is authorized to conduct a risk-limiting audit before and after the certification of the results of an election.



**SB 2727 (Tracy) Frese**

**Emergency Phone System Board**

**Status: Passed Senate 52-1-0 / Arrived in House**

Increases the number of elected officials on joint 911 boards (ETSB). If a joint board includes a county that was part of a 911 Governing Board established in 1988, then three members of the county board shall be appointed on the board with the remaining members being elected officials or representatives of the 911 community.



# UCCI Legislative Tracking

## 100th General Assembly

### SENATE

SB0426

#### RECORDING FEES

Amends the Counties Code. Makes a technical change in a Section concerning the short title. Senate Floor Amendment 1 proposes a total rewrite of how County Recorder's fees are established and the amounts charged to citizens.

Status: Passed the Senate 54-0 on April 19, 2018; First Reading in the House

SB0486

#### REVENUE-TECH

Amends the Simplified Municipal Telecommunications Tax Act. Senate Floor Amendment 1 makes changes to how solar operations can avoid property taxes.

Status: Placed on extended deadline in the Senate (May 3, 2018)

SB1597

#### COMPOSTABLE BAGS-RETAIL

Creates the Compostable Bags in Retail Establishments Act. Provides that no retail establishment in the State shall use or provide polyethylene or other non-compostable plastic film bags tinted green or brown for customers to bag products in stores, as carry out bags, or for home delivery. Provides that any film bags meeting the definition of compostable that retail establishments provide to customers for food or other products, such as vegetables bagged in stores prior to checkout, must be tinted green or brown and shall be clearly labeled "COMPOSTABLE", including language following the Federal Trade Commission's "Green Guides". Provides that no film bag that retail establishments provide to customers to bag products in stores, as carry out bags, or for home delivery may be labeled with the term "biodegradable", "degradable", "decomposable", or any similar terms, or in any way imply that the product will break down, fragment, biodegrade, or decompose in a landfill or other environment.

Status: Third Reading deadline established as May 3, 2018

SB2249

#### TAX COMPLIANCE/FUND TRANSFER

Amends the State Finance Act, Counties Code, Illinois Municipal Code, Metro-East Park and Recreation District Act, Local Mass Transit District Act, Regional Transportation Authority Act, and Water Commission Act of

1985. Provides that the amounts transferred into the Tax Compliance and Administration Fund shall be reduced from 2% to 1%.

Status: Third Reading deadline established as May 3, 2018

**SB2313- ANIMALS/COUNTY ANIMAL FUND**

Amends the Animal Control Act. Provides that ten dollars of the differential shall be placed either in a county animal population control fund (rather than or the State's Pet Population Control Fund). Provides that the dog's owner shall pay a \$25 public safety fine to be deposited into the county animal control fund or the county pet population control fund (rather than \$20 of which shall be deposited into the Pet Population Control Fund and \$5 of which shall be retained by the county or municipality). Deletes language providing that an animal control agency shall assist and share information with the Director of Public Health in the collection of public safety fines. Provides that the owner of a biting animal must also remit a \$25 public safety fine to be deposited into the county animal control fund (rather than to the Department of Public Health, for deposit into the Pet Population Control Fund). Provides that if a dog is found to be a vicious dog, the owner shall pay a \$100 public safety fine to be deposited into the county animal control fund (rather than the Pet Population Control Fund). Provides that if a dog is deemed dangerous, a \$50 public safety fine to be deposited into the county animal control fund (rather than the Pet Population Control Fund).

Status: Passed the Senate 53-0 on April 19, 2018; assigned to the House Counties & Townships Committee

**SB2591- AGR-RENEWABLE ENERGY FACILITY**

Provides that for commercial renewable energy facility owners of a commercial solar energy facility, the agricultural impact mitigation agreement shall be entered into prior to the commercial renewable energy facility owner making contact with a landowner seeking an underlying agreement for the development of a commercial solar energy facility.

Status: Placed on extended deadline in the Senate (May 3, 2018)

**SB2638- LOCAL GOVT ACCCOUNT AUDITS**

Provides that an audit report based on the governmental unit's selection of the accrual, cash, or modified cash basis of accounting meets all requirements for conformity with generally accepted accounting principles, including the certification of the accountant or accountants making the audit that the audit has been performed in compliance with generally accepted auditing standards. Effective immediately.

Status: Placed on extended deadline in the Senate (May 3, 2018)

**SB2670- REVENUE TECH**

A shell bill that original provided for a technical change to the Cigarette Machine Operators' Occupation Tax Act. Senate Amendment 1, which has yet to be adopted, would completely replace the contents of the bill with an

amendment to the Property Tax Extension Limitation Law that would permit voters of a taxing district to initiate a referendum to lower property taxes extended by the taxing district.

Status: Placed on extended deadline in the Senate (May 3, 2018)

**SB3503- COUNTIES CD/LACTATION ROOMS**

Amends the Counties Code. Provides that on or before June 1, 2019, every facility that houses a circuit court room shall include at least one lactation room or area for members of the public to express breast milk in private that is located outside the confines of a restroom and includes, at minimum, a chair, a table, and an electrical outlet, as well as a sink with running water where possible. Provides that the lactation rooms and areas shall also meet with reasonable minimum standards prescribed by the Supreme Court of Illinois, which the Supreme Court is requested to create, including requirements for posting of notice to the public regarding location and access to lactation rooms and areas, as well as requirements for the addition of a sink with running water in the event of renovation to the facilities. Requests the Supreme Court to create minimum standards for training of courthouse staff and personnel regarding location and access to lactation rooms and areas for all people present in the courthouse who need to use lactation rooms and areas.

Status: Passed the Senate 54-0 on April 12, 2018; assigned to the House State Government Administration Committee

**HOUSE**

**HB4104- MUNI CD-AUDIT REPORT STANDARDS**

Provides that audit reports reporting on the financial position and results of financial operations for each fund of the municipality shall be consistent with either the accrual or cash basis of accounting depending upon the system followed by each municipality and shall otherwise be in accordance with generally accepted accounting principles (currently, shall be in accordance with generally accepted accounting principles, insofar as possible).

Status: Passed the House 111-0 on April 17, 2018; First Reading in the Senate

**HB4163- EQUAL PAY ACT-WAGE HISTORY**

Prohibits an employer from: (i) screening job applicants based on their wage or salary history, (ii) requiring that an applicant's prior wages satisfy minimum or maximum criteria, and (iii) requesting or requiring as a condition of being interviewed or as a condition of continuing to be considered for an offer of employment that an applicant disclose prior wages or salary. Prohibits an employer from seeking the salary, including benefits or other compensation or salary history, of a job applicant from any current or former employer, with some exceptions. Limits defenses. Provides for penalties and injunctive relief.

Status: Assigned to the Labor Committee; no action to date



**HB4242- FOIA-HARRASSMENT SETTLEMENTS**

Provides that a county shall provide notice to the public if the county enters into a severance agreement with an employee or contractor accused of sexual harassment or sexual discrimination. Provides that no more than 72 hours after the county makes a payment under the severance agreement, the county shall publish on its Internet website and cause to be published, for a period of not less than 7 days, in the newspaper of general circulation having the largest circulation within the jurisdiction of the county the following information: (1) the name of the person receiving the payment; (2) the amount of the payment; and (3) the fact that the person receiving the payment has been accused of sexual harassment or sexual discrimination, as the case may be.

Status: Passed the House 106-0 on March 7, 2018; Assigned to Senate Judiciary Committee

**HB4295- CMS-STATE EMPLOYEE LOCATION**

Requires the Director of Central Management Services to direct the relocation to Sangamon County of all State employment positions under the Personnel Code that are not required by their nature or function to be located in a specific geographic area. Requires the Director to direct all new State employment positions which may be created under the Personnel Code, and which are not required by their nature or function to be located in a specific geographic area, to be located in Sangamon County. Requires the Director to determine a geographic location for each State employment position and, if it is other than Sangamon County, the reason for it to be in that geographic location. Provides that in determining whether to locate or relocate a State employment position to Sangamon County, the Director shall consult the Director of any affected State agency as to whether the nature or function of a position requires it to be located in a specific geographic area of the State, and if no such geographic necessity exists, that position shall be located or relocated to Sangamon County. Provides that the rights of employees and the State and its agencies under the Personnel Code and applicable collective bargaining agreements with respect to the relocation of current State employee position holders shall not be affected. Provides that the provisions regarding location or relocation of a position to Sangamon County shall apply only to State employment positions that become vacant or are created on or after the effective date of this amendatory Act.

Status: Passed the House 82-16-5 on April 18, 2018; Assigned to Senate State Government Committee

**HB4365- PROMPT PAYMENT-PUBLIC UTILITIES**

Provides that utility services provided to the State by a unit of local government are subject to the provisions of the ACT.

Status: Re-referred to Rules Committee

**HB4375- LOCAL GOVERNMENT EMAIL ACT**

Creates the Local Government Email Act. Provides that all emails that are in connection with the transaction of public business sent or received by a unit

of local government or school district or an employee, staff member, trustee, board member, elected official, or officer of a unit of local government or school district are public records regardless if the emails are sent or received on a personal or unit-provided or district-provided email address. Requires a unit of local government or school district that provides an email address to one or more of its employees, staff members, trustees, board members, elected officials, or officers to provide an email address for all employees, staff members, trustees, board members, elected officials, and officers of the unit of local government or school district. Provides that employees, staff members, trustees, board members, elected officials, or officers shall use unit-provided or district-provided email for all communications in connection with the transaction of public business. Provides that employees, staff members, trustees, board members, elected officials, or officers shall promptly forward, print, or otherwise provide any email sent or received on his or her personal email address to his or her unit of local government or school district if the email is in connection with the transaction of public business. Provides that if an email received on a personal email was carbon copied to a unit-provided and controlled or district-provided and controlled email, a copy of the email does not need to be provided to the unit or district. Effective immediately.

Status: Re-referred to Rules Committee

**HB4429- POKER RUNS-MULTIPLE COUNTIES**

Provides that a county may pass an ordinance prohibiting the conduct of poker runs within the county's boundaries. Provides that a county that has prohibited poker runs is not required to establish a system for the licensing of organizations to operate poker runs. Provides that a license for a poker run authorizes the licensee to conduct the poker run at locations within the county with jurisdiction over the key location and at locations within any other county that licenses poker runs. Provides that a poker run conducted at locations in multiple counties is only required to be licensed by the county with jurisdiction over the key location. Removes provisions providing that the governing bodies of 2 or more adjacent counties may contract to jointly establish a licensing system for organizations to operate poker runs. Effective immediately.

Status: Referred to House Rules Committee; No action taken

**HB4430- LIQUOR-RAFFLE VIOLATIONS**

Provides that no license of any kind issued by the Illinois Liquor Control Commission or a local liquor control commission shall be issued to a person who, in violation of a specified provision of the Raffles and Poker Runs Act, sells raffle tickets in a physical location that is outside the jurisdiction of the local authority that licensed the raffle or a person who, in violation of a specified provision of the Raffles and Poker Runs Act, sells raffle tickets in a manner that violates the terms of the local license that authorized the raffle. Provides that the prohibition may not be used to initiate an investigation by the State Commission or a local liquor control commission against a license holder who sells raffle tickets inside the jurisdiction of the local authority that licensed the raffle in a manner that is in compliance with State law and local ordinance. Makes other changes. Effective immediately.

Status: Referred to House Rules Committee; No action taken

HB4556-

**SEXUALLY DANGEROUS PERSON-COST**

Provides that litigation costs, including expert fees and the cost of representation by counsel for an indigent respondent for any purpose under the Act, including a trial or a hearing, shall be paid by the county in which the proceeding is brought. Provides that the Director of Corrections, as guardian, shall only be responsible for costs of providing care and treatment of sexually dangerous persons while he or she is committed in a facility of the Department of Corrections. Provides that if a sexually dangerous person is released subject to conditions ordered by a court, the Director shall not be responsible for any costs of the sexually dangerous person, including, but not limited to, care, treatment, medical expenses, living expenses, and supplemental income and rent. Provides that the Director shall still provide supervision over the sexually dangerous person through parole agents if ordered.

Status: Re-referred to Rules Committee

HB4583-

**OPEN MEETINGS – SPECIAL MEETINGS**

Amends the Open Meetings Act to requires a public body that has a website maintained by a full-time staff to post the agenda and notice of meetings for both the governing body and all subsidiary bodies of the public body. In addition, the bill requires a public body that has a website to post the minutes of a regular, special, or emergency meeting of its governing body (currently, only regular meeting). The bill also allows a court to declare null and void any final action taken at a meeting in violation of the Act, regardless of whether or not the meeting was a closed meeting. Finally, a court shall (rather than may) assess against any party, except a State's Attorney, reasonable attorney's fees and other litigation costs reasonably incurred by any other party who substantially prevails in any action brought under specified provisions of the Act, but the court must consider the degree to which the relief obtained relates to the relief sought when determining reasonable attorney's fees.

Status: Passed the House on April 25, 2018 by a vote of 108-001-001; First Reading in the Senate

HB4584-

**USE/OCC-MOTOR FUEL-LOCAL GOV**

Provides that, in the absence of an appropriation for any State fiscal year, moneys that are required to be distributed to units of local government and other entities from the State and Local Sales Tax Reform Fund, the Motor Fuel Tax Fund, the State Gaming Fund, the Local Government Video Gaming Distributive Fund, and the Statewide 9-1-1 Fund are subject to a continuing appropriation. Effective immediately.

Status: Referred to House Rules Committee; No action taken

HB4594-

#### **COURT FINES AND FEES**

This bill is an attempt to overhaul the numerous and sundry fines, fees, and other charges a party may pay as part of several different types of court cases, including traffic and criminal cases. When any defendant is convicted, pleads guilty, or placed on court supervision for a violation of a law or local ordinance, the court must order one schedule of assessments in the case plus any conditional assessment applicable to a conviction in the case for the defendant to pay in addition to any fine, restitution, or forfeiture ordered by the court. All money collected by the clerk of the court based on the schedules or conditional assessments is required to be remitted to the appropriate treasurer (state, county, municipal, etc.) as directed in the Act. Provides the treasurers shall deposit the money as indicated in the ordered schedule or conditional assessment. Adds a new assessment schedule for truck weight and load offenses, and adds definition of "fine".

Status: Passed out of the House on April 27, 2018 by a vote of 089-017-000

HB4711-

#### **SUITS AGAINST COUNTIES/ZONING**

Amends the Counties Code. In provisions regarding building or structure zoning violations, provides that, except in relation to county-owned property, the provisions do not authorize any suit against a county or its officials for any act relating to zoning administration, enforcement, or implementation or any ordinance, resolution, or other zoning regulation.

Status: Passed the House 110-0-1 on April 18, 2018; assigned to Senate Local Government Committee

HB4748-

#### **COUNTY STORMWATER MANAGEMENT**

Amends the Counties Code. Changes the application of specified provisions concerning stormwater management in the area served by the Northeastern Illinois Planning Commission to those located in the area served by the Chicago Metropolitan Agency for Planning. Authorizes counties containing all or a part of an urbanized area (rather than only 9 specified counties) to adopt stormwater management plans by referendum. Requires a county to adopt and enforce a floodplain management ordinance or a stormwater management ordinance that has been approved by the Office of Water Resources of the Department of Natural Resources and designate a Certified Floodplain Manager before the county may submit a referendum question to the electors for an annual tax. Prohibits a county from levying the tax if they are not in full compliance with specified provisions. Provides for specified special districts to be represented on the stormwater management planning committee in specified counties. Provides that a county's minimum standards for floodplain and stormwater management should have an emphasis on the use of cost-effective solutions to flooding problems. Provides that the stormwater management plans shall evaluate flooding problems caused by urban flooding. Defines "urban flooding". Provides that a stormwater management planning committee may make grants to units of local government, not-for-profit organization, and landowners under specified conditions. Provides that a municipality receiving grant moneys must have adopted an ordinance requiring actions consistent with the stormwater management plan. Makes

other changes. Makes similar changes to provisions regarding DuPage and Peoria counties.

Status: Passed the House 101-0 on March 7, 2018; assigned to the Senate Local Government Committee

HB4774-

#### **LOCAL/LOWEST RESPONSIBLE BID**

Amends the Counties Code. In provisions regarding determination of the lowest responsible bidder in purchases by a county with fewer than 2,000,000 inhabitants for services, materials, and equipment, a local company that bids within 5% to 10% of the lowest bid, if that lowest bid is made by a non-local company, is the lowest responsible bidder. Provides that if more than one local company's bid is within 5% to 10% of the lowest bid made by a non-local company, the county board shall award the contract to the lowest responsible bidder among the local company bids. Defines "local company" as a company or business entity located within the contracting county or any contiguous county in the State that has the majority of its regular, full-time workforce located within the contracting county or contiguous county. Amends the Township Code. Makes similar changes in provisions concerning construction contracts and contracts for services, materials, equipment, or supplies. Amends the Illinois Municipal Code. Makes similar changes in provisions concerning purchasing and public works contracts in municipalities of less than 500,000.

Status: Voted down in the House 42-46-08 on April 27, 2018

HB4822-

#### **LOCAL GOVERNMENT/ELECTRONIC NOTICES**

Creates the Local Government Electronic Notification Act. Allows a unit of local government to establish a process to allow people to select electronic notifications through an electronic notification delivery system for governmental mailings that are being sent by United States mail. Sets forth requirements for the process. Allows a unit of local government to utilize the electronic notification delivery system to notify people of information that is not statutorily required upon request of an electronic notification recipient. Provides that electronic notifications sent by a unit of local government through an electronic notification delivery system and email addresses provided to receive the electronic notifications regarding one's property or residence are not subject to the Freedom of Information Act. Provides that a unit of local government may enter into an intergovernmental agreement with another unit of local government to provide the electronic notifications and to share data for that purpose.

Status: Passed the House 108-0 on April 18, 2018; assigned to the Senate Local Government Committee

HB4932-

#### **FOIA/ARREST-CRIMINAL RECORDS**

Amends the Freedom of Information Act. Provides that a request for an arrest report or criminal history record must be made to the public body that created the public record being sought. Provides that a public body that merely maintains a copy of the public record being sought shall not release the public record. Provides that if a public body receives a request for a public record

that it did not create, the public body shall direct the requester to the public body that created the public record.

Status: Passed the House 97-05-01 on April 27, 2018; First Reading in the Senate

HB5489-

#### LICENSE PLATES NON-HWY VEH

Provides that the Secretary of State shall issue distinctive registration plates for non-highway vehicles. Provides that the Secretary shall issue these plates only to non-highway vehicles that are insured and have brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear, a headlight that emits a white light, a tail lamp that emits a red light, brake lights, and turn signals. Provides that every owner of a non-highway vehicle that drives upon a roadway with a posted speed limit of 35 miles per hour or less shall pay the Secretary an annual registration fee of \$76. Provides that the registration fee shall be distributed as follows: \$1 to the State Treasurer, for deposit into the State Police Service Fund; \$30 to the State Treasurer, for deposit into the Road Fund; and \$45 to the Treasurer of the county of residence of the owner of the non-highway vehicle, for deposit into the road fund of the county. Provides that vehicles with a registration plate may be operated on any street, highway, or roadway where the posted speed limit is 35 miles per hour or less or any county highway where the posted speed limit is 55 miles per hour or less and may make a direct crossing upon or across certain roads.

Status: Re-referred to Rules Committee

HB5284-

#### PROP TX-SOLAR ENERGY VALUATION

Changes the definition of "solar energy system". Defines "allowance for physical depreciation", "commercial solar energy system", "commercial solar energy system real property cost basis", "ground installation", "trending factor", and "trended real property cost basis". Provides the equation for the fair cash value of commercial solar energy systems in counties with fewer than 3,000,000 inhabitants. Provides exemptions for specific commercial solar energy systems property. Provides that the owner of the land the ground installation commercial solar energy system is constructed upon may request a metes and bounds survey description of the area and provides the procedures for such a request. Provides the equation for the fair cash value per acre of a parcel of land where a commercial solar energy system is installed. Provides that any real property assessed as farmland in the year prior to valuation shall return to being assessed as farmland in the year after the commercial solar energy system has been removed and the property is returned to farm use. Effective immediately.

Status: Re-referred to Rules Committee

# Counties at the Capitol

April 23, 2018 • www.ilcounty.org

*The Third Reading deadline for each chamber to move bills over to the opposite chamber is April 27. This report highlights bills of priority being tracked by the IACBM, as well as new amendments.*

**SB 1064 (McConnaughay)  
Property Tax Code – Aggregate Extension  
Status: Senate 3rd Reading**

When an adjustment is required, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension would have been for the last preceding levy year if the actual valuations and rates, as adjusted for the increases or reductions specified, had been used to calculate the extension of taxes for the levy year in which the overextension or underextension occurred.

**SB 2260 (Tracy) Burke – OPPOSE  
State Revenue Sharing Act – School Districts  
Status: Passed Senate 55-0-0 / Arrived In House**

Starting with FY 2018, schools with PPRT receipts totaling 13% or more of their FY 2016 revenue, will receive an additional amount equal to 11% of their FY 2016 PPRT receipts. Total amount of additional distributions shall not exceed \$4,353,136. **NOTE: The money would be taken away from other units of local government.**

**SB 2313 (Holmes)Stuart – SUPPORT  
Animal Control Act – County Funds  
Status: Passed Senate 53-0-0 / Arrived In House**

Provides that ten dollars of the differential shall be placed either in a county animal population control fund (rather than or the State's Pet Population Control Fund). The dog's owner shall pay a \$25 public safety fine to be deposited into the county animal control fund or county pet population control fund (rather than \$20 of which shall be deposited into the State's Fund and \$5 of which shall be retained by the county).

**SB 1265 (Van Pelt)  
Juvenile Court Counsel & Statements  
Status: Senate Criminal Law Comm.**  
Provides that the Chief Judge of each judicial circuit may establish a Justice for Juveniles Program, which would require that juveniles arrested or detained for eligible offenses be represented by legal counsel throughout the entire custodial interrogation of the juvenile. If a Chief Judge establishes such program, any oral, written, or sign language statement of a juvenile made without the presence of legal counsel during a custodial interrogation on or after the effective date of the Program shall be inadmissible as evidence against the juvenile in a proceeding under the Juvenile Court Act.



**SB 2396 (Cullerton)  
Senior Citizens Homestead Exemption  
Status: Senate 3rd Reading**  
Provides that a person who has been granted a senior citizens homestead exemption need not reapply for the exemption.



## Local government audit bill passes House

After months of negotiations on the issue of audit reporting, it appears an agreement is close. We have participated in several meetings with the Comptroller's office and other stakeholders to represent the position of county governments as it relates to audit filings. We are encouraged by the amendatory language to House Bill 4104 sponsored by Rep. Anthony DeLuca (D-Chicago Heights).

The amendment preserves cash basis accounting and audits for local governments presently reporting on a cash basis. Once a county converts to accrual basis accounting, a conversion back to cash basis would be prohibited. We feel confident the group of stakeholders is moving in a positive direction. House Bill 4104 passed the House with no opposition. It awaits Senate action.

## NEWSPORTHY...

### Year round property tax relief for disabled veterans

Disabled veterans who qualified for property tax relief through the Disabled Veterans Standard Homestead Exemption for their previous home would qualify for a prorated exemption for their new home, under a bill co-sponsored by Sen. Neil Anderson. (R-Moline).



Senate Bill 2306 passed the Senate April 11 and now heads to the House for consideration. Specifically, it provides that the homestead exemption for veterans with a service-related disability must be prorated even if the veteran qualifying for the exemption does not occupy the qualified residence as of January 1 of the taxable year. This legislation is modeled after the current property tax exemption process for senior citizens.

Beginning in tax year 2015, a \$2,500 homestead exemption is available to a veteran with a service-connected disability of at least 30% but less than 50%; a \$5,000 homestead exemption is available to a veteran with a service-connected disability of at least 50% but less than 70%; veterans with a service-connected disability of at least 70% are exempt from paying property taxes on their primary residence. This exemption is available to the unmarried surviving spouse of a service connected veteran provided that the veteran was in receipt of the exemption prior to his/her death. Additionally, beginning in tax year 2015 and thereafter, the unmarried surviving spouse of a service member killed in the line of duty is exempt from paying property taxes on the primary residence. Once approved, qualifying veterans and surviving spouses must file an annual application by their counties' deadlines to continue to receive this exemption.

### SB 2544 (Cullerton) Yingling

Counties Code – Local Government Reduction and Efficiency Division

Status: Passed Senate 49-0-0 / Arrived in House

Requires the person conducting the required audit of a unit proposed for dissolution to report findings to the county board within 30 days or as soon as is practical after 30 days. Once the audit is returned, the county board may adopt an ordinance authorizing dissolution not less than 60 days (rather than 150 days) following the court's appointment of a trustee-in-dissolution (rather than after the effective date of the ordinance). NOTE: *This bill reduces the time-frame for dissolution under current law.*

### SB 2581 (Mulroe) Gabel – SUPPORT

Juvenile Court Detention Hearings

Status: Passed Senate 49-0-0 / Arrived in House

Requires a full judicial, detention hearing within 48 hours of a juvenile's confinement (no exception for weekends and holidays). Allows for secure video detention hearings by closed circuit television and video conference upon approval by the Chief Judge. NOTE: *This bill is an initiative of the IACBM in response to HB 4473 which requires the processing of juveniles within 24 hours including weekends and holidays. Unfortunately, we have reached an impasse in the negotiations, limiting action by the House.*

### SB 2670 (McConchle) – OPPOSE

Property Tax Code – Reduced Aggregate Extension Base

Status: Senate 2nd Reading

Amends the Property Tax Code to allow voters in counties under the Property Tax Extension Limitation Law (PTELL), the state's property tax cap law, the ability to reduce their property taxes via referendum. Outlines the petition and voting requirements that would be needed to place the question on the ballot in PTELL counties. A petitioner must obtain signatures of at least ten percent (10%) of the votes cast in the previous gubernatorial election within that taxing district. The proposition needs a simple majority to pass. NOTE: *Currently Cook and the collar counties are subject to PTELL limitations as well as about forty percent of other counties across the state.*

### Bill allowing cities to ban assault weapons advances

Municipalities across Illinois would once again have the ability of regulating military-style assault weapons under a plan advanced by Sen. Julie Morrison (D-Deerfield).

"At a time of continued inaction in Washington, it is imperative we give local communities who want to regulate assault weapons the legal ability to do so," Morrison said. "This is a commonsense proposal that empowers local communities to make the decision about assault weapons that is in their best interests."

Current Illinois law places a roadblock on municipalities from enacting assault weapon bans. The practice was legal until 2013, when the controversial law allowing Illinois residents to carry concealed weapons was passed.

Highland Park was one community that enacted an assault weapons ban before the state prohibition went into effect. Highland Park Mayor Nancy Rotering testified in the Senate Judiciary Committee about the importance of giving control to local communities wanting to regulate assault weapons. "Fortunately, we don't have an assault weapons problem in Highland Park. But I can say that neither did Newtown, Orlando, DeKalb, Aurora, Sutherland Springs, Las Vegas nor Parkland. How long does this list need to go on?" Highland Park Mayor Nancy Rotering said. "I ask you to let those elected to represent their communities be allowed to do so."

Senate Bill 2314 passed the Senate Judiciary Committee on April 17 and will now head to the Senate floor for further debate.





**SB 2727 (Tracy)**

**Emergency Telephone Systems Act**

**Status: Senate 2nd Reading**

If a Joint Emergency Telephone System Board includes a county which was a part of a 9-1-1 Governing Board established in 1988, no more than 3 members of the county board shall be appointed to serve on the joint board with the remaining members being either elected officials or representatives from the 9-1-1 public safety agencies within the coverage area of the joint board.

**SB 3080 (Steans) – OPPOSE**

**Community Water Systems Lead Removal**

**Status: Senate 2nd Reading**

Mandates that within one year of the effective date of the amendatory Act, every community water system shall create a plan to remove all known lead service lines within 10 years from the completion of the plan. Makes other changes.

**SB 3085 (Rose)**

**Property Tax Code – Notices**

**Status: Senate Judiciary Committee**

Provides that county collectors shall no longer publish or send notice of delinquent or forfeited property taxes for certain undeveloped but platted and subdivided property or for any other exempt property.

**SB 3166 (Link) – OPPOSE**

**Video Gaming Act – Veterans**

**Status: Senate 2nd Reading**

This measure is a preemption bill. Provides that the Illinois Gaming Board may grant licenses to permit video gaming in a licensed veterans establishment within a municipality or unincorporated area of a county that has prohibited video gaming.

**SB 3464 (Mulroe)**

**Counties Code – CATV Fee Audits**

**Status: Senate 3rd Reading**

Provides that a county's initial report of its audit findings to CATV operators shall include the complete list of all addresses within the corporate limits of the county. Limits the scope of provisions concerning franchise fees and service provider fee reviews. Contingent fees paid to auditors, including subcontractors, may not exceed 25% of the net amount recovered, inclusive of interest and penalties.

**SB 3503 (Sims) Cassidy – OPPOSE**

**Counties Code – Lactation Rooms**

**Status: Passed Senate 54-0-0 / Arrived In House**

On or before June 1, 2019, every facility that houses a circuit court room shall include at least one lactation room or area for members of the public to express breast milk in private that is located outside the confines of a restroom and includes, at minimum, a chair, a table, and an electrical outlet, as well as a sink with running water where possible. **NOTE: This bill is a mandate. The Legislative Committee does not oppose the merits of the bill, but based its position on the potential need for renovation of courthouses to comply and associated costs, in addition to Supreme Court directives. In our conversations with an ACLU representative, it was indicated that renovation is not required. An unused room can become a court's lactation room and partitions can convert open space into a private "lactation area". This bill is positioned to pass.**

## Measure aims to bring transparency to fracking operations

Legislation that brings transparency to the fracking process passed a key senate committee on April 12.

**Senate Bill 3174**, sponsored by Sen. Dave Koehler (D-Peoria), would require the Illinois Department of Natural Resources to post drilling reports from fracking sites within 30 days of receiving them. The legislation also requires the operators of the wells to provide a list of chemicals being used in drilling and the GPS coordinates of their wells.

Sen. Koehler said the bill is about letting landowners know what's going on in their communities. The legislation is on Third Reading in the Senate.

"People who live near these fracking operations should be able to know what is happening on the properties that in some cases border their own," Koehler said. "This legislation can bring some transparency and accountability to the process which will allow people to make informed decisions and protect themselves."



## Committee advances legislation to improve dangerous roads

On April 11, the Senate Transportation Committee advanced legislation filed by Sen. Sam McCann (R-Plainview) to help local road authorities add safety markings to dangerous roads.

Under current law, only proceeds from motor fuel taxes can be used to pay for road striping. The amount of fuel tax proceeds going to local road authorities is diminishing, reducing the amount of striping work that can be done. Meanwhile, state project dollars and federal pass-through funds can't be used for those projects.

**Senate Bill 2267** would allow those state and federal funds to be used, with the approval of IDOT, to pay for striping projects on roads where striping did not previously exist. The legislation passed the Senate Transportation Committee with unanimous support and is now on Second Reading in the Senate.



## IN THE KNOW

**HB 4271 (Halbrook) – SUPPORT**  
**Counties Code – Auxiliary Deputies**  
**Status: House 2nd Reading**  
County authorities may (rather than shall) require that all auxiliary deputies be residents of the county served by them.

**HB 4375 (Breen) – OPPOSE**  
**Local Government Email Act**  
**Status: House Rules**  
All emails that are in connection with the transaction of public business sent or received by a unit of local government or an employee, staff member, trustee, board member, elected official, or officer of a local government are public records regardless if the emails are sent or received on a personal or unit-provided email address.



**HB 4651 (Meler) – NEUTRAL**  
**Renewable Energy Facilities**  
**Agricultural Impact Mitigation Act**  
**Status: House 2nd Reading**  
Aims to prevent farmland problems stemming from the development of commercial solar energy projects. The legislation proposes requiring commercial solar energy developers to enter into an agricultural impact mitigation agreement (AIMA) with the Illinois Department of Agriculture. The goal is to protect landowners and assure land impacted by construction and deconstruction be properly restored. **NOTE: A solar energy AIMA would not impact a county government's authority to regulate the siting of a commercial solar facility or establish more restrictive standards. Likewise, an AIMA would not interfere with more restrictive standards already in place. The state of Illinois already requires AIMAs for commercial wind energy projects.**

**HB 3133 (Yingling)**  
**Township Modernization and Consolidation Act**  
**Status: House Rules**

Provides that all townships in a county may be dissolved by referendum, through either citizen petition or county board ordinance. Provides for petition, ordinance, and notice requirements. Provides for transfer of property, assets, personnel, contractual obligations, liabilities, tax levies, records, and rights and duties from the township to county. Further provides for procedures the county board may employ if a township has outstanding debt on the date of dissolution of the township. Abolishes the office of township collector and transfers all powers and duties to the county collector. Counties who dissolve all townships may retain their current form of governance (currently, required to form a commission form). Provides that all townships within a coterminous municipality may dissolve (currently, only selected townships may).

**HB 4242 (McSweeney) Cullerton**  
**FOIA – Harassment Settlements**  
**Status: Passed House 106-0-0 / Arrived in Senate**

When a local government enters a severance agreement with an employee or contractor because the employee or contractor was found to have engaged in sexual harassment or sexual discrimination, the public body shall publish specified information on its website, if one is maintained, and make available such information to the news media for inspection and copying within 72 hours of the approval of the severance agreement.

**HB 4583 (Halbrook) – OPPOSE**  
**Open Meetings Act – Special Meetings**  
**Status: House 3rd Reading**

Provides that certain notice provisions that currently apply to regular meetings of a public body shall also apply to special meetings of a public body. Requires a public body that has a website to post the minutes of a regular, special, or emergency meeting of its governing body (currently, only regular meeting). Allows a court to declare null and void any final action taken at a meeting in violation of the Act, regardless of whether or not the meeting was a closed meeting. A court shall (rather than may) assess against any party, except a State's Attorney, reasonable attorney's fees and other litigation costs incurred by any other party who substantially prevails in any action brought under specified provisions of the Act.

## Yingling continues push for local government consolidation

Rep. Sam Yingling (D-Grayslake) passed legislation to consolidate Lake County road districts out of the House on April 17. **House Bill 4637** was approved with a bipartisan vote of 80-22-1.

"It was a pleasure working with state Rep. David McSweeney and McHenry County Board Chairman Jack Franks on this bill, and I am eager for our continued work together to streamline government," said Yingling.

The measure would give McHenry County taxpayers the power to put a referendum on the ballot to do away with taxing bodies such as highway commissioners and by mandating a ten percent reduction in property taxes on the township. Rep. Yingling's legislation also requires Lake County to abolish road districts that serve roads with less than 15 miles of length. The bill now awaits action in the Senate under the sponsorship of Assistant Majority Leader Sen. Terry Link (D-Gurnee).



**HB 4748 (Fortner) Rezn – NEUTRAL**

**County Stormwater Management**

**Status: Passed House 100-0-0 / Arrived in Senate**

Authorizes counties containing all or a part of an urbanized area to adopt stormwater management plans by referendum. Requires a county to adopt and enforce a floodplain management ordinance or a stormwater management ordinance that has been approved by the Office of Water Resources of the Department of Natural Resources and designate a Certified Floodplain Manager before the county may submit a referendum question to the electors for an annual tax. Prohibits a county from levying the tax if they are not in full compliance with specified provisions. Provides for specified special districts to be represented on the stormwater management planning committee in specified counties. Makes other changes.

**HB 5284 (Lang) – SUPPORT**

**Standardized Valuation of Solar Farms**

**Status: House Rules**

Establishes a state-wide standard for valuing commercial solar farms to level the playing field between counties competing for renewable energy projects. Establishes an administrative process and valuation which is uniform with wind renewable energy (35 ILCS 200/10-600). The bill also distinguishes solar farms and other types of solar energy systems.

**Improvement Valuation Process (modeled after Wind Energy)**

- \$446,000 improvement fair cash value per megawatt, which equals projected January 1, 2019 wind energy device valuation
- Annual trending factor based on CPI
- Annual depreciation based on 40-year typical life expectancy

**Land Valuation Process**

- \$10,000/acre standardized land value based on income stream with annual CPI trending factor to account for income changing over time

**Administrative Issues**

- If only part of parcel used for solar farm, permits a separate parcel for that part
- If used as farmland immediately before use as a solar farm, then can return to farmland valuation in first year after solar improvements are removed.

**NOTE:** Although HB 5284 has been returned to House Rules, this issue is still alive and expected to advance under Senate Bill 486 sponsored by Sen. Don Harmon (D-Oak Park). Our legislative director has been involved in the ongoing discussions, in addition to county assessment officers that have provided the valuable expertise needed on the subject matter. An agreement among the stakeholders appears to be close. A statewide assessment schedule will be beneficial for all parties involved. Senator Harmon is expected to move the bill in the coming days.



**HB 4594 (Andersson)**

**Criminal & Traffic Assessments**

**Status: House 2nd Reading**

Creates the Criminal and Traffic Assessment Act. Provides a minimum fine is \$25. When any defendant is convicted, pleads guilty, or placed on court supervision for a violation of a law or local ordinance, the court shall order one schedule of assessments in the case plus any conditional assessment applicable to a conviction in the case, as set forth in the Act, for the defendant to pay in addition to any fine, restitution, or forfeiture ordered by the court. All money collected by the clerk of the court based on the schedules or conditional assessments shall be remitted to the appropriate treasurer as directed in the Act. The treasurers shall deposit the money as indicated in the ordered schedule or conditional assessment. A defendant may petition the court for full or partial waiver of court assessments imposed under the Act.

**SMALL CELL WIRELESS  
LEGISLATION SIGNED**

Gov. Rauner signed Senate Bill 1451 (P.A. 100-0585), the Small Wireless Facilities Deployment Act, on April 12. The Act provides the regulations and process for permitting and deploying small cell wireless facilities throughout Illinois. The plan expands access to 5G networks by allowing companies to install small cell antennas on street lights and utility poles. In general, the bill reduces local control, by limiting the ability of cities and counties to regulate the placement of wireless antennas in the public right of way. It will go into effect on June 1, 2018.

The number of bills tracked by the Illinois Association of County Board Members decreased slightly following the imposed deadlines for moving bills out of committee in their chamber of origin. This report includes legislation of priority status, but is not all-inclusive. Any significant local government measures advanced from either chamber will be included in future reports. For a more complete list of bills being tracked by the association visit our website at [www.ilcounty.org](http://www.ilcounty.org).

Additional bill positions will be reported upon action by the IACBM Legislative Committee. The General Assembly is scheduled to adjourn on May 31, 2018.