

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

Kendall County Courthouse

Jury Assembly Room

807 W. John Street; Yorkville IL

Monday, September 10, 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), Tony Giles (Vice Chair), Judy Gilmour, Audra Hendrix, John Purcell
3. **Approval of the Agenda**
4. **Approval of the August 13, 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**
8. **New Business**
9. **Legislative Update**
10. **Public Comment**
11. **Executive Session**
12. **Adjournment**

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630- 553-4171, a minimum of 24-hours prior to the meeting time

Kendall County
Clerk of the Circuit Court
2018 Judicial Statistics

2018 MONTHLY STATISTICS

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD
AD Adoption	1	1	1	0	0	0	2	0	0	0	0	0	5
CC Contempt of Court	1	2	2	2	0	0	1	2	0	0	0	0	10
CF Criminal Felony	35	30	44	24	41	34	26	61	0	0	0	0	295
CH Chancery	35	47	42	35	27	34	27	28	0	0	0	0	275
CL Civil Law Violation	9	9	10	18	1	23	18	12	0	0	0	0	100
CM Criminal Misdemeanor	41	45	42	55	57	54	70	79	0	0	0	0	443
CV conservation violation	3	1	2	2	3	1	4	3	0	0	0	0	19
D Divorce	27	35	51	32	30	21	25	46	0	0	0	0	267
DT DUI	20	13	23	28	18	13	23	25	0	0	0	0	163
ED Eminent Domain	1	1	0	0	1	2	1	0	0	0	0	0	6
F Family	5	17	19	30	3	15	9	12	0	0	0	0	110
J Juvenile	0	1	3	0	2		0	0	0	0	0	0	6
JA Juvenile Abuse/Neglect	0	4	3	6	1	1	3	0	0	0	0	0	18
JD Juvenile Delinquency	36	19	23	31	15	9	17	26	0	0	0	0	176
L Law	10	12	12	8	9	11	8	12	0	0	0	0	82
LM Law Magistrate	69	47	46	37	43	50	70	64	0	0	0	0	426
MH Mental Health	0	0	0	1	0	0	0	0	0	0	0	0	1
MR Misc. Remedy	20	16	30	22	15	24	18	29	0	0	0	0	174
OP Order of Protection	30	23	36	29	29	37	31	32	0	0	0	0	247
OV Orninance Violation	0	0	2	0	2	0	1	0	0	0	0	0	5
P Probate	14	11	16	20	18	12	12	12	0	0	0	0	115
SC Small Claims	124	83	142	68	131	175	103	194	0	0	0	0	1020
TR Traffic	606	500	545	642	668	654	746	597	0	0	0	0	4958
TX Tax	5	0	0	1	0	0	0	0	0	0	0	0	6
WI Wills	16	15	17	10	14	8	10	19	0	0	0	0	109
X1 Misc	3	0	0	0	0	0	0	0	0	0	0	0	3
	1111	932	1111	1101	1128	1178	1225	1253	0	0	0	0	9039

The number of files entered last year at the end of August was 8060
Our filings are up by 979

2018 YEARLY STATISTICS

		2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
AD	Adoption	25	31	19	21	21	19	14	15	17	27	5
CC	Contempt of Court	2	6	7	3	7	3	7	3	9	32	10
CF	Criminal Felony	501	515	405	429	411	407	422	404	419	420	295
CH	Chancery	1253	1520	1858	1393	1536	865	580	488	440	388	275
CL	Civil Law Vilolation	0	0	1287	0	0	0	0	0	72	226	100
CM	Criminal Misdemeanor	1401	1536	58	1222	1231	1059	1114	1079	990	749	443
CV	conservation violation	42	67	469	31	42	51	41	29	22	39	19
D	Divorce	341	451	253	466	429	450	401	408	415	441	267
DT	DUI	339	387	5	290	287	236	245	249	211	190	163
ED	Eminent Domain	1	0	170	34	41	1	6	13	5	14	6
F	Family	184	142	4	156	122	138	147	111	170	90	110
J	Juvenile	3	4	32	3	1	7	10	16	10	19	6
JA	Juvenile Abuse/Neglect	21	21	316	19	16	18	36	22	9	31	18
JD	Juvenile Delinquency	279	289	141	260	263	256	241	300	226	198	176
L	Law	94	138	1154	106	88	117	111	107	98	108	82
LM	Law Magistrate	896	1042	1	1127	935	826	798	733	687	698	426
MH	Mental Health	0	0	170	1	2	1	1	2	1	9	1
MR	Misc. Remedy	133	169	117	153	197	190	251	265	387	309	174
OP	Order of Protection	140	134	112	161	161	226	281	308	361	369	247
OV	Orninance Violation	503	297	104	91	88	79	38	17	34	15	5
P	Probate	109	115	1795	124	108	120	134	135	147	143	115
SC	Small Claims	1173	1649	16867	1479	1418	1350	1333	1105	1144	1363	1020
TR	Traffic	18158	19241	59	12300	12170	11589	10215	9200	7800	6049	4958
TX	Tax	21	35	178	66	65	75	48	40	49	39	6
WI	Wills	139	156	3	169	142	174	169	172	171	196	109
X1	Misc	4	3	0	6	4	4	3	3	3	3	3
		25762	27948	25584	20110	19785	18261	16646	15224	13897	12165	9039



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	Month: August 2018	Fiscal Year-to-Date	August 2017
Total Deaths		24	230	24/243
Natural Deaths		23	212	19
Accidental Deaths		0	11	5
Pending		0	0	0
Suicidal Deaths		0	4	0
Homicidal Deaths		0	1	0
Undetermined	*	1	2	0
Toxicology		1	26	4/28
Autopsies		1	24	3/26
Cremation Authorizations		15	141	12/141

Scenes Responded to:	Transported by Coroner's Office:	External Examinations:
9	6	1

**

Undetermined Death(s):

1. 08/04/2018 – Montgomery – 30-year-old, Male, Skeletal Remains found on island in Fox River

PERSONNEL/OFFICE ACTIVITY:

1. August 8, 2018, Coroner Purcell attended the IL Coroner's & Medical Examiner's Association Executive Board meeting in Collinsville, IL.
2. August 6 - 10, 2018, Chief Deputy Coroner Gotte attended training at the Kane County Sheriff's Office where he received his certification as a firearms instructor.

CARORUM AD CURAM

Kendall County Emergency Management Agency

1102 Cornell Lane, Yorkville Illinois 60560

630-553-7500

Joseph T. Gillespie, Director

Tracy Page, Deputy Director

EMA Report

August 2018

1. Emergency Management Accreditation paperwork submitted to the State
2. Kendall County Emergency Operations Plan (EOP) submitted to the State
3. IEMA Region 3 meeting held in Joliet
4. UCP went to Kendall County Fair, Montgomery Fest, Plano and Yorkville Hometown Days
5. Continued with siren testing on the first Tuesday morning of the month
6. Continued with STARCOM testing first Tuesday morning of the month
7. Continued with WSPY EAS testing first Tuesday morning of the month

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 SEPTEMBER 10, 2018

VICTORIA CHUFFO, Public Defender

- 105 cases / last month 115 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender

- 161 cases / last month 151 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender

- 309 cases / last month 310 cases - Felony/ Juvenile cases

LINDSEY LACHANSKI, Asst. Public Defender

- 329 cases/ last month 310 cases - Misdemeanor/Traffic cases

CHRISTOPHER WARMBOLD, Asst. Public Defender

- 242 case/ last month 236 cases -
Misdemeanor/Traffic/Juvenile Cases

My office has been appointed a total of 181 new cases between August 13, 2018 and September 10, 2018. The Kendall County Public Defender's Office currently has 1146 open cases as of today's date; September 10, 2018. The Public Defender appointments for driving under the influence and juvenile truancy have increased since last month.

KENDALL COUNTY SHERIFF'S OFFICE

MONTH-END REPORT



AUGUST

2018

OPERATIONS DIVISION

POLICE SERVICES	August-17	August-18
Calls for Service	857	752
Police Reports	333	371
Total Arrests	90	131
Cannabis Civil Law Citations Issued		9
Ordinance Citations Issued		1
TRAFFIC SERVICES	August-17	August-18
Traffic Contacts	306	972
Traffic Citations Issued	154	200
DUI Arrests	6	6
TRAFFIC CRASH INVESTIGATIONS	August-17	August-18
Property Damage	36	31
Personal Injury	9	7
Fatalities	0	0
TOTAL CRASH INVESTIGATIONS	45	38
VEHICLE USAGE	August-17	August-18
Total Miles Driven by Sheriff's Office	60,392	65,066
Vehicle Maintenance Expenditures	\$4,130.08	\$2,781.74
Fuel Expenditures	\$9,772.15	\$12,637.38
Fuel Gallons Purchased	4,665	4,992
Squad Damage Reports		0
AUXILIARY DEPUTIES	August-17	August-18
Ride-A-Long Hours	0	0
Auxiliary Hours	112.50	60
TOTAL AUXILIARY HOURS	112.5	60
EVIDENCE/PROPERTY ROOM	August-17	August-18
New Items into Property Room	105	214
Disposal Orders Processed	15	81
Items Disposed Of	10	17
DVD/VHS Copy Requests	62	87
Items Sent to Crime Lab for Processing	15	30
Pounds of Prescription Medication Collected from Drop Box Prc	54.75	13.25
COURT SECURITY	August-17	August-18
Entries	17,915	16,164
Items X-rayed	5,516	5,011
Bond Call	68	63
Kendall Prisoners	124	97
Other Prisoners	30	35
Arrests made at Courthouse	22	34
Contraband Refused	108	88
INVESTIGATIONS/COPS ACTIVITIES	August-17	August-18
Total Cases Assigned (Patrol/Invest)	43	57
Total Cases Closed (Patrol/Invest)	37	33
Total Current Open Cases (Patrol/Invest)	157	148
Community Policing Meetings/Presentations	26	31

CORRECTIONS DIVISION

JAIL POPULATION	August-17	August-18
New Intake Bookings	262	240
Inmates Released	260	235
Average Daily Population	143	123
Kendall County Inmate ADP	59	61
JAIL MEALS	August-17	August-18
Number of Meals Prepared Consolidated Food	12,464	10748
Price Per Meal	\$1.23	\$1.35
INMATE TRANSPORTS	August-17	August-18
To and From Kendall County Courthouse	110	108
Other County Court Transports	2	13
Out of County Prisoner Pickups	31	40
To I.D.O.C	4	3
Medical/Dental Transports	12	27
Court ordered medical transports	4	1
Juvenile To and From Youth Homes/Courts	11	12
Federal Transports	18	74
TOTAL INMATE TRANSPORTS	192	278
INMATE WORK CREWS	August-17	August-18
Number of Inmates	6	8
Number of Locations	1	4
Total Hours Worked	8	26
OUT OF COUNTY HOUSING	August-17	August-18
Number of Inmates Housed for Other Jurisdictions	88	25
Amount Invoiced for Inmates Housed for Other Jurisdictions	\$113,340.00	\$22,140.00
FEDERAL INMATES	August-17	August-18
Number of Federal Inmates Housed	15	50
Amount Invoiced for Housing	\$30,825.00	\$100,125.00
Amount Invoiced for Court Transport	\$5,256.33	\$15,629.42
Amount Invoiced for Medical Transport	\$0.00	\$491.03
MEDICAL BILLING	August-17	August-18
Medical Contractual Services	\$14,470.24	\$14,965.24
Prescriptions	\$6,331.76	\$2,616.62
Medical	\$5,461.93	\$1,464.37
Dental	\$144.20	\$0.00
Emergency Medical Services	\$0.00	\$101.48
Medical Supplies	\$5.58	\$315.38
TOTAL MEDICAL BILLING	\$26,413.71	\$19,463.09
Outstanding FTA Fees	August-17	August-18
FTA Fees- Outstanding	\$450.00	\$600.00
Sex Offender / Violent Offenders Against Youth Registrations	August-17	August-18
Sex Offender Registrations	14	15
Sex Offender - Address Verifications Completed	0	3
Sex Offender - Address Verification Attempted	0	3
Total # of Sex Offenders- Jurisdiction/Entire County	31/67	33/67
Violent Offenders Against Youth Registrations	4	4

VOAY - Address Verification Completed	0	0
VOAY - Address Verification Attempted	0	0
Total # of VOAY- Jurisdiction/Entire County	3/14	4/15

RECORDS DIVISION

SHERIFF SALES	August-17	August-18
Sales Scheduled	43	34
Sales Cancelled	20	23
Sales Conducted	23	11
CIVIL PAPERWORK	August-17	August-18
Papers Filed/Received		251
Papers Served/Executed	256	184
REPLEVINS/LEVY	August-17	August-18
Replevin/Levy Scheduled	0	1
Replevin/Levy Conducted	0	1
SUBPOENA/FOIA REQUESTS	August-17	August-18
Accident Reports	42	30
Background Checks	27	24
Incidents	79	75
Subpoenas	1	4
Total Requests	149	133
WARRANTS	August-17	August-18
Total Warrants on File	1,362	1,420
New Warrants Issued	124	156
Total Warrants Served	119	122
Warrants Quashed	42	24
EVICCTIONS	August-17	August-18
Evictions Scheduled for Month	18	13
Evictions Cancelled	9	10
Evictions Conducted	9	3
FEES	August-17	August-18
Civil Process Fees	\$8,454.00	\$5,834.50
Sheriff Sales Fees	\$11,100.00	\$10,800.00
Records Fees/Fingerprinting	\$255.00	\$370.00
Bond Processing Fees	\$1,106.56	\$1,023.85
Total Fees	\$20,915.56	\$18,028.35

KCSO TRAINING

CORRECTIONS DIVISION	August-17	August-18
NATURE OF TRAINING		
Basic Investigation Skills		40
Corrections Emergency Directives and Evacuation Protocols		228
Web Based		44.5
CERT Training		24
TOTAL HOURS	711.75	336.5

OPERATIONS DIVISION		August-17	August-18
NATURE OF TRAINING			
Suburban Law Enforcement Academy			368
Master Firearms Recertification			8
Illinois Sheriffs Summer Conference			16
John Reid Interviews and Interrogation			48
Acting Patrol Officer In Charge			16
Corrections Emergency Directives and Evacuation Protocols			280
Web-Based Training			35
Child Abduction Rapid Deployment FTX			40
TOTAL HOURS		825.25	811

COURT SECURITY		August-17	August-18
NATURE OF TRAINING			
National Information Officer Association Conference			24
Web-Based Training			5.25
TOTAL HOURS		41	29.25

CORRECTIONS/OPERATIONS COMBINED		August-17	August-18
NATURE OF TRAINING			
SRT		48	56
TOTAL HOURS		48	56

RECORDS DIVISION		August-17	August-18
NATURE OF TRAINING			
Communication Skills for Women			8
Criticism and Discipline Skills for Managers and Supervisors			6
TOTAL HOURS		12	14

AUXILIARY		August-17	August-18
Meeting/Training Hours		21	18
TOTAL HOURS		21	18



Counties at the Capitol

August 29, 2018 • www.ilcounty.org

This report includes bill actions by the Governor and new public acts of relevance to local governments.

NEW LAW STREAMLINES COURT FINES AND FEES

To ensure that fines and court fees paid by those going through the justice system in Illinois remain fair and consistent, a new measure by Sen. John Mulroe (D-Chicago) was signed into law August 20.

"Court-related fines and fees support the justice system's operations, but we can never lose sight of the fact that they should always be consistent and never seem arbitrary or unfair," said Mulroe, the legislation's sponsor in the Illinois Senate. "This broad realignment of the fine and fee structure came about based on the findings of an intensive study by the Statutory Court Fee Task Force, and I'm pleased to see it become law."

The law will expand the ability of those assessed with fines to receive waivers as well. The legislation also clarifies to which agencies fines and fees are to be given and in some cases how they are to be used: It specifies that in misdemeanor traffic, conservation, and ordinance offenses, the arresting agency keeps the fine, and for other offenses the fine goes to the county to defray costs of prosecution. In addition, fees collected by the Illinois State Police would be marked specifically for the funding of cadet training.

House Bill 4594 (P.A. 100-0987) takes effect July 1, 2019 and will sunset January 1, 2021, giving the General Assembly the opportunity to reassess how well the new fee structure has worked.



State assumes authority over drones



On August 3, Gov. Rauner signed **Senate Bill 3291** (P.A. 100-0735) making the state the regulator of drones, overriding local regulations. Effective immediately, the law states "the regulation of an unmanned aircraft system is an exclusive power and function of the state." Adding, "No unit of local government, including home rule unit, may enact an ordinance or resolution to regulate unmanned aircraft systems." The measure exempts the city of Chicago.

The Illinois Department of Transportation may adopt rules it finds appropriate to address the safe and legal operation of unmanned aircraft systems "so that those engaged in the operation of unmanned aircraft systems may so engage with the least possible restriction, consistent with their safety and with the safety and the rights of others, and in compliance with federal rules and regulations."

GOVERNOR SIGNS SOLAR ENERGY BILLS

Gov. Rauner signed two more bills that will help ensure solar development in Illinois. **Senate Bill 486** (P.A. 100-0781) creates a standard tax assessment value for solar farms in Illinois and **Senate Bill 2591** (P.A. 100-0598) sets standards for the construction and deconstruction of solar farms on agricultural land.



Senate Bill 486 creates certainty around the property tax revenue that solar farms will pay to local taxing bodies. Under the new law, each megawatt (MW) of ground-mounted solar installed in Illinois will generate an average of \$6,000-\$8,000 per year in property tax revenue. The industry expects to install up to 2,000 MW of ground-mounted solar farms by 2021, which will create a total \$250-\$350 million in property tax revenue over a 25-year lifespan. Under Illinois' funding formula, approximately 70% of this revenue will be dedicated to funding schools.

Don't forget to register!

SOLAR ENERGY SEMINAR

September 28, 2018

Stoney Creek Hotel • East Peoria

Register online at www.ilcounty.org

New Public Acts

HB 3648 (P.A. 100-0669)

State's Attorney Special Assistants
State's Attorney may appoint qualified attorneys to assist as Special Assistant State's Attorneys when public interest so requires.

HB 4340 (P.A. 100-0671)

Human Trafficking Resource Notices
Adds the following to the list of establishments required to post notice under the Human Trafficking Resource Center Notice Act: massage establishments; public gatherings and special events conducted on property open to the public that require the issuance of a permit from the unit of local government; public and private elementary and secondary schools; and establishments registered under the Tattoo and Body Piercing Establishment Registration Act.

HB 4765 (P.A. 100-1034)

Predictable Recorder Fee Schedule
Allows the Cook County Board to establish a predictable fee schedule that is similar to the one that was passed in 2017 for every other county in Illinois – eliminating surcharges based on an individual document.

HB 4822 (P.A. 100-0856)

Local Govt. Electronic Notification

Allows a unit of local government to establish a process to allow people to select an electronic notification delivery system, such as email or other electronic means, for governmental mailings that are being sent by U.S. mail. This works toward a framework that may save local governments money.



HB 5123 (P.A. 100-0628)

DuPage Election Commission

Intends to give DuPage County statutory authority to dissolve the DuPage County Election Commission.

HB 5745 (P.A. 100-0696)

Jury Duty Exemption – Lactation

Any nursing mother shall be excused from jury service upon request. This law goes into effect January 1, 2019.

GOVERNMENT MODERNIZATION BILL ENACTED

Candidates running for local public office will now be able to electronically file Statements of Local Interests with county clerk offices as a result of legislation sponsored by Rep. Chad Hays (R-Catlin) that was signed into law August 23.

House Bill 4395 (P.A. 100-1041) gives local and state government the ability to modernize part of a candidate's filing and reduce clutter. "The statement of economic interest is an important document that every candidate must file, and this measure updates archaic processes so that local candidates can take advantage of Internet technology when filing this information," said Hays. "The provisions of this bill will simplify and modernize the process and bring a new level of efficiency to candidate filing requirements."

For state legislative candidates, the ethics officer for the individual caucus would determine whether the members of that caucus would file electronically or on paper. Statewide candidates who file with the Illinois Secretary of State would still be required to file on paper.



Cullerton's new law takes aim at sexual harassment buyouts

A new law will require taxing bodies to notify the public if they enter into a severance agreement with an employee or contractor that has been accused of sexual assault or discrimination. Sen. Tom Cullerton (D-Villa Park) championed **House Bill 4242**, which will apply to schools, community colleges, units of local government and other taxing bodies. This measure was signed into law on last Thursday.

"This will put a stop to using taxpayer dollars to line the pockets of administrators and employees who are guilty of sexual harassment or discrimination," Cullerton said. "The Me Too Campaign movement continues to be an essential effort to push our society toward a zero-tolerance atmosphere. This law moves Illinois a step in the right direction."

The law requires the taxing body to notify the public within 72 hours of their entry into the agreement. The notification would include the name and title of the person receiving the payment, the amount of the payment, and whether the reason for the severance was for alleged sexual harassment or sexual discrimination.

House Bill 4242 is a response to a separation agreement entered into by Des Plaines Elementary District 62 with Superintendent Floyd Williams Jr. Williams received a buyout of \$127,000 after the school district received several complaints alleging sexual harassment. The separation agreement prohibited the district and Williams from disparaging each other and prevented the district from mentioning the sexual harassment allegations in reference letters. The district was aware when it hired Williams that he had faced allegations of misconduct in his previous position as assistant superintendent in Kenosha, Wisconsin, but nonetheless hired him after a supposed "thorough vetting."

HB 4242 (P.A. 100-1040) passed the House and Senate with bipartisan support and goes into effect immediately.



HB 5749 (P.A. 100-1090)

Agriculture Commodity Transport

Allows haulers to seek and obtain annual permits from the Illinois Dept. of Transportation and local authorities to exceed gross axle and gross vehicle weight limits by no more than 10 percent. Permits are to cost \$500 with a total combined permit fee of no more than \$1,000. State permit fees will go to the State Construction Account Fund.

SB 2274 (P.A. 100-0834)

Property Tax – Woods Spousal Transfer

Provides that a transfer between spouses does not disqualify wooded acreage from the provisions for the assessment of untransferred wooded acreage.

SB 2306 (P.A.100-0869)

Property Tax – Veterans Prorate

The homestead exemption for veterans with disabilities will now be prorated if the veteran who qualifies for the exemption does not occupy the qualified residence as of January 1 of the taxable year.

SB 2313 (P.A. 100-0787)

Animal Control Act Fines

Provides for public safety fines resulting from incidents with animals be deposited solely in the County's respective Animal Control funds.

SB 2328 (P.A. 100-0968)

Local Government Caps

Raises the cap for architecture, surveying, and engineering projects under \$40,000 (currently \$25,000) to be exempt from certain public notice, evaluation and selection procedures.

SB 2432 (P.A. 100-1048)

Summons / Foreclosure Proceeds

Amends the Code of Civil Procedure. Provides that the court's jurisdiction is not affected by a technical error in format of a summons if the summons has been issued by a clerk of the court, the person or entity to be served is identified as a defendant on the summons, and the summons is properly served. Makes other changes.

Mulroe legislation changes access to juvenile records

Illinois youth and their guardians will no longer be prevented from accessing their investigation and arrest records under a new law sponsored by Sen. John Mulroe (D-Chicago). "It's important for minors, their family and their legal representation to have access to their records," Mulroe said.

Under current law, minors cannot receive a copy of their own records before their 18th birthday, nor can their guardians or lawyers. However, law enforcement and prosecutors can access a juvenile's record. **Senate Bill 2915 (P.A. 100-0720)** corrects that discrepancy. Additionally, the new law requires juvenile court proceedings to be expunged by the arresting agency within 60 days of receiving the expungement order. *Takes effect immediately.*



New law gives nursing mothers reasonable break time



Nursing mothers will now be guaranteed reasonable break time at their place of employment under a proposal that was signed into law on August 21.

House Bill 1595 (P.A. 100-1003), amends the Nursing Mothers in the Workplace Act by requiring employers provide paid and "reasonable break time" for nursing mothers for up to one year after their child's birth. Current state law only requires employers provide "unpaid break time" to nursing mothers. Also, under the amendments, an employee's break time "may" run concurrently with any break time already otherwise provided; the prior version of the Act stated that the break time "must, if possible" run concurrently with any break time already provided.

The amendments took effect upon enactment.

Rezin law to help counties better address flooding

All counties in Illinois will be able to establish stormwater commissions that can adopt plans and ordinances under **House Bill 4748** sponsored by Sen. Sue Rezin (R-Morris) and signed into law by Gov. Rauner August 10.

"Very few counties in the state have this ability right now," Rezin said. "For our district, we need better tools to address flooding issues and stormwater mitigation. This new law will help."

For example, in the 38th Senate District, Bureau, Livingston, and Putnam Counties currently do not have a county stormwater commission. Under this law, they could vote to have a commission. *Takes effect January 1, 2019.*



IN THE KNOW

SB 2539 (P.A. 100-0975)

Property Tax Code – Date of Receipt

In a Section requiring a receipt for payment of certain fees and costs incurred by a certificate holder, the county clerk must write or stamp the date of receiving upon the receipt. Also, concerning notice of an extended period of redemption, the county clerk must write or stamp the date of receipt upon the notice. This change is meant to guarantee that County Clerks receive items to be posted to the judgment book.

SB 2638 (P.A. 100-0837)

Local Government Account Audits

Allows units of local government to use either accrual, cash or modified cash basis of accounting to meet all required auditing requirements for conformity with GAAP accounting principles. Provides consistency in auditing guidelines for all units of local government. For Fiscal Year 2019 and thereafter, those previously who filed audit reports in full accrual must continue to do so (and cannot switch to cash flow accounting). This is a response to a recent determination by the Comptroller that all local governments must use full accrual (GAAP) accounting or face fines and be considered delinquent on required audit reporting.

SB 2958 (P.A. 100-0722)

State Tax Lien Registration Act

Provides that the notice of tax lien shall also include the county or counties where the real property of the debtor to which the lien will attach is located.



SB 3134 (P.A. 100-0730)

Flood Control Commission

Creates the Flood Control Commission to study current flood control practices within the counties of DuPage, Kane, Lake, McHenry, and Will.

SB 3085 (P.A. 100-1095)

Property Tax Code – Publication Notice

County collectors shall no longer publish delinquent or forfeited property taxes for certain undeveloped but platted and subdivided property or any other exempt property.

SB 3261 (P.A. 100-1083)

Abandoned Mobile Homes

Authorizes mobile home owners and operators to remove and dispose of abandoned mobile homes. A proceeding can be filed in the circuit court of the county that the mobile home is located. Outlines the circumstances in which the mobile home park owner or operator may commence a judgment that the home is abandoned.

SB 3212 (P.A. 100-0731)

Disaster Tax Credits – Reports of Damaged Property

Nothing in the Illinois Income Tax Act or Freedom of Information Act prohibits the disclosure of information by officials of a county or municipality involving reports of damaged property or the owners of damaged property if that disclosure is made to a township or county assessment official in connection with the natural disaster credit.

SB 3215 (P.A. 100-0890)

Property Tax Code – Sales in Error Revisions

Makes changes to the Sales in Error section in order to clarify appropriate uses of the provisions and lessen the financial impact of sales in error to counties.

SB 3464 (P.A. 100-0945)

CATV Franchise Fee Audit Process

Makes procedural changes to the way counties and municipalities conduct community antenna television system (CATV) franchise fee audits. This bill does not change the amount of any franchise fee charged to a CATV or the amount in franchise fees the counties and municipalities receive. A county's or municipality'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 or municipality. Counties and municipalities shall also provide to each CATV operator an updated list of addresses annually.

SB 3503 (P.A. 100-0947)

Counties Code – Public Lactation Rooms

Requires every facility that houses a circuit court to designate at least one public lactation room or area by June 1, 2019. The lactation room or area cannot be in a restroom. The lactation room or area must include a chair, a table, an electrical outlet, and, where possible, a sink with running water. 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.

Industrial Hemp Act signed into law

Illinois farmers will now have the ability to cultivate industrial hemp under a proposal by Sen. Toi Hutchinson (D-Chicago Heights) that was signed into law over the weekend. **Senate Bill 2298**, creates the Industrial Hemp Act and allows farmers to apply to the Illinois Dept. of Agriculture for a license to cultivate and process industrial hemp.

P.A. 100-1091 was sponsored due to general declines in agricultural commodities in recent years. Supportive groups, including the Illinois Stewardship Alliance, believe industrial hemp could help farmers supplement any losses they have incurred. Industrial hemp is a different plant variety than cannabis which is harvested to produce marijuana. Industrial hemp has a myriad of uses, including paper, plastics, textiles and fuel.

