

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

**Kendall County Courthouse
Jury Assembly Room
807 W. John Street; Yorkville IL**

Monday, April 10, 2017 – 3:15 p.m.

Meeting Agenda



- 1. Pledge of Allegiance to the American Flag**
- 2. Roll Call and Determination of a Quorum:** Judy Gilmour, Audra Hendrix, John Purcell, Matthew Prochaska (Chair), Tony Giles (Vice Chair)
- 3. Approval of the Agenda**
- 4. Approval of the March 20, 2017 Public Safety and February 22, 2017 Judicial Legislative Committee 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**
 - *Discussion on Acquisition of a Government Relations Specialist*
- 9. Public Comment**
- 10. 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 (1)**
- 11. Adjournment**

COUNTY OF KENDALL, ILLINOIS
PUBLIC SAFETY COMMITTEE
Monday, March 20, 2017
Meeting Minutes

Call to Order and Pledge Allegiance - Chair Matthew Prochaska called the meeting to order at 5:30p.m. and led the Pledge of Allegiance.

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

Committee Members Absent: Tony Giles, Audra Hendrix

Others Present: Sheriff Dwight Baird, EMA Director Joe Gillespie, Deputy Commander Jason Langston, Undersheriff Harold Martin, Commander Mike Peters, Coroner Jacquie Purcell, Facilities Director Jim Smiley

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

Approval of Minutes – Member Gilmour made a motion to approve the January 9, 2017 meeting minutes, second by Member Purcell. **With three members present in agreement, the motion carried.**

Public Comment – None

KenCom Report – Member Gilmour stated that KenCom continues to work toward the upgrade of the CAD system, and backups with DuPage and Grundy Counties. Written report submitted.

Coroner's Report – Coroner Purcell reviewed her report, and said that there has been an increase in deaths, causing increases in both toxicology's and autopsies. Ms. Purcell stated that she has recently hired three new employees. Written report submitted.

EMA Report – Deputy Commander Joe Gillespie reviewed the events, training and activities for EMA for the month of February. He stated they continued with the siren, StarCom, and WSPY EAS testing. Written report submitted.

Director Gillespie stated that EMA has \$20,000 budgeted for the purchase of a new vehicle, and that the Coroner has a Yukon purchased several years ago. Director Gillespie stated that the Yukon no longer meets the needs of the Coroner's Office, but would meet the needs of the EMA Office. Director Gillespie proposed that he purchase a Cargo Van for the Coroner's Office using EMA funds, and exchange the Cargo Van for the Coroner's Yukon. **There was consensus by the committee to proceed with the purchase and exchange between the two offices.**

Sheriff's Report – Commander Mike Peters reviewed the Operations Division report, and Undersheriff Martin reviewed the reports for the Corrections and Records Divisions. Written report submitted.

Old Business - None

New Business

- ❖ *Approval of Housing of Additional Prisoners Agreement with DuPage County* – Sheriff Baird reviewed the agreement with the committee. Motion made by Member Purcell, second by Member Gilmour to forward to the County Board for approval. **With three members present and voting aye, the motion carried.**
- ❖ *Approval of National Police Week Proclamation* – Member Prochaska stated that this is presented at the request of the County Board Chair, and is something that was started two years ago in support of our Sheriff's Deputies and Law Enforcement personnel county-wide. Motion made by Member Gilmour, second by Member Purcell, with amendment to read approval on *April 5, 2017*. **With three members voting aye with the amendment, the motion carried.**
- ❖ *Squad Car Video Recording System* – Deputy Commander Langston reported that he has continued in his research of replacement options for in-car audio/video recording systems, and presented the committee with the executive summary and proposed Request for Proposal for In Car Audio/Video Recording Systems with Integration of Optional Body Worn Camera System. Member Purcell asked for other options for storage of audio and video recordings. Member Gilmour made a motion to forward the item to the Committee of the Whole for further discussion, second by Member Prochaska.
Roll Call: Member Prochaska – yes, Member Gilmour – yes, Member Purcell – no

With Members Gilmour and Prochaska voting aye, and Member Purcell voting no, the motion carried.

Executive Session – Not Needed

Public Comment – None

Items for Committee of the Whole

- ❖ *Squad Car Video Recording System*

Action Items for County Board

- ❖ *Approval of Housing of Additional Prisoners Agreement with DuPage County*
- ❖ *Approval of National Police Week Proclamation*

Adjournment – Member Purcell made a motion to adjourn the Public Safety Committee meeting, second by Member Gilmour. **With all in agreement, the meeting adjourned sine die at 6:18p.m.**

Respectfully Submitted,

Valarie McClain
Recording Secretary



**COUNTY OF KENDALL, ILLINOIS
JUDICIAL LEGISLATIVE COMMITTEE
Wednesday, February 22, 2017 - 3:00 p.m.
Kendall County Courthouse
Jury Assembly Room
807 West John Street; Yorkville, IL 60560**



MINUTES

1. Roll Call and Determination of a Quorum:

Committee Chair Matthew Prochaska called the meeting to order at 3pm. Committee members present were Matthew Prochaska, Judy Gilmour, and Audra Hendrix. Absent were John Purcell and Tony Giles.

2. Approval of Agenda

Member Gilmour motioned to approve the agenda, second by Member Hendrix, motion passed unanimously.

3. Approval of Previous Committee Minutes

Member Gilmour motioned to approve the February 1, 2017 Judicial Legislative Committee minutes, second by Member Hendrix, motion passed unanimously.

4. Status Reports

- ❖ Circuit Clerk - none
- ❖ Courthouse - Presiding Judge McCann reported the federal bankruptcy court now has routine hearings for area residents. Previously, area residents traveled to Joliet for the hearings.
- ❖ Court Services - none
- ❖ Public Defender -written monthly report provided – 948 open cases on February 22, 2017
- ❖ Sheriff's Office/Court Security - none
- ❖ State's Attorney - none

5. Legislative Report and Update

A. Resolution opposing the creation of new State holidays

Committee Chairman Prochaska presented the resolution. The committee did not provide a motion to approve the resolution.

B. Resolution supporting HB 3127

Committee Chairman Prochaska presented the resolution. HB 3127 amends the Property Tax Code. Provides that all property used exclusively for public or conservation purposes belonging to a forest preserve district or a conservation district is exempt from taxation. HB 3127 amends the Illinois Drainage Code. HB 3127 provides that before any action may be taken by a drainage district regarding property owned or operated by a forest preserve district organized pursuant to the Downstate Forest Preserve District Act or a conservation district organized pursuant to the Conservation District Act, the drainage district shall first receive approval for the action from the board of commissioners of the forest preserve district or the

board of trustees of the conservation district. If passed the bill would be effective immediately.

Member Gilmour motioned to recommend approval to the County Board of Resolution Supporting HB 3127, second by Member Hendrix, motion passed unanimously.

6. Old Business

Committee Chairman Prochaska reminded the Committee that the Resolution for Amendment to the Board Rules of Order to merge the Judicial Legislative Committee and Public Safety Committee into one committee called the Law, Justice and Legislation Committee would be a topic on the next County Board meeting March 7. The Committee of the Whole discussed the topic on February 16 and forwarded the topic to the Board for action on March 7.

7. New Business - None

8. Action Items for County Board

Approve Resolution Supporting HB 3127

Resolution for Amendment to the Board Rules of Order to merge the Judicial Legislative Committee and Public Safety Committee into one committee called the Law, Justice and Legislation Committee

9. Public Comment - None

10. Executive Session - None

11. Adjournment

At 3:15pm, Member Hendrix motioned to adjourn, second by Member Gilmour, motion passed unanimously.

Respectfully submitted by Jeff Wilkins, County Administrator



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	Month: March 2017	Fiscal Year-to-Date	March 2016
Total Deaths		21	116	22
Natural Deaths		19	101	21
Accidental Deaths				
Overdose	**	1	5	0
Motor Vehicle		0	1	0
Other		0	1	0
Pending		0	0	0
Suicidal Deaths	**	1	5	0
Homicidal Deaths		0	1	0
Toxicology		2	15	1
Autopsies		2	15	2
Cremation Authorizations		7	68	12

**

Overdose Death(s):

1. 03/09/2017 – Kendall County Sheriff's Office – 57yo, male – Cocaine & Hydrocodone Toxicity

Suicidal Death(s):

1. 03/23/2017 – Joliet Police – 16 yo, male – Asphyxiation due to Hanging

PERSONNEL/OFFICE ACTIVITY:

1. New Hires: Deputy Coroner David Yahnke was hired on March 23.
2. Senior Deputy Brian Leonard provided 2 presentations for Operation Impact at Oswego East High School on March 2, 2017.
3. Coroner Purcell was appointed as the Director of District 1 of the Illinois Coroner's and Medical Examiner's Association.
4. Coroner Purcell attended training on March 13, 2017, in preparation for the upcoming Dresden Drill in April.
5. The Coroner's Office received an in-service on March 15, 2017 with Gift of Hope and Eversight to develop a program for tissue and cornea donation.

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23rd Judicial Circuit
 Statistics By Year
 As of 4/5/2017

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
AD Adoption	25	31	19	21	21	19	14	15	17	7
CC Contempt of Court	2	6	7	3	7	3	7	3	9	13
CF Criminal Felony	501	515	405	429	411	407	422	404	419	101
CH Chancery	1253	1520	1858	1393	1536	865	580	488	440	128
CL Civil Law Violation									72	70
CM Criminal Misdemeanor	1401	1536	1287	1222	1231	1059	1114	1079	990	172
CV Conservation Violation	42	67	58	31	42	51	41	29	22	11
D Divorce - Dissolution	341	451	469	466	429	450	401	408	415	115
DT Traffic DUI	339	387	253	290	287	236	245	249	211	48
ED Eminent Domain	1		5	34	41	1	6	13	5	4
F Family	184	142	170	156	122	138	147	111	170	15
J Juvenile	3	4	4	3	1	7	10	16	10	10
JA Juvenile Abuse/Neglect	21	21	32	19	16	18	36	22	9	7
JD Juvenile Delinquent	279	289	316	260	263	256	241	300	226	36
L Law	94	138	141	106	88	117	111	107	98	21
LM Law Magistrate	896	1042	1154	1127	935	826	798	733	687	168
MC Municipal			2				1	1		
MH Mental Health			1	1	2	1	1	2	1	2
MR Misc Remedies	133	169	170	153	197	190	251	265	387	86
OP Order of Protection	140	134	117	161	161	226	281	308	361	73
OV Ordinance Violation	503	297	112	91	88	79	38	17	34	4
P Probate	109	115	104	124	108	120	134	135	147	31
SC Small Claims	1173	1649	1795	1479	1418	1350	1333	1105	1144	361
TR Traffic	18158	19241	16867	12300	12170	11589	10215	9200	7800	1797
TX Tax	21	35	59	66	65	75	48	40	49	11
WI Wills	139	156	178	169	142	174	169	172	171	56
TOTAL CASES	25758	27945	25583	20104	19781	18257	16644	15222	13894	3347

**23rd Judicial Circuit
Detailed Statistics By Year
As of 4/5/2017**

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
AD Adoption	25	31	19	21	21	19	14	15	17	7
CC Contempt of Court	2	6	7	3	7	3	7	3	9	13
CF Criminal Felony	501	515	405	429	411	407	422	404	419	101
CH Chancery - Injunction	6	4	4	3	3	4	5	7	10	1
Real Estate Foreclosure	1215	1486	1399	9	4	12	14	11	8	4
Mechanics Lien	17	18	13	4	15	2	3	2	4	1
Foreclosure Sec/Intere	1	2	1	1	1				2	1
Specific Performance	1		2		1	3	1	1		
Partition	2	1	1	3		1	1	3	3	1
Trust Administration		1	2					1	1	
Quiet Title				2		3	1	4	1	
Complaint in Equity		2		1	3	1	1	2	1	1
Accounting	2	2							1	1
Creditors Complaint	2		1							
Foreclosure on Condo									1	
Interpleader	1	1	1				1			1
Registration of Foreclosure	2				2					
Structured Settlement					1	2		1		
Estate Mortgage Foreclosure			427	1357	1493	830	542	448	392	116
Petition for Foreclosure C			2	9	6	1	1	1	2	
Other	4	3	5	4	7	6	10	7	14	1
CH TOTAL	1253	1520	1858	1393	1536	865	580	488	440	128
CL Civil Law Violation									72	70
CM Criminal Misdemeanor	1401	1536	1287	1222	1231	1059	1114	1079	990	172
CV Conservation Violation	42	67	58	31	42	51	41	29	22	11

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
D Divorce - Dissolution	323	431	451	435	397	424	378	381	396	108
Invalidity		1		1	1		1		2	
Legal Separation	7	8	7	6	4	7	3	4	3	
Simplified	5	2	4	8	5	9	7	7	5	
Registration of Foreign	5	8	4	10	9	8	3	8	5	3
Other	1	1	2					3	2	
Transfer			1	6	13	2	8	4	2	4
JD- Delinquency							1	1		
D TOTAL	341	451	469	466	429	450	401	408	415	115
DT Traffic DUI	339	387	253	290	287	236	245	249	211	48
ED Eminent Domain	1		5	34	41	1	6	13	5	4
F Family - Paternity	14	15	13	30	24	28	29	22	28	5
Parent Child Relationship	59	36	41	44	31	28	29	34	36	1
Reciprocal Non-Support	88	74	89	38	35	32	60	37	74	5
Civil Action to Compel sup	1			9	18	12	4	1		
Uresa							3			
Registration of Foreign	10	7	17	12		4	2	1	4	
OP-Registration of Foreign	4	2	1	3	3	1				1
Petition for Custody	4	4	5	13	8	12	10	7	9	1
Petiton for Visitation	2	3	4	3	1	4		3	6	
Other	2	1		4			3		3	
Transfer					2	17	7	6	10	2
F TOTAL	184	142	170	156	122	138	147	111	170	15
J Juvenile	3	4	4	3	1	7	10	16	10	10
JA Juvenile Abuse/Neglect	21	21	32	19	16	18	36	22	9	7
JD Juvenile Delinquent	279	289	316	260	263	256	241	300	226	36
L Law-Tort \$ Damg-Auto-Prop	1	15	7	5	8	12	11	6	11	4
Tort \$ Damg-Auto-Pers	20	29	23	28	25	37	27	40	38	9
Tort \$Damg-Auto-Deat	1		1				2		1	

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Tort \$Damg-Other	15	11	16	17	11	21	23	22	21	4
Contract Money Damage	45	58	61	32	34	32	31	26	14	1
Confession of Judgement		2	2	3		1				
Forcible Entry/Detain	2	4	10	4	4	1	7	3		
Detinue	2	3	3	1	1	2				1
Replevin	3	1	2	2	1	1				
Malpractice-Medical	1	2	4	2	1		1	2	1	1
Malpractice-Legal		2	1				1	1		
Malpractice-Other									1	
Registration of Foreign	1	4	4	1				1	4	
Other	3	7	6	7	1	5	4	4	3	
Transfer			1	4	2	5	4	2	4	1
L TOTAL	94	138	141	106	88	117	111	107	98	21
LM Law Magistrate			1	1	13	22	16	29	40	7
Tort \$Damg-Auto-Property	32	5	5	2	10	9	17	9	8	3
Tort \$Damg-Auto-Person	3	9	12	7	3	5	4	8	12	2
Tort \$Damg-Other	11	11	21	5	4	5	2	6	4	
Contract Money Damage	273	394	448	319	245	230	209	158	135	51
Forcible Entry Detainer	553	587	640	764	628	508	507	487	463	97
Distress for Rent		1					1	1		1
Arbitration & Award	3	2		1					1	1
Detinue	9	11	14	4	4	4		3	3	3
RePlevin	6	11	6	6	3	6		6	13	1
Malpractice-Medical				1			1	1		
Registration of Foreign	3	3	2	4	4	1	2	5	3	
Forcible Entry Detainer Poss			1	5	16	27	26	11		1
Other	3	8	2	8	4	9	11	8	3	
Transfer			2		1		2	1	2	1
LM TOTAL	896	1042	1154	1127	935	826	798	733	687	168
MC Municipal			2				1	1		
MH Mental Health			1	1	2	1	1	2	1	2
MR Misc Remedies							1	2	4	

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Judicial Review/Admin	2	6		5	1	1	2	2	3	2
Judicial Review/Work	2		2	3	1	2	2			
Judicial Review/Unem		1	3	1	3	5	2		3	
Declaratory Judgment	6	4	5	9	6	3	3	10	4	3
Change of Name	26	33	42	20	24	34	42	27	40	17
Mandamus							1	3	1	
Search Warrant	28	45	46	54	76	63	47	64	163	8
Forfeiture of Seized	40	39	27	17	37	34	43	38	41	20
Peti Issue Foreign Subp		1		3	3	1	1		1	
Eavesdropping	10	16	25	20	18	4	10	10	8	2
Extradition	7	11	8	8	10	5	5	9	5	1
Other	11	13	12	13	17	37	91	97	113	33
Fugitive from Justice	1				1	1	1	3	1	
MR TOTAL	133	169	170	153	197	190	251	265	387	86
OP Order of Protection	140	134	117	142	120	162	221	253	302	61
Civil No Contact				19	41	64	60	55	59	12
OP Total	140	134	117	161	161	226	281	308	361	73
OV Ordinance Violation	503	297	112	91	88	79	38	17	34	4
P Decd Testate Independent	38	43	38	35	37	38	45	50	40	8
Decd Testate Supervised		2	1	2	2		1	1		
Decd Intestate Independ	7	9	16	21	14	18	22	22	18	9
Decd Intestate Supervised			2	2	1	1		2	1	
Decd Testate/Intestate of Missing				2		1	1			
Decd Small Estate Real	3	1							2	
Decd Proof of Heirship					1	1				
Decd Letters of Office			1		1			1	2	
Decd Coll Judg/sttmt				2		2				2
Guardian/Disables	5	2	10	7	2	4	5	7	8	
Guardian/Estal	3	5	4	5	2	3	4	2	3	
Guardian/Person/Estate	7	9	5	7	21	16	9	18	25	5
Guardian/Minor Person	24	31	14	19	14	7	16	12	17	1
Guardian/Estate/Minor	10	6	4	12	5	16	17	10	23	2
Guardian/Person/Estate/Minio	11	7	6	4	4	6	9	6	3	2

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Other	1		1	4	2	3	4	3	4	
Transfer			2	2	2	4	1	1	1	2
P TOTAL	109	115	104	124	108	120	134	135	147	31
SC Contract Money Damage	1092	1543	1754	1421	1373	1299	1274	1053	1104	346
Tort \$ Damage Auto	20	35	12	15	18	23	25	23	18	7
Tort \$ Damage Other	17	34	14	24	9	11	18	8	6	4
Regist Foreign Judgmt	9	12	2	3	8	4	1	4	2	1
Other	35	25	13	14	9	12	14	17	14	3
Transfer				2	1	1	1			
SC TOTAL	1173	1649	1795	1479	1418	1350	1333	1105	1144	361
TR Traffic	17555	18504	16473	11742	11649	11125	9762	8783	7438	1707
Traffic DUI	602	733	391	557	521	463	453	416	361	90
Other	1	4	3	1		1		1	1	
TR TOTAL	18158	19241	16867	12300	12170	11589	10215	9200	7800	1797
TX Recov Delinq Pers Prop tax	1	1	1	1	1	1	1	1	1	
Peti for Tax Relief									1	
Tax Forclosure				1					1	
Annual Tax Sale						1				
Tax Objection	2	2	2	8	6	2	2	2	2	
Tax Deed	18	31	56	56	58	71	45	34	44	11
Other		1						3		
TX TOTAL	21	35	59	66	65	75	48	40	49	11
WI Wills	139	156	178	169	142	174	169	172	171	56
TOTAL CASES	25758	27945	25583	20104	19781	18257	16644	15222	13894	3347

To: Kendall County Board * Law, Justice and Legislation Committee
 From: Tina J. Varney, Director * Kendall County Court Services
 Date: April 10, 2017
 Re: Juvenile Detention and Board & Care Monthly Report



Juvenile Detention - FY2017 ~ Costs Incurred

Kendall County Court Services FY2017 Summary - Juvenile Detention				Same Time FY2016	Same Time FY2015	Same Time FY2014	Same Time FY2013	Same Time FY2012	
Month	Total New Admissions	Total Holdovers*	Total Days	Total Cost Incurred					
12/2015	6	2	79	\$8,690.00	\$15,620.00	\$3,000.00	\$3,400.00	\$5,500.00	\$3,870.00
01/2016	12	3	96	10,560.00	15,180.00	8,400.00	7,600.00	6,500.00	6,480.00
02/2016	5	4	137	15,070.00	11,110.00	4,100.00	9,400.00	8,010.00	11,720.00
03/2016	3	4	90	9,900.00	3,410.00	2,300.00	4,300.00	13,300.00	11,970.00
04/2016					5,940.00	2,400.00	3,000.00	9,200.00	5,850.00
05/2016					4,180.00	7,800.00	11,510.00	3,500.00	7,830.00
06/2016					11,660.00	5,500.00	13,600.00	6,800.00	4,050.00
07/2016					10,120.00	8,400.00	8,700.00	9,500.00	5,580.00
08/2016					11,880.00	7,400.00	6,300.00	16,730.00	7,290.00
09/2016					2,640.00	16,000.00	11,200.00	10,700.00	6,930.00
10/2016					5,610.00	15,440.00	5,600.00	10,300.00	5,940.00
11/2016					11,110.00	15,100.00	1,400.00	3,700.00	8,010.00
TOTAL	26		402	\$44,220.00	\$108,460.00	\$95,840.00	\$86,010.00	\$103,740.00	\$85,520.00

*Holdover=A minor detained on the last day of the previous month carried over to the first day of the current month.

Kendall County Fiscal Year 2017 (Juvenile Detention):

Amount Budgeted: \$ 90,000.00
 Amount Expended: 45,430.00 (as of 03/31/2017)
 Amount Remaining: \$ 44,570.00

Juvenile Board & Care - FY2017 ~ Costs Incurred

	Number of Minors Placed	Days Paid	Total Monthly Cost Incurred	Total Cost Incurred
12/2015	2	62	\$16,888.49	\$16,888.49
01/2016	2	54	15,246.73	32,135.22
02/2016	1	28	9,507.96	41,643.18
03/2016	1	31	10,526.67	52,169.85
04/2016				
05/2016				
06/2016				
07/2016				
08/2016				
09/2016				
10/2016				
11/2016				
TOTAL				

Kendall County Fiscal Year 2017 (Juvenile Board & Care):

Amount Budgeted: \$ 90,000.00
 Amount Expended: 55,113.80 (as of 03/31/2017)
 Amount Remaining: \$34,886.20

Kendall County Emergency Management Agency

1102 Cornell Lane, Yorkville Illinois 60560

630-553-7500

Joseph T. Gillespie, Director

Tracy Page, Deputy Director

EMA Report

March 2017

1. Hosted Basic Weather Spotters Course over 180 attendees
 2. Participated in Dresden Partial Drill to prepare for full scale in April
 3. Hosted/ Attended Emergency Workers Course and Elected Official Dresden Course
 4. Hosted Leadership in Today's World EMA Class
 5. Attended EOC Operations and Management 2-Day Course in Joliet
 6. Continued with siren testing on the first Tuesday morning of the month
 7. Continued with STARCOM testing first Tuesday morning of the month
 8. Continued with WSPY EAS testing first Tuesday morning of the month
-
- **Dresden Drill will be Wednesday, April 19th**

KenCom Public Safety Dispatch Center

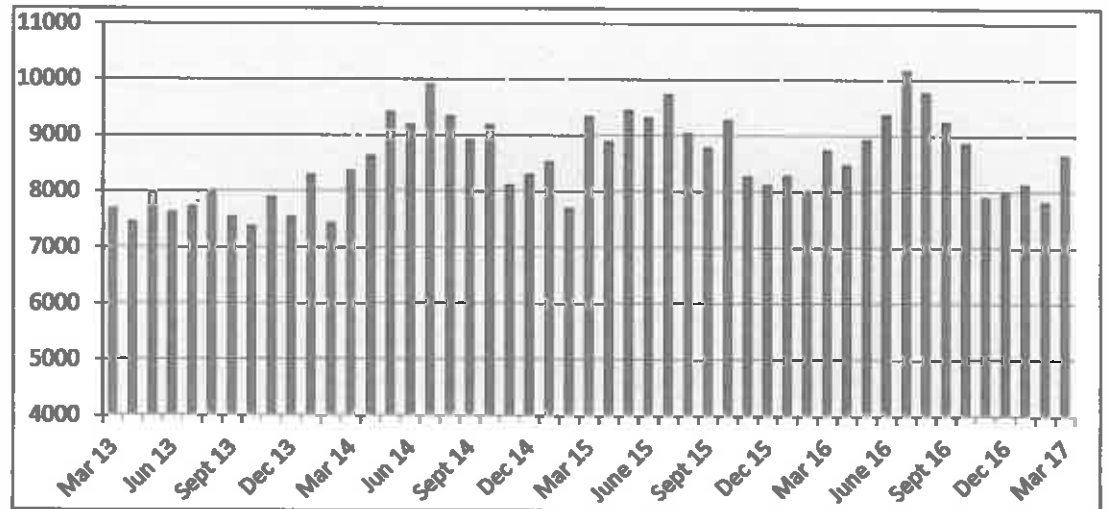
Police, Fire and EMS Activity Report

March 2016 through March 2017

	Mar 16	Apr 16	May 16	June 16	July 16	Aug 16	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	Mar 17
Kendall County Sheriffs Police	2134	2117	2126	2304	2350	2518	2234	2234	1809	1857	2021	1832	1798
Oswego Police Department	2206	2035	2292	2208	2293	2272	2145	2008	1686	1699	1761	1873	2170
Yorkville Police Department	1121	1062	1037	1149	1150	1170	1125	1075	956	882	917	894	954
Plano Police Department	809	778	889	857	909	749	723	651	571	607	592	578	619
Montgomery Police Department	1062	1162	1139	1414	1882	1569	1507	1486	1430	1460	1487	1338	1578
DI (dispatch information)	300	319	361	366	404	331	365	347	349	327	296	307	365
Total Police Incidents	7632	7473	7844	8298	8988	8609	8099	7801	6801	6832	7074	6822	7484
Oswego Fire/EMS	417	437	397	467	445	460	450	418	429	491	420	386	438
Bristol Kendall Fire /EMS	260	223	256	218	284	258	252	227	259	268	231	236	278
Little Rock Fox Fire/EMS	130	89	106	115	135	125	120	132	101	112	121	95	146
Newark Fire/EMS	40	30	35	14	33	27	27	23	25	26	26	19	32
Lisbon/Seward Fire	18	13	13	14	11	15	17	17	12	16	12	20	22
Sandwich Fire	112	82	139	86	116	102	143	105	105	113	100	92	121
Aurora Township Fire	56	56	55	60	64	71	49	59	58	45	61	57	48
Montgomery/Countryside Fire	73	67	85	107	81	106	89	80	105	96	85	86	79
Total Fire & EMS Incidents	1106	997	1086	1081	1169	1164	1147	1061	1094	1167	1056	991	1164
Total Police, Fire & EMS	8738	8470	8930	9379	10157	9773	9246	8862	7895	7999	8130	7813	8648
% of Police calls to total	87%	88%	88%	88%	88%	88%	88%	88%	86%	85%	87%	87%	87%
% of Fire/EMS to total	13%	12%	12%	12%	12%	12%	12%	12%	14%	15%	13%	13%	13%

	Police	Fire / EMS	Total Calls
Mar 16	7632	1106	8738
Mar 17	7484	1164	8648
Increase or () decrease in year	-148	58	-90
	-1.9%	5.2%	-1.0%

Note: Chart on right is data for last 5 years



KenCom Public Safety Dispatch Center

Incoming Telephone Call Load Study

For the Month of March 2017

	Montgomery Police	Yorkville Police	Plano Police/Fire	Oswego Police	Millington Police	Kendall County Sheriff's Office	Fire Non Emerg	Police Non Emerg	9-1-1 Calls		Oswego Fire/EMS	B-K Fire/EMS	Sandwich Fire & EMS	KenCom Ext.	KenCom Admin	Daily Totals
									Landline	Cellular						
1	49	21	18	20	0	71	23	48	29	69	0	0	2	55	115	471
2	31	11	18	22	0	80	13	39	45	68	0	0	0	50	97	443
3	33	11	15	30	2	148	8	26	27	87	3	0	4	38	113	512
4	29	16	20	29	0	128	22	40	10	97	0	0	4	19	43	428
5	16	26	8	27	0	62	25	44	20	67	0	0	2	22	73	376
6	28	17	20	34	1	54	15	36	22	69	0	1	1	57	80	407
7	35	23	39	34	0	86	13	54	33	97	0	2	1	76	142	600
8	38	26	24	33	1	45	21	44	26	64	0	1	2	50	107	444
9	30	25	16	20	0	55	19	42	29	74	0	0	1	71	95	447
10	36	16	16	33	1	49	13	29	20	68	0	0	0	35	56	336
11	37	12	15	25	0	54	26	41	29	73	0	1	0	20	97	393
12	18	4	11	24	1	37	20	25	14	68	0	0	0	34	66	304
13	26	16	20	20	0	67	25	51	26	91	0	0	1	51	135	503
14	37	24	19	26	1	42	28	55	25	55	0	0	4	44	104	427
15	31	9	19	14	0	56	16	35	21	70	0	1	0	56	69	366
16	25	16	19	20	1	47	23	46	24	80	0	0	1	42	78	397
17	33	26	13	23	0	48	20	42	18	73	0	0	4	40	74	381
18	16	19	19	24	0	50	22	41	17	84	0	0	0	20	76	372
19	16	21	15	15	0	34	12	27	20	80	0	0	0	24	60	308
20	34	17	17	29	0	47	18	36	28	63	0	1	4	51	68	379
21	35	11	17	25	1	46	18	41	24	89	0	0	3	49	102	426
22	26	13	18	20	1	39	16	40	18	84	0	0	1	60	84	394
23	28	21	18	15	0	68	18	36	39	93	0	3	2	56	128	497
24	37	20	15	19	0	43	35	48	42	97	4	1	5	40	132	501
25	25	13	14	15	0	24	11	38	13	52	0	0	0	16	55	251
26	13	12	16	20	0	33	11	32	19	102	0	0	0	28	77	350
27	34	22	11	23	0	35	18	33	32	67	0	1	3	53	78	376
28	24	9	18	18	1	53	23	40	23	84	1	0	2	41	79	392
29	25	10	27	30	0	37	14	32	26	64	0	0	6	33	86	365
30	34	22	14	24	0	43	14	38	25	76	2	2	1	66	92	419
31	48	15	22	24	0	40	16	51	19	67	0	1	1	41	83	380
	927	524	551	735	11	1721	576	1230	763	2372	10	15	55	1338	2744	13572
%	7%	4%	4%	5%	0%	13%	4%	9%	6%	17%	0%	0%	0%	10%	20%	100%

Total calls for all departments 13572

Total 9-1-1 Calls 3135

Cell 9-1-1 Calls = 76%

of all 9-1-1 calls

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 APRIL 10, 2017

VICTORIA CHUFFO, Public Defender

- 90 cases / last month 104 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender

- 100 cases / last month 96 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender

- 273 cases / last month 251 cases - Felony/ Juvenile cases

REID SEAGREN, Asst. Public Defender

- 245 cases/ last month 250 cases - Misdemeanor/Traffic cases

CHRISTOPHER WARBOLD, Asst. Public Defender

- 215 case/ last month 227 cases -
Misdemeanor/Traffic/Juvenile Cases

My office has been appointed a total of 94 new cases between March 22, 2017 and April 10, 2017 (little over 2 weeks). The Kendall County Public Defender's Office currently has 923 open cases as of today's date; April 10, 2017. The Public Defender appointments have stayed steady in the last two weeks.

KENDALL COUNTY SHERIFF'S OFFICE

MONTH-END REPORT



March

2017

OPERATIONS DIVISION

POLICE SERVICES	March-16	March-17
Calls for Service	630	646
Police Reports	333	332
Total Arrests	157	120

TRAFFIC SERVICES		
Traffic Contacts	678	356
Traffic Citations Issued	289	187
DUI Arrests	9	4
Zero Tolerance	0	0

TRAFFIC CRASH INVESTIGATIONS		
Property Damage	45	41
Personal Injury	5	4
Fatalities	0	1
TOTAL CRASH INVESTIGATIONS	50	46

VEHICLE USAGE		
Total Miles Driven by Sheriff's Office	70,585	60,778
Vehicle Maintenance Expenditures	\$2,077.60	\$4,235.48
Fuel Expenditures	\$8,984.81	\$10,251.86
Fuel Gallons Purchased	5,236	4,987

AUXILIARY DEPUTIES		
Ride-A-Long Hours	0	0
Auxiliary Hours	15	57.5
TOTAL AUXILIARY HOURS	15	57.5

EVIDENCE/PROPERTY ROOM	March-16	March-17
New Items into Property Room	106	122
Disposal Orders Processed	31	32
Items Disposed Of	92	37
DVD/VHS Copy Requests	45	24
Items Sent to Crime Lab for Processing	9	9
Items Processed by Evidence Custodian	1	0
Pounds of Prescription Medication Collected from Drop Box Program		45.75

COURT SECURITY		
Entries	16,173	16,892
Items X-rayed	5,899	5,926
Bond Call	63	47
Kendall Prisoners	112	92
Other Prisoners	21	39
Arrests made at Courthouse	32	31
Contraband Refused	76	101

INVESTIGATIONS/COPS ACTIVITIES		
Total Cases Assigned (Patrol/Invest)	21	32
Total Cases Closed (Patrol/Invest)	28	23
Total Current Open Cases (Patrol/Invest)	93	134
Community Policing Meetings/Presentations	15	32

CORRECTIONS DIVISION

JAIL POPULATION		
New Intake Bookings	252	252
Inmates Released	239	231
Average Daily Population	97	145

JAIL MEALS	March-16	March-17
Number of Meals Prepared Kendall	8,238	12,614
Price Per Meal	\$1.09	\$1.20
Number of Meals Prepared Consolidated Food		
Price Per Meal		

INMATE TRANSPORTS		
To and From Kendall County Courthouse	116	100
Other County Court Transports	9	9
Out of County Prisoner Pickups	44	33
To I.D.O.C	3	4
Medical/Dental Transports	7	4
Court ordered medical transports	0	0
Juvenile To and From Youth Homes/Courts	11	10
Federal Transports	9	15
TOTAL INMATE TRANSPORTS	199	175

INMATE WORK CREWS		
Number of Inmates	na	4
Number of Locations	na	2
Total Hours Worked	na	6

OUT OF COUNTY HOUSING		
Number of Inmates Housed for Other Jurisdictions	31	84
Amount Invoiced for Inmates Housed for Other Jurisdictions	\$37,860.00	\$100,920.00

FEDERAL INMATES		
Number of Federal Inmates Housed	8	13
Amount Invoiced for Housing	\$17,850.00	\$23,775.00
Amount Invoiced for Court Transport	\$2,743.76	\$4,044.55
Amount Invoiced for Medical Transport	\$353.02	\$132.67

MEDICAL BILLING	March-16	March-17
Medical Contractual Services	\$14,076.11	\$14,291.12
Prescriptions	\$512.74	\$4,534.08
Medical	\$272.10	\$1,550.57
Dental	\$0.00	\$0.00
Emergency Medical Services	\$0.00	\$817.34
Medical Supplies	\$158.69	\$684.78
TOTAL MEDICAL BILLING	\$15,019.64	\$21,877.89

Outstanding FTA Fees		
FTA Fees- Outstanding	\$300.00	\$150.00

Sex Offender / Violent Offenders Against Youth Regist		
Sex Offender Registrations	11	11
Sex Offender - Address Verifications Completed	14	11
Sex Offender - Address Verification Attempted	31	37
Total # of Sex Offenders- Jurisdiction/Entire County		36/74
Violent Offenders Against Youth Registrations	0	0
VOAY - Address Verification Completed	0	0
VOAY - Address Verification Attempted	0	0
Total # of VOAY- Jurisdiction/Entire County		4/15

RECORDS DIVISION

SHERIFF SALES		
Sales Scheduled	49	32
Sales Cancelled	27	17
Sales Conducted	22	15

CIVIL PAPERWORK		
Papers Served	154	186

REPLEVINS/LEVY	March-16	March-17
Replevin/Levy Scheduled	1	0
Replevin/Levy Conducted	1	0

SUBPOENA/FOIA REQUESTS		
Accident Reports	54	30
Background Checks	22	24
Incidents	58	98
Subpoenas	2	5
Total Requests	136	157

WARRANTS		
Total Warrants on File	1,798	1,385
New Warrants Issued	132	128
Total Warrants Served	128	131
Warrants Quashed	23	74

EVICCTIONS		
Evictions Scheduled for Month	19	26
Evictions Cancelled	11	14
Evictions Conducted	8	12

FEES		
Civil Process Fees	\$6,810.00	\$6,517.00
Sheriff Sales Fees	\$18,900.00	\$11,400.00
Records Fees/Fingerprinting	\$240.00	\$339.15
Bond Processing Fees	\$1,743.85	\$1,249.11
Total Fees	\$27,693.85	\$19,505.26

KCSO TRAINING

CORRECTIONS DIVISION	March-16	March-17
NATURE OF TRAINING		
Web Based Training		295
CERT Monthly Training		28
Cell Extraction Practicals		98
24-Hour Edged Weapon		24
De-escalation Strategies		16
Basic Weather Spotter Class		2
Ethics and Cultural Diversity		108.5
Rescue Task Force Training Naperville PD		56
Meggitts Training		24
Managing the Field Training Program		8
Crisis Intervention Team		120
NEMRT Annual Meeting		4
ILEAS Conference		16
PERC 21		66.5
Use of Force for Administrators and Supervisors		16
Internship Program		88
TOTAL HOURS	178.5	970

OPERATIONS DIVISION	March-16	March-17
NATURE OF TRAINING		
Web Based Training		36.75
Key Court Date Training SAO		31
Below 100		143.5
De-escalation Strategies		16
ICAC Griffeye Analyze DI		20
Rescue Task Force Training Naperville PD		56
HR/Risk Management for LE Executives and Command Staff		7
Ethics and Cultural Diversity		147

Meggitts Training		39
NEMRT Annual Meeting		8
ILEAS Conference		48
Basic LE Academy		184
DWI Detection & Standard Field Sobriety Testing		24
Dealing Wth the Dark Side Dr. Kim Miller ISA		6
Legal Update ISA		3
Interest Arbitration IPELRA		1.5
How Would You Rule IPELRA		1.5
Imprimus Advanced Evidence Tech		24
Much Smarter Bargaining IPELRA		1.5
	TOTAL HOURS	599.5
		797.75

COURT SECURITY		March-16	March-17
NATURE OF TRAINING			
Web Based Training			129
Introduction to Court Security			
Annual Low Light Department Shoot			
ALICE Instructor Training			
Court Security School			
Meggitts Training			10
	TOTAL HOURS	17.5	139

CORRECTIONS/OPERATIONS COMBINED			
NATURE OF TRAINING			
SRT		64	24
	TOTAL HOURS	64	24

RECORDS DIVISION			
NATURE OF TRAINING			
Crisis Prevention Training			
Basic Weather Spotter Class			2
Leadership in Today's World			8
Web Based Training			2
	TOTAL HOURS	56	12

AUXILIARY			
Meeting/Training Hours			14
	TOTAL HOURS	53.5	14

**KENDALL COUNTY
FEDERAL LEGISLATIVE PRIORTIES
2017**



LAW, JUSTICE AND LEGISLATION COMMITTEE

Matthew G. Prochaska, Committee Chairman

www.co.kendall.il.us

KENDALL COUNTY LEGISLATIVE POLICY STATEMENTS

The following is a general statement of legislative policy for the County Board. The policy statements seek authority for the County to resolve issues at the local level by enabling the County Board the ability to effectively govern while ensuring a sound financial organization.

Current Constitutional and Statutory restrictions, as well as the State's budgetary constraints, give more reason to allow local authority to provide for the public safety and welfare of Kendall County's residents and businesses.

1. Support legislation granting additional permissive authorities for County government.
2. Support legislation allowing County Government to expand non-property tax revenue sources.
3. Support legislation providing funding to County Government for programs to improve the health, safety and welfare of our local community.
4. Oppose unfunded mandates imposed by the State or Federal government.
5. Oppose legislation that would reduce the existing authority of County government.
6. Oppose proposals that erode the revenue base and financial position of County Government.

FEDERAL LEGISLATIVE and REGULATORY POSITIONS

1) Retain Tax-Exempt Municipal Bonds

Kendall County supports the preservation of the federal deductibility of local property and income taxes and the tax-exempt status of municipal bonds that provide critical funding for public facilities, infrastructure and development. Losing this critical financial tool would cripple the municipal bond market and increase borrowing costs for state and local governments. Provisions like the tax exemption for municipal bond interest have been part of the federal tax code for over 100 years, helping finance more than \$3.7 trillion for public works projects nationwide.

2) Protect County interests in Federal "Waters of the U.S." Rulemaking

Kendall County supports efforts to prevent the redefinition of "waters of the U.S." that would result in federal regulation of all public safety ditches. The U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers proposed broadening the existing definition; this would increase the number of county owned and maintained public safety infrastructure that would fall under federal permitting authority. This also opens up farms, ponds, and other private property to EPA regulations. Kendall County has called on the federal government to withdraw any new regulations of farm ponds, storm drains, and other non-navigable bodies of water.

3) Revoke U.S. Department of Transportation (DOT) rule to consolidate MPOs

More than 50 stakeholders from the Chicago CMAP region representing counties, municipalities, and transportation implementers submitted comments opposing the rule. Several members of Congress, including almost the entire Illinois Congressional delegation, also weighed-in, asking U.S. DOT to revoke

the rule and encouraged U.S. DOT to work with Congress to implement legislation to improve coordination among MPOs.

The U.S. DOT finalized a rule in December 2016 that would substantially change transportation and comprehensive planning processes across northeastern Illinois, northwestern Indiana, and southeastern Wisconsin by requiring the MPOs serving those areas to merge or provide joint planning products. The result would be a vast tristate megaregion encompassing more than 500 municipalities, 11 million people, and dozens of counties. The proposed rule was released with minimal prior national discussion of the issues, which would have been appropriate during Congress' recent consideration of the multi-year transportation law, the Fixing America's Surface Transportation (FAST Act), enacted in December 2015.

The final rule presents a high risk that, instead of facilitating more effective metropolitan planning, it will hinder coordination. The rule takes a blunt approach that would impose cumbersome and problematic process, fails to consider impacts on state planning requirements, and likely would result in less innovative or bold planning products. Effectively, each MPO's board and each state's Governor would have veto authority over other states' and regions' transportation priorities. Not only does this arrangement set up a complex and lengthy approval process, it also restricts local decision-making and could disenfranchise local communities from the planning process.

4) Remove CADILLAC TAX from Affordable Care Act

The Patient Protection and Affordable Care Act (PPACA) passed in 2010, but several of its most significant provisions take effect in the next few years. Kendall County is concerned that several provisions that have yet to be implemented will have a significant monetary impact on local businesses and possibly on local government budgets.

The top concern for the County is the implementation of the high cost employer-sponsored plans tax also called the "Cadillac Tax." This tax is based on the single and family premium in 2018. If the health plan exceeds \$10,200 single or \$27,500 family in 2018, any dollar over that will be taxed at a 40% excise tax rate.

The County understands that the tax was put in place to pay for portions of the PPACA. However, the detrimental impact the tax could have on employers and employees in both the private and public sector could cause serious problems for local economies.

Kendall County was pleased that the Cadillac Tax implementation date of 2018 was recently delayed until to 2020 as part of the \$1.8 trillion omnibus spending deal, the Consolidated Appropriations Act, 2016 that was signed by the President on December 18, 2015. While the delay was helpful, the County wants Congress to consider repealing the provision altogether, or at the very least, come up with a legislative alternative that would mitigate the effects of the excise tax.

5) Fair Labor Standards Act: Overtime Regulations

The U.S. Department of Labor (DOL) published monumental changes to the overtime regulations that will make approximately 4.2 million currently exempt employees eligible for overtime pay.

The Fair Labor Standards Act (FLSA) overtime regulation determines whether employees are eligible or exempt for overtime pay. Exempt employees, because of their rate of pay and type of work that they

do, are not eligible for overtime pay for hours worked over 40 in a workweek. **Nonexempt employees** must be paid time and a half for any hours worked more than 40 in a workweek.

10 days before the implementation date, a federal judge in Texas put the brakes on the Department of Labor's (DOL's) new federal overtime rule, which would have doubled the Fair Labor Standards Act's (FLSA's) salary threshold for exemption from overtime pay.

Under the proposed rule it extends overtime protections to approximately 4.2 million workers who are not currently eligible under federal law. Workers who do not earn at least \$47,476 a year (\$913 a week) will have to be paid overtime, even if they satisfy the duties test for a white-collar FLSA exemption. This is an increase in salary of over 100%. The Department of Labor will increase the salary threshold every three years. Based on current projections, the salary threshold is expected to rise to more than \$51,000 with its first update on January 1, 2020. Also, the DOL's overtime regulations would substantially increase the salary threshold requirements for highly compensated employees from \$100,000 per year to \$134,004.

Kendall County wants Congress and the President to consider completely blocking this regulation altogether, or at the very least, come up with a legislative alternative that would mitigate the effects on local governments.

6) Maintain Federal Deductions of State and Local Taxes

Since the Revenue Act of 1862, taxpayers have been allowed to deduct state and local taxes from their Federal taxable income. This deduction is one of the most widely used benefit to local taxpayers. Eliminating this deduction will result in significant tax increase to individuals, corporations and business taxpayers.

7) Maintain Federal Deduction of Home Mortgage Interest

Home mortgage interest deduction has encouraged home ownership for decades. Home ownership provides stability for local communities and enhances the ability to attract businesses, grow the tax base and increase civic participation.

8) Marketplace Fairness Act

The current sales tax system favors online retailers over their brick and mortar counterparts. As a result of two Supreme Court cases in 1967 and 1992, federal law states that it is too much of a burden for out-of-state retailers to collect sales taxes in all the jurisdictions they conduct business. The increased use of the Internet for purchases through online sales has magnified the issue of the collection of sales tax on out-of-state retailers. Since state and local governments are still unable to enforce their existing sales tax laws on many of those purchases, billions of local tax dollars are lost each year. It is estimated that the loss for state and local governments in 2015 alone was approximately \$23 billion.

For local governments like cities and counties, the increasing level of lost revenue means less money for basic services, such as roads and public safety.

In the last Congress, there were overwhelmingly large and bipartisan votes supporting the Marketplace Fairness Act (MFA) in the Senate. Both Democrats and Republicans, in large numbers, believe the MFA is a good legislative fix to the online sales problem.

On March 10, 2015, a bipartisan group of Senators led by Senator Enzi (R-WY) introduced the

Marketplace Fairness Act of 2015, S. 698. On June 15, 2015, Rep. Jason Chaffetz (R-UT) introduced the Remote Transactions Parity Act of 2015, H.R. 2775, which closely mirrored the bill introduced in the Senate. It appeared that the MFA may be attached to a tax bill moving through Congress at the end of 2015, but that unfortunately did not happen.

It will be important for Congress to pass the MFA in 2017. The MFA will level the playing field for all retailers without adding to the federal deficit, establishing new taxes or increasing existing taxes.

FEDERAL FUNDING PRIORITIES

1) Patrol car video equipment funding

Kendall County seeks funding assistance for public safety equipment that has exceeded its life expectancy. The County seeks funding to replace patrol car video equipment.

2) Public safety internet connectivity

Kendall County seeks funding assistance for a fiber connection between the countywide 911 dispatch center – “KenCom” in Yorkville, Illinois to the Village of Montgomery Police Department.

3) Courthouse expansion - additional courtrooms



Kendall County seeks funding assistance to add courtrooms at an estimated cost of \$6.5 million.

4) Drug Court

Kendall County seeks funding assistance with this is a new program in Kendall County instituted in 2016. The continued existence of Drug Court is dependent on a federal pass through grant Kendall County would ask for the continued existence of this grant and for increased funding.

The Kendall County Drug Court Program is a Post Plea-Pre-Sentencing program that provides eligible defendants the opportunity to receive drug treatment in exchange for avoiding prison or county jail time. Additionally, the defendant’s conviction may be dismissed or the felony amended to misdemeanor

charges. Eligible defendants can elect to participate in the program or proceed with traditional court processing. After choosing to participate in the program, defendant's come under the court's supervision and are required to attend treatment sessions, undergo random drug and alcohol testing, and appear before the Drug Court Judge on a regular basis.

The Kendall County Drug Court program consists of five phases and is a minimum of 14 months in duration. The program is designed for adults, who have pled guilty to one or more non-violent felony offense(s), to successfully address issues that they have regarding addiction and recovery.

Those eligible for the program must have a substance use dependence diagnosis and agree to stop using drugs and alcohol. All participants must be at least 18 years of age, a Kendall County resident, a United States citizen and have a felony pending. All participants must receive approval from the Court prior to admission.

Participants in the Drug Court program are required to engage in substance abuse counseling, attend frequent status review hearings, meet with Drug Court team members regularly, submit to frequent and random breath and urine screenings, have home visits by Drug Court team members, attend self-help support groups, obtain employment and/or attend school, and pay court fines, restitution and treatment expenses. The Court awards incentives for compliant behavior and imposes sanctions for negative behavior.

5) Housing Authority and Housing Choice Vouchers

Kendall County requests an increase of Housing Choice Vouchers and a corresponding increase in the Housing Assistance Payments which fund the Housing Choice Voucher program. To serve the people of Kendall County needing assistance obtaining decent, safe, sanitary and affordable housing, through a proactive administration of public programs, funds, and cooperation with other public and private agencies dedicated to the improvement of housing and human development. To supply this safe, decent and affordable housing Kendall County created the Kendall Housing Authority.

The Kendall Housing Authority provides individuals and families with rental assistance vouchers through a program funded by the U.S. Department of Housing and Urban Development. The housing choice voucher program is the federal government's major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses and apartments.

The participant is free to choose any housing that meets the requirements of the program and is not limited to units located in subsidized housing projects.

Housing choice vouchers are administered locally by public housing agencies(PHAs). The PHAs receive federal funds from the U.S. Department of Housing and Urban Development (HUD) to administer the voucher program.

A family that is issued a housing voucher is responsible for finding a suitable housing unit of the family's choice where the owner agrees to rent under the program. This unit may include the family's present residence. Rental units must meet minimum standards of health and safety, as determined by the PHA.

A housing subsidy is paid to the landlord directly by the PHA on behalf of the participating family. The family then pays the difference between the actual rent charged by the landlord and the amount subsidized by the program.

The Kendall Housing Authority has the ability to lease up to 160 Housing Choice Vouchers, which is the same number we have been allocated since, and currently we are at 100% utilization. The current waitlist for these vouchers has been closed since 2008, before the Great Recession. We would request an increase of Housing Choice Vouchers and a corresponding increase in the Housing Assistance Payments which fund the Housing Choice Voucher program.

6) Court E-filing system

Kendall County seeks funding assistance to implement an unfunded court mandated e-filing system.

7) Kendall County Health Department Funding Assistance

Kendall County seeks funding assistance for the wide array of services to protect and promote the public's health. Established in 1966, the Health Department is an experienced human services and social well-being provider in Kendall County. Because of the unique structure of the Health Department, many services are available to community members. The mission of the Kendall County Health Department is to promote physical health, mental health, environmental health, protect the community's health, prevent disease, and promote family economic self-sufficiency through both person based services and population based programs.

The organization depends on a variety of federal funding. The most significant of which includes: Women, Infants and Children (WIC) funding, Maternal and Child Health Block Grant funding, and Vaccine for Children (VFC) funding,

On the Affordable Care Act's (ACA), the Department is concerned that its services could be negatively impacted by changes resulting from the ACA which might lead to fewer federal dollars from current federally funded programs.

In addition, the Kendall County Health Department firmly believes that federal nutrition programs that have continued to assist families, children, and seniors in our county, are important to the continued health of Kendall County. Far too many people in this country are struggling with hunger; 42 million, including 13 million children. Many of these people turn to local government and private charity programs to prevent hunger, but our local food pantries and congregate meal programs will be unable to respond adequately to federal cuts.

Hunger is a year-round struggle for children, low-wage working families, seniors, and persons with disabilities. Older adults and disabled residents face hunger when they must choose between paying for heat, food, or getting medical treatment. Low-wage working families need nutrition supports to make ends meet. While the depth and breadth of hunger is vast, families in our communities would be much worse off if it were not for the nation's successful and cost-effective anti-hunger programs. Some of these critical programs include:

- The Supplemental Nutrition Assistance Program (SNAP)
- The National School Breakfast and Lunch Programs (NSLP)
- The Child and Adult Care Food Program (CACFP)
- The Special Supplemental Nutrition Program for Women, Infant and Children (WIC)
- Senior Nutrition Programs (under the Older Americans Act)

These national nutrition programs reduce hunger and poverty, improve health and learning, boost productivity, create jobs, and strengthen our communities. These programs help seniors, children, individuals with disabilities, veterans, active duty military families, low-paid workers, unemployed adults, underemployed adults across Illinois; in rural, urban, and suburban areas.

Effective federal anti-hunger and nutrition programs have a significant impact on health outcomes. These federal programs are essential, not only to prevent hunger and some of the worst outcomes of poverty, but also for communities and retailers who depend on low-income shoppers to buy nutritious food with benefits. Slashing the anti-hunger safety net would be devastating for Illinois, thus we urge your continued resolve to protect and strengthen these programs in 2017 and beyond.

8) Community Development Block Grants

Over the past several years, the Community Development Block Grant (CDBG) program has assisted over 16 million low and moderate income households and created or retained over 300,000 jobs for low and moderate income residents.

The Community Development Block Grant Program (CDBG) experienced a net increase in funding from FY 2012 to FY 2013. Approximately \$3.07 billion was provided for CDBG formula funding in FY 2013. Recently, the CDBG program has been slightly reduced due to the mandatory reductions that are part of sequestration and an across-the-board recession. The program was slightly increased in FY 2014 to \$3.1 billion, but the total allocation for FY 2015 again saw a decrease for a total funding level of \$3 billion. Funding remained flat at \$3 billion for this important program in FY 2016.

As overall funding levels continue to be a challenge for many domestic discretionary federal programs, it is important to protect the CDBG program because of the positive and direct impact it has on a community's ability to fund unique housing, infrastructure and economic development needs. Many of the beneficiaries of the program also happen to be low and moderate income households.

Kendall County hopes that the CDBG program is spared from any cuts in the upcoming FY 2017 spending bill and believes the County provides a strong example of what can be accomplished on a local level through the leveraging of CDBG dollars.

9) Workforce Innovation and Opportunity Act (WIOA)

Kendall County provides services in workforce development to ready the workforce for employment through federally-funded programs under the Workforce Innovation and Opportunity Act (WIOA). WIOA provides the framework for a unique national workforce preparation and employment system designed to meet both the needs of the nation's businesses and the needs of job seekers and those who want to further their careers. Our program serves the residents of Kane, Kendall and DeKalb Counties, and is overseen by the River Valley Workforce Development Board, which includes representatives from across the three-county area.

River Valley Workforce Development Board provides a host of services to eligible adults who need assistance in seeking and obtaining new employment or enhancing their job skills. Building and maintaining a skilled workforce is critical to the success of any business and because of this we offer a variety of services and programs to benefit local businesses, including recruitment assistance and grants to train new hires or your existing workforce.

Also the River Valley Workforce Development Board youth representatives focus their efforts on youth between the ages of 16-24. The youth we serve have been identified as needing an extra push to help them complete high school to receive a diploma, obtain a GED or get a job.

The Workforce Innovation and Opportunity Act (WIOA) was signed into law by President Obama on July 22, 2014. WIOA seeks to more fully integrate systems to better serve employers and job seekers. Under WIOA, the Workforce Development Board of Kane, Kendall and DeKalb Counties developed and adopted a plan to guide workforce development programming throughout the three-county area for the next several years. The plan outlines the Board's strategy for providing access and resources for occupational skills training, educational attainment programs, career and placement services and more for adult and youth customers of the local workforce development system.

Kendall County would like to see this program continue and sees that it continues to have a strong presence in our community.

Transportation, Highways and Bridges Funding Priorities

10) METRA Expansion into Kendall County

After local elected officials secured \$7.5 million in federal funding in the mid-2000s, Metra initiated preliminary engineering and environmental assessment studies on the proposed BNSF extension from Aurora toward Montgomery, Oswego, Yorkville, and possibly Plano and Sandwich. The goal of those studies is to determine the costs and potential environmental impacts of the project so that local stakeholders in Kendall County can determine if and how they will secure the necessary capital and operating funding needed to move the project forward.

Metra suspended the studies in June 2015 to determine if there was consensus among local officials to spend the remaining \$6.6 million in planning and design funds on the unfunded railroad extension rather than other infrastructure needs in the area, given Metra's inability to fund construction of the project due to its \$11.7 billion in state of good repair needs over the next decade. An order of magnitude estimate indicates the BNSF extension could cost more than \$200 million.

Local leaders recently indicated that there was consensus to continue the engineering and environmental studies for the project that would require the creation of an additional dedicated funding stream provided for by Kendall County residents to cover the remaining costs of the extension.



Diagram for METRA Expansion Into Kendall County

11) Prairie Parkway – Interstate Connection of I-88 and I-80

The Prairie Parkway is a proposed transportation project by the Illinois Department of Transportation (IDOT) to connect Interstate 80 to Interstate 88 in the outer western and southwestern suburbs of Chicago, Illinois.

An outer loop highway around the perimeter of the Chicago area has been in conceptual planning for over 100 years. The 1909 "Plan of Chicago", authored by Daniel Burnham and Edward Bennett, included an "outer encircling highway" with a western portion roughly approximating the Prairie Parkway route. The Illiana Expressway, which is currently in planning by the states of Indiana and Illinois, would connect Interstate 55 to Interstate 65 and its routing would roughly approximate the southern portion of the outer encircling highway concept. A short connection between the Prairie Parkway and Illiana would result in a continuous connecting route of approximately 100 miles from Interstate 88 to Interstate 65 around the western and southern suburbs of Chicago. All three projects (Prairie Parkway, Illiana, and an I-55 to I-80 connector) are included in Chicago Metropolitan Agency for Planning's Go to 2040 regional plan, although none of them are listed as priority projects for this planning period.

On August 22, 2012, the Federal Highway Administration rescinded its approval of the Record of Decision. The 2007 Corridor Protection remained in place.

Kendall County believes that growth will continue and will eventually necessitate an Interstate in Kendall County to act as a major bypass around the inner Chicago suburbs. Which is why Kendall County asks the Federal Government to help maintain the center line from the 2007 Corridor Protection.



Diagram for Prairie Parkway connecting I-88 and I-80

12) Eldamain Road Extension Project – Bridge Crossing of Fox River

In the face of increasing population growth and traffic demand in the early 1990s, Kendall County recognized the need for an expanded north-south transportation network that included a potential new Fox River crossing to accommodate impending land development. The redevelopment of formerly rural land into more densely populated suburban uses was bringing more traffic and more congestion onto roadways in northern Kendall County, particularly in the communities along the Fox River. Growing levels of traffic congestion on the existing Fox River roadway bridges showed that the number and locations of those

bridges was insufficient for the demand. Land development and population growth continued at a rapid pace, moving westward along the Fox Valley into the cities of Yorkville and Plano. In 2009, the U.S. Census Bureau recognized Kendall County as the fourth fastest-growing county in the U.S., based on growth from 2000 to 2008. Between 2000 and 2008, the population of Yorkville had grown by 167%. The attendant traffic growth on IL 47 during this period has resulted in drivers experiencing congestion as a daily occurrence.

The extension of Eldamain Road will provide a continuous north-south route across Kendall County. With a bridge across the Fox River, Eldamain Road will extend from Ashe Road in Kane County south to Lisbon Road, which continues south to Morris in Grundy County.

Currently the only crossings of the Fox River in this area are IL 47 and Fox River Drive. Projected 2040 average daily traffic (ADT) volumes on the IL 47 and Fox River Drive bridges are 54,000 and 9,000 vehicles per day, respectively. Traffic growth impacts to IL 47 will have a detrimental effect on planned growth and economic development for the communities of Yorkville and Plano.

Improving local transportation and safety associated with existing and future population growth. Based on population projections and land development proposals and submittals, the Cities of Yorkville and

Plano expect between a 418% and 523% population growth between 2000 and 2040, resulting from residential and commercial development planned to occur over this time period.

Future commercial and residential areas are planned along the corridor. Improving access for public facilities and emergency vehicles. The Eldamain Road Extension will retain its local connections and provide access to these facilities and services in a more direct and efficient way.

Phase 2 Engineering should be complete in late 2017 with the project being shovel ready at that point. The cost for construction should cost \$55,000,000.

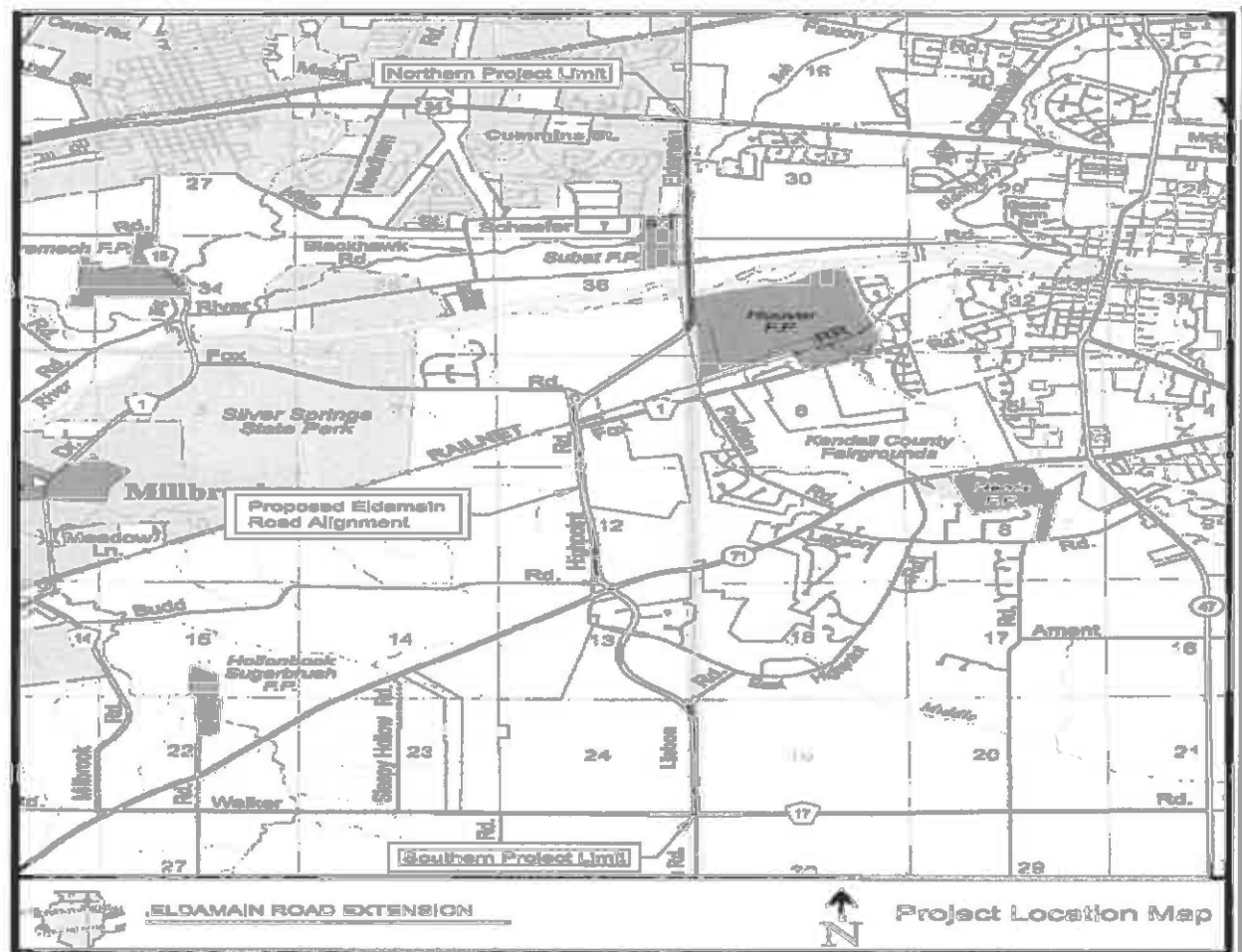


Diagram of Eldamain Road Extension Project – Bridge Crossing of Fox River

13) Connection of Minkler and Collins Roads

The project scope includes the reconstruction of Minkler Road to create a new County Highway corridor that would extend from Orchard Road at IL Route 71 to Grove Road at Collins Road. The purpose of this project is to provide a safe and efficient north-south corridor servicing Kendall County and the Village of Oswego to accommodate a major increase in future traffic volumes while utilizing the Orchard Road/Grove Road corridor and providing access to impending residential and commercial developments.

This project is currently in Phase 1 Engineering, with Phase 1 expected to finish in 2017 and Phase 2 expected to begin in 2018. There are currently three alignments under consideration for the extension of Collins Road. Each alignment has its merits and challenges.

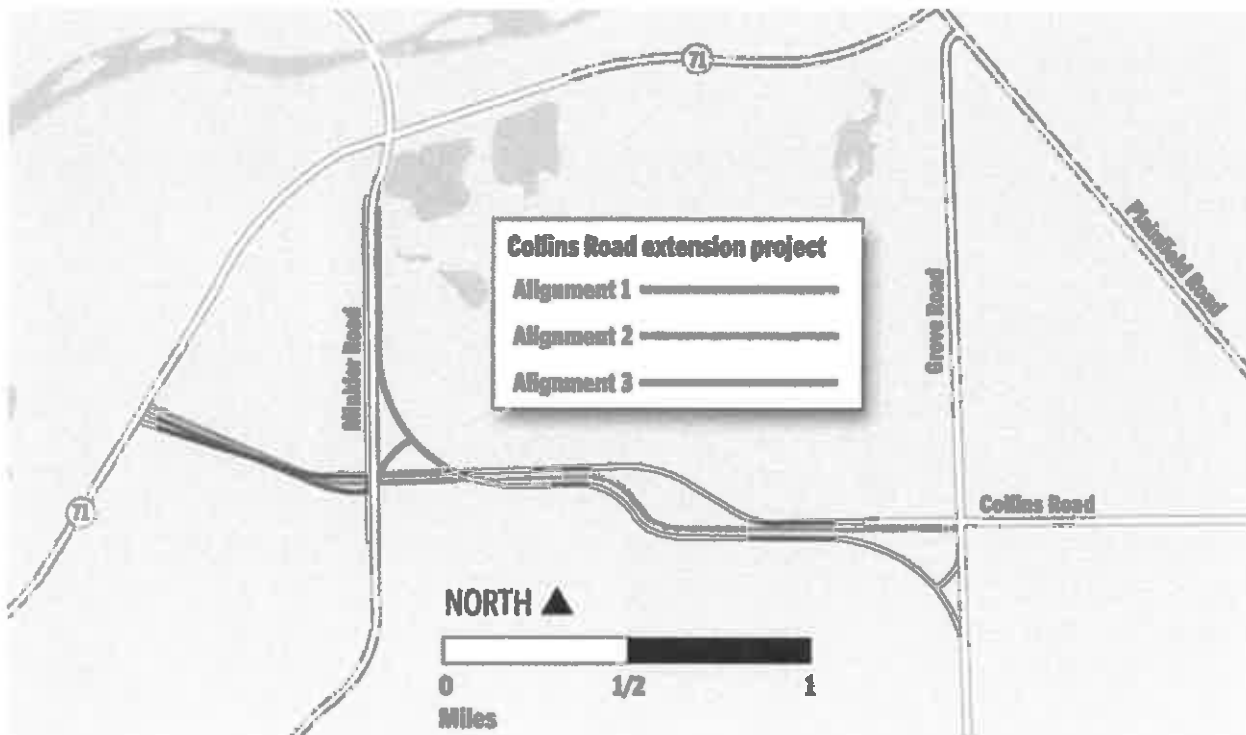


Diagram for Connection of Minkler and Collins Roads

14) WIKADUKE Corridor (Ridge Road/ Eola Road connection I-80 to I-88)

WIKADUKE is an acronym for a joint effort by four counties (Will, Kane, DuPage and Kendall) to create a road system that would connect northbound and southbound traffic from I-88 to I-80. As recommended by the Illinois Department of Transportation (IDOT) the proposed road system alignment includes existing rights-of-way along Ridge Road, Plainfield Road, and Stewart Road extending north to Eola Road. This planned road is referred to as the WIKADUKE Trail.

The WIKADUKE Trail was initiated by the Village of Plainfield and Kendall County in August of 2002 to address the regional needs. Once complete the WIKADUKE Trail will serve as a major roadway for both regional vehicular traffic moving from Interstate 80 to Interstate 88 and for traffic moving between municipal and commercial destinations. The WIKADUKE Trail will provide for the needs of pedestrians, bicyclists, transit users, and motorized-vehicle users in a manner that is sensitive to the rural, cultural, and environmental amenities of the region.

In 2004 a major study was completed with an estimated total for the initial stages of the project costing \$126,866,409 and with the total project after all stages costing a total of \$227,084,493. There are low cost improvements recommended as interim projects prior to the implementation of the ultimate improvements. These types of improvements can be constructed at a much lower cost than the ultimate improvements and include provision of dedicated left turn lanes and signage improvements.

Regional Initiatives Supported by Kendall County

15) 75TH STREET CORRIDOR IMPROVEMENT PROJECT (FASTLANE GRANT APPLICATION)

Kendall County supported the application submitted jointly by the Chicago Metropolitan Agency for Planning and the Illinois Department of Transportation, under the Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) Grant Program, which is funded by the Fixing America's Surface Transportation (FAST) Act.

The FASTLANE Grant Program provides dedicated, discretionary funding for nationally and regionally significant projects that improve our Nation's highway and bridges. For the first time in the U.S. Department of Transportation's 50-year history, Congress has funded a program with broad, multiyear eligibilities for freight infrastructure investments. The FASTLANE Grant Program is authorized at \$4.5 billion for Fiscal Years (FY) 2016-2020 and provides a major opportunity to fund transformative freight and highway projects. In addition, the FAST Act also designates a portion of program funds for rail, maritime port, and multimodal transportation projects.

16) INVESTING IN MANUFACTURING COMMUNITIES PARTNERSHIP DESIGNATION (IMCP)

In February 2014, as part of a larger collaboration with Cook County and other Chicago collar counties, Kendall County applied to the Investing in Manufacturing Communities Partnership (IMCP) initiative. The County completed the application through another regional collaborative initiative called the Chicago Metro Metals Consortium (CMMC). CMMC was successful May 28, 2014. As part of the successful Chicago Metro Region application, Kendall County receives coordinated support for their strategies from eleven agencies with \$1.3 billion available in federal economic development assistance.

As a designated Manufacturing Community, Kendall County has a dedicated federal liaison at each of the eleven agencies to help navigate available federal resources. Additionally, the designation has helped with collaboration of local and regional issues and projects. The IMCP designation is a two-year designation; CMMC reapplied in 2016 and was granted another two-year designation.

One positive outcome of the application for IMCP designation was the creation of a regional economic development effort. With a group comprised of county executive leadership, private sector business leaders, and others, the group has considered the most promising and practical initiatives that could be pursued by county leaders and the City of Chicago, along with the private sector, to grow the Chicagoland regional economy.



17) CHICAGO METRO METALS CONSORTIUM

The Chicago Metro Metal Consortium (CMMC) is one of 24 'Investing in Manufacturing Communities Partnership' (IMCP) designated by the U.S. Department of Commerce. With leadership from Cook County's Bureau of Economic Development, it is a collaboration of more than 80 partners, including the 7 counties of northeastern Illinois and the City of Chicago.

CMMC outcomes to date have been over \$40 million in public and private resources directly affecting manufacturers, increased promotion of careers in manufacturing and improved connections among the region's employers, training providers, and workforce, increased trade and investment for metalworking and machinery/production technology sectors, and improved regional supply chain connections.

Kendall County has supported CMMC's efforts to apply for funding for infrastructure projects to benefit the region, host manufacturing and supplier matchmaking events, and bring business planning resources to our manufacturers for little cost.



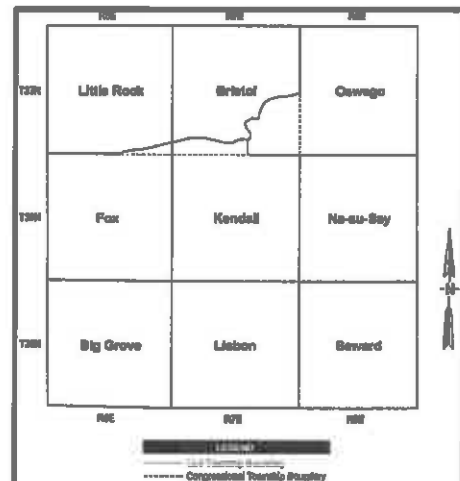
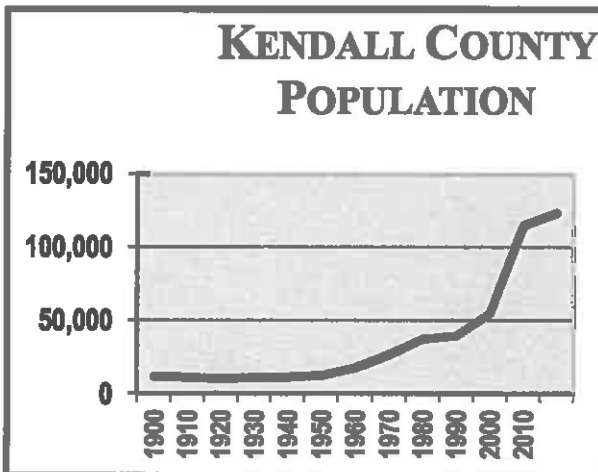
18) METRO CHICAGO EXPORTS

Metro Chicago Exports is a regional collaboration between the seven counties in Northeastern Illinois (Cook, DuPage, Kane, Kendall, Lake, McHenry and Will) and the City of Chicago to increase exports from small and mid-sized enterprises (SMEs) and to support regional job growth. Metro Chicago Exports aims to build a pipeline of export-ready firms, provide concierge services to firms seeking to capture global opportunities, connect firms to international partners and local peer network and reduce the initial business costs to reach new markets.

The two major programs from Metro Chicago Exports has been the Export Grant Program and the ExporTech Program.

The Export Grant program provided grants up to \$5,000 to SMEs to help area companies offset costs associated with exporting such as international regulatory compliance, marketing - including website translation, and other business development costs. The grant program is funded by a contribution from JPMorgan Chase to help companies new to exporting, moderate exporters and experienced exporters.

KENDALL COUNTY DEMOGRAPHIC FACT SHEET



Population	2016 Quarter 3	Previous Quarter	2010 Census	2000 Census
Total Population	123,355	123,355	114,736	54,544
Population 16 years and over	90,963	90,963	82,097	40,187
Labor Force Population	65,666	67,688	65,984	29,697

U.S. Census Bureau – American Fact Finder – <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>
 2012 American Community Survey; 2011 American Community Survey; 2010 Census; 2000 Census
 U.S. Bureau of Labor Statistics – Local Area Unemployment Statistics – <http://bls.gov/lau/>



UNITED COUNTIES
COUNCIL OF ILLINOIS

UCCI LEGISLATIVE UPDATE
April 7, 2017

Counties Code

HB 286 – County Clerk Publishing Election Information on Website

House Bill 286 adds Section 1-25 to the Election Code and states that, notwithstanding any other provision of law to the contrary, whenever an election authority is required to publish or post information to the public, the election authority may satisfy that requirement by publishing via a newspaper or on its website. This Bill adds a related provision to the Counties Code and states that, notwithstanding any other provision of law to the contrary, whenever a county clerk is required to publish or post election information to the public, the clerk may satisfy that requirement by publishing via a newspaper or its website.

UPDATE: On April 4, 2017, an amendment to this Bill was filed that would remove everything after the enacting clause and reduce the substance of the Bill to a technical change that removes and re-inserts the word “the” to the short title provision of the Election Code. The amendment is currently assigned to the House Rules Committee.

SB 1605 – Judicial and Administrative Review of County Board Zoning Decisions

Senate Bill 1605 amends Section 5-12012.1 of the Counties Code and provides that a county board decision relating to a petition or application for a special use, variance, rezoning, or other amendment to a zoning ordinance is subject to *de novo* judicial review of the record of the proceeding (A court will not defer to a county board’s evidentiary or legal conclusions). **Senate Bill 1605** excepts decisions on procedural matters from *de novo* judicial review and provides that a decision on a procedural matter at any stage of the zoning decision-making and review process is subject to judicial review under the Administrative Review Law.

HB 2591 – Court Fee Distribution Schedules

House Bill 2591 creates the Criminal and Traffic Assessment Act. This new Act identifies costs, fees, and surcharges across several statutes that courts are authorized to impose upon defendants and compiles those into new schedules of assessments. Courts are authorized to impose a schedule of assessment on a defendant, and the schedule provides for the distribution of the proceeds from the costs, fees, and surcharges between a county, its departments, and other entities and funds. **House Bill 2591** has passed out of committee and advanced to debate on the floor of the House of Representatives.

Members are encouraged to review the amendment to this bill, as the bill reduces the proceeds all entities receive from these legal proceedings.

HB 3150 – County Recorder Fraud Referral and Review

Section 3-5010.5 of the Counties Code recognizes that property fraud, including fraudulent filings intended to cloud or fraudulently transfer title to property by recording false or altered documents and deeds, is a rapidly growing problem throughout the State. In order to combat the problem of these filings, a recorder is authorized to establish a process to review and refer documents suspected to be fraudulent to an administrative law judge for review. The statute also sets forth the referral and review process requirements. Currently, Section 3-5010.5 is scheduled to be repealed on June 1, 2018. **House Bill 3150** removes the repeal date of June 1, 2018.

UPDATE: On April 5, 2017, House Bill 3150 passed out of the House and was sent to the Senate.

SB 685 – State’s Attorney Salary

Senate Bill 685 amends Section 5/4-2001 of the Counties Code to provide that a county board may establish a salary for a State’s attorney that is higher than provided for in the Counties Code. However, any salary above the amounts provided for in the Counties Code must be paid out of the county treasury. **Senate Amendment No. 2** to the Bill amends the Bill to require a county board which has provided additional salary for the State’s Attorney to authorize an additional salary increase in salary for the public defender equal to at least 90% of the additional salary provided to the State’s Attorney. This additional salary will be paid from the county treasury. **Senate Amendment No. 2** was adopted and the Bill has advanced to Third Reading for final approval by the Senate.

SB 1337 – Stormwater Management Plans

The Counties Code currently only allows certain counties to adopt stormwater management plans. **Senate Committee Amendment No. 1 to Senate Bill 1337** amends Section 5-1062.2 of the Code to grant authority to all counties not granted authority under Section 5-1062 or Section 5-1062.3 of the Code to adopt stormwater management plans.

SB 1546 – Synchronization of Prescription Drug Refills

Senate Bill 1546 amends the Illinois Insurance Code to provide that every policy of accident and health insurance amended, delivered, issued, or renewed after the Bill’s effective date that provides coverage for prescription drugs shall provide for synchronization of prescription drug refills on at least one occasion per insured per year provided that certain conditions are met. The Bill defines “synchronization” as the coordination of medication refills for a patient taking 2 or more medications for a chronic condition such that the patient’s medications are refilled on the same schedule for a given time period. Requires insurers to provide prorated daily cost-sharing rates when necessary. **Senate Bill 1546** makes conforming changes in several statutes including Section 5-1069.3 of the Counties Code and the Illinois Municipal Code.

SB 2057 – Regulation of Private Residential Leaseholds by Public Health Departments

Senate Bill 2057 amends Section 25008 of the Counties Code and provides that a county or multiple-county health department does not have jurisdiction over private residential leaseholds unless it regulates private single-family residential property in a similar manner. The Bill defines “private residential leasehold” as a private residential structure not open to the public which is leased to more than one person and contains a communal kitchen used by the lessees and guests of the lessees. Moreover, this Bill preempts home-rule authority to regulate residential leaseholds in a manner inconsistent with this change to the Counties Code. **Senate Bill 2057** makes similar changes to the Public Health District Act and the Food Handling Regulation Enforcement Act.

Freedom of Information Act

HB 2703 – Removal of Risk Management FOIA Exemption

House Bill 2703 deletes the provision in FOIA that exempts from disclosure any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool and insurance or self insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice or communications. Removing the exemption and requiring production of this information would give requesters, plaintiffs, and claimants a distinct advantage over the pools and their participants. With that information, claimants and plaintiffs would be in a position to know exactly how much money was available to pay their claim, the cost of defending their claim, and/or what the same type of claim had settled for in the past. This would threaten the continued viability of these local government pools, which have been able to offer cost-effective risk and worker’s compensation solutions to units of local government when other providers could not. **House Bill 2703** passed out of committee in its introduced form on a 17-11 vote and advanced to debate on the floor of the House of Representatives.

Open Meetings Act

House Bill 3326 – Public Questions, Civil Penalty, and Attorney’s Fees

House Bill 3326 amends three provisions of the Open Meetings Act (“OMA”). First, the Bill amends Section 2.06(g) to specify that at each regular or special meeting which is open to the public, any person shall have the opportunity to address public officials with comments or questions, subject to reasonable constraints. The Bill also requires that any answers to questions asked during the open meeting shall be provided by the public body within 45 days. Second, the Bill amends Section 3(c) to require a court to impose a civil penalty of not less than \$2,500, but no more than \$5,000, upon a public body for willfully and intentionally failing to comply with OMA, or otherwise acting in bad faith. Third, the Bill amends Section 3(d) to require, rather than permit, a court to assess against any party, except a State’s Attorney, reasonable attorney’s fees and other litigation costs reasonably incurred by a prevailing party in an OMA action. (currently allows such an assessment if a party “substantially prevails”).

UPDATE: House Floor Amendment No. 1 was filed and if adopted, would amend the Bill to provide that public bodies provide “responses” to questions rather than “answers.”



UNITED COUNTIES
COUNCIL OF ILLINOIS

UCCI LEGISLATIVE UPDATE

March 17, 2017

Counties Code

HB 2591 – Court Fee Distribution Schedules

House Bill 2591 creates the Criminal and Traffic Assessment Act. This new act identifies costs, fees, and surcharges across several statutes that courts are authorized to impose upon defendants and compiles those into new schedules of assessments. Courts are authorized to impose a schedule of assessment on a defendant, and the schedule provides for the distribution of the proceeds from the costs, fees, and surcharges between a county, its departments, and other entities and funds. Members are encouraged to review the amendment to this bill, as the bill reduces the proceeds all entities receive from these legal proceedings.

HB 3639 – County Home Rule Authority

House Bill 3639 amends Section 5-1014 of the Counties Code (55 ILCS 5/5-1014) to provide non-home rule counties all of the powers provided to home rule units of government by Article VII, Section 6 of the Illinois Constitution with the exception of the powers to tax, impose fees, and incur debt.

SB 1275 – Juror Compensation

In *Kakos v. Butler*, 2016 IL 120377, the Illinois Supreme Court addressed the constitutionality of Public Act 98-1132, which had reduced the jury size in civil cases to six and significantly increased the amount of compensation required to be paid to jurors. UCCI submitted an *amicus* brief arguing that if the reduction in jury size was unconstitutional, the entire Act must be held unconstitutional because the increase in juror compensation was tied to the reduction in jury size. The Supreme Court agreed and held that Public Act 98-1132 was unconstitutional and void in its entirety.

Senate Bill 1275 reenacts Section 4-11001 of the Counties Code (55 ILCS 5/4-11001) and Section 1105 of the Code of Civil Procedure (735 ILCS 5/2-1105) as they existed prior to the unconstitutional changes made by Public Act 98-1132. Thus, the juror fees that each county is required to pay to grand and petit jurors for their services in attending courts is the sum of \$4 (first class counties), \$5 (second class counties), or \$10 (third class counties) for each day, or a higher amount approved by the county board.

Freedom of Information Act

HB 2703 – Removal of Risk Management FOIA Exemption

House Bill 2703 deletes the provision in FOIA that exempts from disclosure any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool; and (ii) insurance or self-insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice or communications. Removing the exemption and requiring production of this information, would give requesters, plaintiffs, and claimants a distinct advantage over the pools and their participants. With that information claimants and plaintiffs would be in a position to know exactly how much money was available to pay their claim, the cost of defending their claim, and/or what the same type of claim had settled for in the past. This would threaten the continued viability of these local government pools, which have been able to offer cost-effective risk and worker's compensation solutions to units of local government when other providers could not.

HB 3760 – Organizations Subject to FOIA

House Bill 3760 seeks to make subject to FOIA trade organizations, such as the Illinois Municipal League or Township Officials of Illinois, who have a membership that includes one or more government taxing bodies; (2) lobbies on behalf of its governmental members; and (3) receives a majority of its funding from its governmental members. However, records subject to disclosure under FOIA for these organizations would be limited to records relating to the member-based organization's receipt of public funds or its expenditures made in whole or in part with public funds.

SB 1977 – Public Record Presumption

Senate Bill 1977 makes two amendments to the Freedom of Information Act. First, Senate Bill 1977 amends 5 ILCS 140/1.2 which expands the scope of FOIA by making the following changes: "All records ~~in the custody or possession~~ of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt." Second, Senate Bill 1977 amends the definition of "public record" in 5 ILCS 140/2(c) by removing the inclusion of material having been or being used by, received by, in the possession of, or under the control of any public body.

Open Meetings Act

House Bill 3326 – Public Questions, Civil Penalty, and Attorney’s Fees

House Bill 3326 amends three provisions of the Open Meetings Act (“OMA”). First, the bill amends Section 2.06(g) to specify that at each regular or special meeting which is open to the public, any person shall have the opportunity to address public officials with comments or questions, subject to reasonable constraints. Also requires that any answers to questions asked during the open meeting shall be provided by the public body within 45 days. Second, the bill amends Section 3(c) to require a court to impose a civil penalty of not less than \$2,500, but no more than \$5,000, upon a public body for willfully and intentionally failing to comply with OMA, or otherwise acting in bad faith. Third, the bill amends Section 3(d) to require, rather than permit, a court to assess against any party, except a State’s Attorney, reasonable attorney’s fees and other litigation costs reasonably incurred by a prevailing party in an OMA action. (Currently allows such an assessment if a party “substantially prevails”).

HB 3626 – Public Comment Rules

House Bill 3626 amends the Open Meetings Act provision related to addressing public officials, commonly known as “Public Comment.” Specifically, any person may address the public body at least once per meeting, and any rule limiting a person to speaking no more than once in a given number of days shall be void. The bill also revises the Act to be consistent with recent Public Access Opinions, providing that “public body may reasonably limit the amount of time given to a person to address public officials” and “[t]here shall be nothing under the rules established and recorded by the public body requiring persons seeking to address public officials to do anything more than state his or her name.”

Local Records Act

HB 3006 – Public Body Website Information

House Bill 3006 removes from the Local Records Act the requirement that units of local government post to their websites a mechanism, such as a uniform single email address, for members of the public to electronically communicate with elected officials of those units of local government and inserts a corresponding requirement in the Freedom of Information Act for a unit of local government or school district with annual operating expenditures of more than \$1 million for 2 consecutive years that has a website that is maintained by the full-time staff of the public body. Additionally, those public bodies meeting the above criteria must also post on their website, among other substantial amounts of information, notices, agendas, minutes, tax levy information, contact information, and links to certain financial records maintained by the State of Illinois.

Intergovernmental Cooperation

House Bill 3209 – Competitive Bidding

House Bill 3209 creates the Competitive Bidding of Local Roads, Streets, and Bridges Act, which prohibits a unit of local government from avoiding the new requirement to competitively bid maintenance or construction of local roads, streets, and bridges by way of any contract, intergovernmental agreement, or any other type of agreement. The bill contains some exceptions but does limit home rule powers.

ILLINOIS ASSOCIATION OF COUNTY BOARD MEMBERS

Counties at the Capitol

February 22, 2017 • www.ilcounty.org

This report includes Senate bills of relevance to local governments introduced in the 100th General Assembly.

As of the February 10 filing deadline, 2,091 Senate bills had been filed by members of both parties. Senate committees now have until March 17 to review these measures and make determinations on which of them to send to the floor for consideration.

SB 2 (Lightford)

Minimum Wage Increase

Status: Senate 3rd Reading

Increases the minimum wage from \$8.25 to \$11 per hour over the next five years. Overrides minimum wage provisions adopted by certain local governments. Limits the minimum wage in both Cook County and the City of Chicago to \$13 per hour as of July 1, 2019. Preemption of the City of Chicago Minimum Wage Ordinance actually results in a cut to the minimum wage in Chicago.

SB 59 (Althoff) – SUPPORT

Local Records Disposal

Status: Local Government Committee

Amends the Local Records Act. Provides that if an officer or agency submits a Local Records Disposal Certificate to the Local Records Commission and no objection to the Certificate has been received by the Local Records Commission within 30 days after the Local Record Disposal Certificate has been received by the Local Records Commission, then the officer or agency may dispose of the records listed on the Local Records Disposal Certificate without Local Records Commission review or approval.



SB 85 (Connelly)

Local Government Inspector General

Status: Govt. Reform Committee

Establishes an independent entity to which allegations of incompetence, neglect of duty, malfeasance in office, corruption, or official misconduct involving units of local government, including their officers, employees, and agents, or elected or appointed local officials, may be reported and investigated with the assistance of the Attorney General.



Creates the Local Government Ethics Commission and the Office of the Local Government Inspector General and provides that members of the Commission and the Inspector General shall be appointed by the Governor with the advice and consent of the Senate.

Property Tax Freeze remains part of “grand bargain”

Senate Bill 13 which implements a two-year local government property tax freeze (2017 and 2018) is among the components of the “grand bargain” of bills offered as a compromise and solution to the state’s fiscal mess by Senate President John Cullerton and Senate Republican Leader Christine Radogno. **Senate Bill 13** is sponsored by Radogno and is on 3rd Reading in the Senate.

Increases would require voter approval. Extensions for debt service, pensions and public safety are exempt from the freeze, but still limited by existing state tax caps which hold increases to the lesser of the consumer price index or 5% increase. Chicago Public Schools is exempt. ***This bill will further erode already scarce revenue streams for local governments. OPPOSE***

SB 86 (Sandoval)
Commercial Distribution Fee Repeal
Status: Senate Assignments
Repeals a provision of the Vehicle Code providing for the collection of an annual commercial distribution fee on vehicles of the second division weighing more than 8,000 pounds.

SB 585 (Barlickman)
Property Tax Code – Tax Purchasers
Status: Revenue Committee
Provides that each tax purchaser shall pay to the county collector an automation fee set by the county collector of not more than \$10 for each item purchased (currently, each county collector may assess such a fee). Provides that the indemnity fee in counties with less than 3,000,000 inhabitants shall be not more than \$20 (currently, the fee is \$20). Makes changes concerning the fee imposed by the county board on each person purchasing property at a sale under the Code for payment of interest and costs.

SB 678 (Harmon) – OPPOSE
Adjudicate Speeding Tickets
Status: Local Government Committee
Provides that a municipality may adjudicate speeding tickets of 15 miles per hour or less over the posted speed limit in its administrative adjudication system.

SB 679 (Harmon) – SUPPORT
Motor Fuel Reporting
Status: Transportation Committee
Provides that a road district, municipality, or county may submit a copy of its approved road budget showing expenses exceeding the motor fuel tax funds received to satisfy all documentation and reporting requirements relating to the motor fuel tax funds received. Prohibits the Department of Revenue from requiring more documentation or reporting requirements if a local government provides the specified budget.

SB 685 (Connelly) – OPPOSE
State's Attorney Salary
Status: Govt. Reform Committee
Provides that a county board may establish a salary for a State's attorney higher than provided for in the Counties Code. However, any salary above the amounts provided for in the Code shall be paid out of the county treasury.

SB 686 (Morrison)
Property Tax Assessment Cap
Status: Revenue Committee
For assessment years following the next general assessment, no increase in assessment may exceed 20% per year. Provides exceptions if: 1) the property is sold, transferred, or conveyed during the taxable year; 2) significant improvements were made to the property; 3) a homestead exemption or other preferential method of assessment was removed with respect to that property during the taxable year; 4) the increase was due to an equalization factor imposed by the township, county, or Dept. of Revenue.

SB 751 (Jones, III)
Counties Code – Enforce Judgments
Status: Local Government Committee
Regarding enforcement of judgments, fines, costs, penalties, or sanctions that remain unpaid after exhaustion of, or failure to exhaust, judicial review, provides that taxes and fees may also be collected and that such taxes and fees cannot be related to real property.

DRAINAGE DISTRICT DISSOLUTION

SB 773 (Morrison)
Status: Govt. Reform Committee
Provides that counties with a population of more than 500,000 and less than 3,000,000 may, by resolution, dissolve drainage districts wholly within their borders if the county board appoints the drainage commissioners with the county assuming all powers (including the ability to tax as a drainage district), obligations, and functions of the drainage district and board. A county may dissolve and take over the powers of a drainage district partially within its borders if the county appoints a majority of commissioners to the district board and the other counties which contain a portion of the district consent through intergovernmental agreement. Contains notice requirements for the dissolution of a drainage district.

Bush's local government consolidation legislation passes Senate

A local government consolidation measure passed in the Senate with bipartisan support. Sen. Melinda Bush (D-Grayslake) championed **Senate Bill 3**, which among other provisions, allows counties to dissolve local governments with governing boards appointed by the county (excluding water and fire protection districts).

"Local government consolidation is long overdue," Bush said. "With the Senate's passage, we are now one step closer to allowing voters to decide what type of government can best serve the needs of their communities."

Currently, only three counties (DuPage, Lake, McHenry) have a framework to consolidate, absorb or eliminate local governments. **Senate Bill 3** allows all 102 Illinois counties to consolidate local governments by referendum.

Senate Bill 3 also allows townships to merge with adjacent townships; allows townships that share the same boundaries as a municipality to be dissolved by referendum; and removes the current cap on square mileage of a township and other barriers that prevent townships from consolidation. When township organization ceases in any county, as provided in this bill, the county board may by ordinance or resolution restructure into a commission form of government on or before 180 days after a township organization ceases.

Senate Bill 3 passed the Senate by a vote of 36-14. The legislation now awaits passage of the remaining budget bills tied to it. Sen. Bush championed the same legislation last session as Senate Bill 388, but the measure died in the House.



SB 775 (Morrison)

Drainage Commissioners Appointment

Status: Executive Committee

Provides for the appointment of all drainage commissioners by the county board. The appointment shall be made as the terms of the current drainage commissioners expire.

SB 789 (Sandoval)

Motor Fuel Tax Use

Status: Transportation Committee

Provides that a county board of any county, any township or any municipality may use motor fuel tax funds allotted to it for the operation costs of any public transportation service, for capital improvements designed to improve or enhance pedestrian, bicycle, or transit mobility, or for infrastructure used to support publicly or privately owned electric vehicles.

SB 834 (Castro)

Election Day Audits

Status: Executive Committee

Requires that each election authority conduct an election day audit of a random sample of 10% of votes cast and provide by contract or employment for the performance by one or more independent auditors of post-election parallel tabulations and audits. Provides for the scope of the audits and the resulting reports. With respect to early voting, requires that an election authority using only direct recording electronic voting systems have paper ballots available for voters wishing to use them.

SB 909 (Bush)

Township Assessors – Lake County

Status: Local Government Committee

Provides that the county board of Lake County, by ordinance, or the voters of Lake County, by backdoor referendum, may vote to discontinue all offices of the township assessor in the county. At the end of each township assessor's term: (i) the Chief County Assessment Officer assumes the duties of the township assessor; (ii) the county board members become the board of health for any public health district in the township; and (iii) the office of the township collector of the township ceases and the county treasurer assumes the duties of the township collector.

SB 910 (Bush)

County Board Apportionment Plan

Status: Judiciary Committee

Provides that when a county board creates or modifies the apportionment of districts in the county, each district shall also (i) provide racial minorities or language minorities with equal opportunity to participate in the political process and elect candidates of their choice; (ii) provide racial minorities or language minorities who constitute less than a voting-age majority of a district with an opportunity to substantially influence the outcome of an election; and (iii) shall not discriminate against or in favor of any political party or individual.

SB 915 (Bush)

County Commission Reorganization

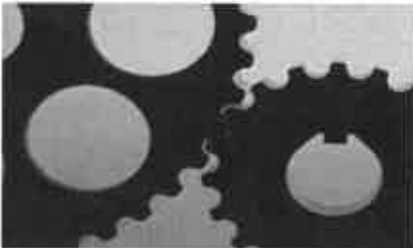
Status: Local Government Committee

Provides that a county may restructure from a county board into a commission form of government after discontinuing township organization on or before 180 days after the township organization ceases (currently, a county is required to reorganize into a commission form of government). Contains other township consolidation provisions.

NEWSWORTHY...

Township and County Office Tenure

Senate Bill 923 sponsored by Sen. Melinda Bush (D-Grayslake) provides that it is unlawful for any person to simultaneously hold the office of county board member and township supervisor or township trustee (currently, it is lawful to be a county board member and a township supervisor and, in counties of less than 100,000 population, a county board member and township trustee).



Also, provides that it is unlawful (currently, lawful) for any person to simultaneously hold the office of a county board member and a township assessor or town clerk. Validates lawful actions of individuals who were previously allowed to simultaneously hold specified offices before the effective date of this amendatory Act. **Status: Government Reform Committee**



PTELL Mandate reintroduced

Senate Bill 935 sponsored by Sen. Michael Connelly (R-Naperville) provides that, beginning with the 2017 levy year, the Property Tax Extension Limitation Law (PTELL) applies to all taxing districts, including home rule units. If approved, the extension limitation under the PTELL would be 0% or the rate of increase approved by the voters. Amends the State Mandates Act to require implementation without reimbursement. **Status: Executive Committee – OPPOSE**

IN THE KNOW

SB 937 (McGuire) – SUPPORT **Public Utilities**

Status: State Government Committee
Provides that utility services provided to the State by a unit of local government are subject to the provisions of the Prompt Payment Act.

SB 957 (Barickman) – SUPPORT **Prevailing Wage Duration** **Status: Labor Committee**

A prevailing wage determined at the time of bid submission shall continue for the duration of the contract.

SB 1227 (Tracy) – SUPPORT **Open Meetings Exceptions** **Status: Executive Committee**

Provides that a public body may hold closed meetings for issues involving communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation.

SB 1237 (McCann) **Workers Comp Onsite Inspections** **Status: Judiciary Committee**

Authorizes the Dept. of Labor, the Dept. of Employment Security, and the Illinois Workers' Compensation Commission Compliance Division to perform on-site job site inspections to determine compliance with the Workers' Compensation Act. Violations are to be reported to the appropriate State's Attorney.



SB 1263 (Connelly) **Open Meetings – Right to Speak** **Status: Executive Committee**

Specifies that at each regular or special meeting which is open to the public, any person shall have the opportunity to address public officials with comments or questions, subject to reasonable constraints. Answers to questions asked shall be provided by the public body within a reasonable amount of time not to exceed 45 days.

SB 1275 (Barickman) – SUPPORT **Juror Fees – Undo Public Act 98-1132** **Status: Judiciary Committee**

Amends the Counties Code and the Code of Civil Procedure to reenact provisions of the Act without the changes made to those provisions by Public Act 98-1132, which was held unconstitutional by the Illinois Supreme Court.

SB 1305 (Connelly) – SUPPORT **Public Labor Arbitration** **Status: Labor Committee**

Requires an arbitration panel to fully consider the statutory factors upon which it must base its findings, opinions, and orders during the dispute of a new or amended security labor agreement's wage rates or other employment conditions. Specifies the bases for the statutory factor of the unit of government's financial ability to meet costs.

SB 1308 (Connelly) **Labor Agreement Hearings** **Status: Labor Committee**

Provides that, once an agreement is reached between a public or educational employer and its employees regarding all of the terms of a collective bargaining agreement, the agreement shall be reduced to writing and published on the website of the public or educational employer. Requires the public employer, not less than 14 days after publishing such an agreement, to hold an open public meeting on the ratification of that agreement. Makes other conforming changes where the total compensation of a contract exceeds \$150,000.

SB 1336 (Bush) **County Apportionment Plan** **Status: Senate Assignments**

Provides that an 8-commissioner County Apportionment Commission in each county that has county board districts shall create an apportionment plan after each federal decennial census. Specified Supreme Court Justices shall select the commissioners. Removes provisions allowing county boards to develop and file an apportionment plan.

Bill reexamines body-worn camera record retention

Senate Bill 1443 sponsored by Sen. Michael Hastings (D-Frankfort) provides that following a 90-day storage period, any and all recordings made with an officer-worn body camera "may" be destroyed (rather than must be destroyed unless any encounter captured on the recording has been flagged).

A recording shall not be destroyed when, in connection with the encounter captured on the recording, (rather than an encounter is deemed to be flagged when) a formal or informal complaint has been filed; the officer discharged his or her firearm or used force during the encounter; the encounter resulted in a detention or an arrest, excluding traffic stops which resulted in only a minor traffic offense or business offense; the officer is the subject of an internal investigation or otherwise being investigated for possible misconduct; the supervisor of the officer, prosecutor, defendant, or court determines that the encounter has evidentiary value in a criminal prosecution; or the recording officer requests that the video be retained (rather than flagged) for official purposes related to his or her official duties.



SB 1356 (Althoff)

Video Gaming Local Restriction

Status: Gaming Committee

Allows a city or a county, with respect to unincorporated portions of the county, to impose separate requirements on video gaming more restrictive than those provided under the Video Gaming Act.

SB 1423 (Overweiss)

Firearms – Local Regulation

Status: Senate Assignments

Provides that a unit of local government, including a home rule unit, may not impose a tax, fee, on a firearm, firearm attachment, or firearm ammunition or other assessment other than the normal sales tax rate for goods.

SB 1451 (Link) – OPPOSE

Small Wireless Facilities

Status: Senate Assignments

Provides that a unit of local government with control over rights-of-way may not prohibit, regulate, or charge for the collocation of small wireless facilities (the installation, mounting, maintaining, modifying, operating, or replacement of small wireless facilities on or adjacent to a wireless support structure or utility pole). Small wireless facilities shall be classified as permitted uses and not subject to zoning review and approval under specified circumstances.

SB 1472 (Link) – SUPPORT

Judicial Facilities Fee – Lake County

Status: Senate Assignments

Provides that the county board of Lake County may, by ordinance, impose a judicial facility fee for the purpose of building new judicial facilities.

SB 1507 (Steans)

Stormwater Management

Status: Senate Assignments

Authorizes all counties (currently, only specified counties) to adopt stormwater management plans. Provides that counties' minimum standards for floodplain and stormwater management should have an emphasis on the use of cost effective, nature-based solutions and provides examples of such solutions.

SB 1513 (Lightford) – OPPOSE

Apprenticeship Utilization Act

Status:

Creates the Apprenticeship Utilization Act. Provides that on projects covered under the Prevailing Wage Act where the estimated cost is in excess of \$250,000, all specifications shall require that no less than 15% of the labor hours within each trade be performed by apprentices of that trade. Sets forth certain requirements and enforcement provisions. Prohibits adverse action for following requirements of the Act. Limits the concurrent exercise of home rule powers. Provides that the Act does not apply to written or oral contracts entered into, modified, renewed, or extended before the effective date of the Act.

SB 1561 (Koehler)

Pollution Control – Counties

Status: Senate Assignments

Amends the Solid Waste Planning and Recycling Act. Provides that nothing in the Act shall be construed to permit a county with a population of less than 2,000,000 residents the power to regulate the operations of pollution control facilities or recycling centers.

PREVAILING WAGE

SB 1359 (Rooney)

Prevailing Wage Act Repeal

Status: Labor Committee

Repeals the Prevailing Wage Act effective July 1, 2017.

SB 1360 (Rooney)

Prevailing Wage Exemption

Status: Labor Committee

Exempts from the provisions of the Prevailing Wage Act any public works project with an estimated project cost of \$1,000,000 or less.

SB 1856 (Bivens) – SUPPORT

Website Post

Status: Senate Assignments

Provides that if the Department of Labor ascertains the prevailing rate of wages for a public body, the public body may satisfy the Act's notice by newspaper publication and mail requirements by posting on the public body's website a hyperlink to the prevailing wage schedule that is published on the official website of the Department of Labor.

SB 1904 (Silverstein)

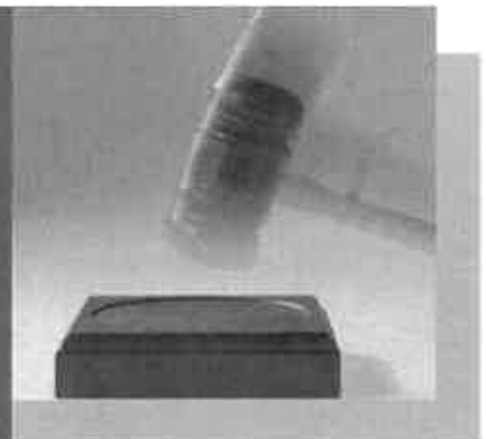
County Schedules

Status: Senate Assignments

Requires the Department of Labor to publish, by July 15 of each year on its official website, a prevailing wage schedule for each county in the State based upon the prevailing rate of wages investigated and ascertained by the Department during the month of June.

County Board chairman removal

Senate Bill 1485 sponsored by Sen. Chuck Weaver (R-Peoria) provides that a chairman of a county board who is chosen by the board may be removed, with or without cause, upon a motion adopted by an affirmative vote of four-fifths of the board. Upon adoption of a motion to remove the chairman, (a) the chairman position becomes vacant and the former chairman's compensation shall be prorated to the date the motion was approved; (b) the vice-chairman immediately assumes the duties of chairman without chairman compensation; and (c) a new chairman shall be elected at the next regularly scheduled county board meeting. A chairman removed maintains his or her status as a member of the county board. *Senate Bill 1485 is awaiting committee assignment.*



SB 1564 (Cunningham)
Emergency Telephone System Act
Status: Senate Assignments

Provides that a monthly surcharge of \$0.87 charged by telecommunications carriers shall not apply to local, municipal, or State police or fire departments who use cell phones owned by that department for communication related to the response of emergencies.

SB 1592 (Harmon)
Board of Election Commissioners
Status: Senate Assignments

Allows counties to create a board of election commissioners within the office of the county clerk. Sets forth procedures for adoption, compensation, effect, transfer of records, procurement of supplies, references, personnel, and legal representation. Creates a county director of elections. Requires certain meetings of the board. Requires retention of records and audits.

SB 1605 (Nybo)
County Zoning – Judicial Review
Status: Senate Assignments

Provides that a county board decision relating to a petition or application for a special use, variance, rezoning, or other amendment to a zoning ordinance is subject to de novo judicial review of the record of the proceeding. Provides that a decision on a procedural matter at any stage of the zoning decision-making and review process is subject to Judicial review under the Administrative Review Law.

SB 1683 (Sandoval)
Illinois Vehicle Code – Local Government Fee Limits
Status: Senate Assignments

Provides that a municipality, township, county, or other unit of local government may not impose a fee for a permit in excess of the fees provided for in the Permits Article of the Chapter under the Code governing size, weight, load, and permits.

SB 1721 (Biss)
Family Leave Insurance Act
Status: Senate Assignments

Provides that an employee may take up to 12 weeks of family leave within any 24-month period for the purpose of providing care for the birth of a child, adoption of a child or placement of a foster child, or serious health condition of a family member. Establishes terms and conditions for taking leave.

SB 1735 (Munoz)
Short Term Rental Act
Status: Senate Assignments

Provides that units of local government may not enact or enforce an ordinance, regulation, or plan that has the express or practical effect of prohibiting short-term rentals

SB 1738 (Lightford)
Minimum Wage Cost of Living
Status: Senate Assignments

Increases the minimum wage from \$8.25 to \$9.50 beginning July 1, 2017 and increases it by \$1.25 each July 1 of 2018 and 2019 and increases it by \$1.50 each July 1 of 2020 and 2021, at which point the minimum wage will be \$15.00. Provides that beginning July 1, 2022, the minimum wage shall be increased by 2.5% or the increase in the Consumer Price Index for all Urban Consumers, whichever is lower. Deletes the allowance for gratuities.

NEWSWORTHY...

Road District Tax Levy

Senate Bill 1680 sponsored by Sen. Martin Sandoval (D-Cicero) amends the Illinois Highway Code to provide that, in the case of funds received by a county from the Dept. of Transportation to be apportioned to road districts for the construction of bridges, a road district shall, in order to be eligible for the expenditure of the apportioned funds, levy taxes for road and bridge purposes under a provision in the Motor Fuel Tax Law (rather than levy taxes under certain provisions of the Illinois Highway Code).



Removes a provision allowing a road district that is otherwise ineligible to receive apportioned funds due to a property tax limitation to become eligible if certain conditions are met.



State's Attorneys continuing appropriation

Senate Bill 1772 sponsored by Sen. William Haines (D-Alton) allows for continuing appropriation of the State portion of salaries. Amends the Property Tax Code to provide that the portion of salary for the county supervisor of assessments paid by the State is no longer subject to appropriation. Amends the Counties Code to provide that the portion of salary for State's Attorneys, certain Assistant State's Attorneys, and public defenders paid by the State is no longer subject to appropriation.

**SB 1765 (Weaver) – SUPPORT
Property Tax Code Exemptions
Status: Senate Assignments**
Provides that the provisions in a section relating to erroneous homestead exemptions applies to all counties (currently, only Cook County).

**SB 1799 (Mulroe) – SUPPORT
Juvenile Detention Screening
Status: Senate Assignments**
Provides that on and after January 1, 2019, a detention screening instrument shall be used for referrals to all authorized juvenile detention facilities in this State prior to a judicial hearing. A minor alleged to be a delinquent minor taken into temporary custody must be brought before a judicial officer within 48 hours (rather than 40 hours, excluding Saturdays, Sundays and court designated holidays). If an appearance is required of any minor taken and held in a place of custody or confinement operated by the State or any of its political subdivisions, including counties and municipalities, the chief judge of the circuit may permit by rule for the minor's personal appearance to be made by means of two-way audio-visual communication, including closed circuit television and computerized video conference, in certain proceedings.

**SB 1809 (McConchie)
Correctional Officer Firearms
Status: Senate Assignments**
Permits currently employed and retired State correctional officers and county correctional officers to carry their own firearms off duty without being in violation of the unlawful use of weapons and aggravated unlawful use of a weapon statutes if they meet certain training requirements.

**SB 1905 (Silverstein)
Collective Bargaining Freedom Act
Status: Senate Assignments**
Provides that it is the policy of the State that employers, employees, and their labor organizations are free to bargain collectively. Provides that the authority to enact laws or rules that restrict the use of union security agreements between an employer and a labor organization vests exclusively with the General Assembly. Prohibits local governments from enforcing any such law or rule.

**SB 1972 (Munoz)
Red Light Camera Notice
Status: Senate Assignments**
Provides that a municipality or county may enact an ordinance providing for an automated traffic law enforcement system only at an intersection where, on average, 4 or more motor vehicle accidents that result in personal injury or injury to another occur each year. Provides that for each violation of the Code or a local ordinance recorded by an automated system in operation for a period of less than 30 days, the county or municipality having jurisdiction shall issue a notice of warning to the registered owner of the vehicle.

**SB 1977 (Haine)
FOIA Public Record Definition
Status: Senate Assignments**
Provides that all records of (instead of "in the custody or possession of") a public body are presumed to be open to inspection or copying.

**SB 2019 (Rose)
Probation Funds Public Inspection
Status: Senate Assignments**
Provides that all records relating to the obligation, receipt, and use of public funds of the State or county for probation and court services shall be made available to the public for inspection and copying. The Supreme Court may by rule establish procedures governing public access to records and appropriate fees for copies of records. Fees shall not be more than those FOIA.

FOIA CITIZEN PARTICIPATION ACT

**SB 1831 (Hastings)
Status: Senate Assignments**
Provides that any official, employee, or agent of a public body, or a public body on behalf of its official, employee, or agent, has a right of action in a State circuit court against a requester if a request submitted by the requester under FOIA is based on, relates to, or is in response to any act or acts by the official, employee, or agent of the public body, in furtherance of the rights of the official, employee, or agent to petition, speak freely, associate freely, or otherwise participate in government. The court shall award liquidated damages of \$5,000 for each offending request in addition to reasonable attorney's fees and costs associated with bringing such an action, unless the court finds that the requester has produced clear and convincing evidence that: (1) the request is not based on, related to, or in response to any acts by the official, employee, or agent of the public body, in furtherance of the rights of the official, employee, or agent to petition, speak freely, associate freely, or otherwise participate in government; or (2) the acts of the official, employee, or agent of the public body are not immunized from liability, or are not in furtherance of the acts immunized from liability, under the Act.

Bill seeks boost in Illinois' bio-based economy

Legislation designed to grow Illinois' bio-based economy has been introduced by Sen. Chapin Rose (R-Champaign). **Senate Bill 1656** provides a state tax credit to Illinois companies that produce and sell new products made from manufactured bio-based molecules of biomass feedstocks. These products represent the next generation of advanced biofuels and include renewable chemicals and food additives.



"Central Illinois is perfectly suited to be the center of this new industry with the production and shipping capacity of Decatur on one side, the Integrated Bioprocessing Research Lab in Urbana on the other side, and the best corn and beans in the world in between," said Sen. Rose. Iowa and Minnesota have already established these state incentives and legislation is pending in Congress to establish a similar credit at the federal level.

NEWSWORTHY...

Local Government Unfunded Mandates

Senate Bill 2064 sponsored by Sen. Dale Righter (R-Mattoon) creates the Local Unfunded Mandate Exemption Act. Provides that all units of local government, school districts, and public colleges and universities may, by a majority vote of the governing body, exempt themselves from specified mandates that are unfunded if it is determined that it is not economically feasible to comply with the unfunded mandate. Provides for notice, public hearing, and other requirements in order for a governing body to exempt itself from any mandate. Prohibits exemption from federally required mandates, mandates pertaining to health and public safety, mandates pertaining to civil rights, and instructional mandates for school districts. Provides for appeal procedures by State agencies affected by exempted mandates. – **SUPPORT**

Senate Bill 2066 also sponsored by Sen. Righter provides that the Department of Commerce and Economic Opportunity's catalog of state mandates shall include a statewide cost of Compliance estimate.

Both bills are awaiting assignment.



SB 2023 (Fowler) **Enterprise Zone Act**

Status: Senate Assignments

Makes various changes to the Enterprise Zone Act. With respect to the application process, provides that DCEO may award partial points if the applicant demonstrates job creation and investment levels below the threshold set forth in the statute. DCEO may adjust the scoring for applicants that are located entirely within a county with a population of less than 300,000.

SB 2029 (Clayborne) **Public Duty Rule Codification Act**

Status: Senate Assignments

Contains legislative findings and a statement of legislative purpose. Provides that a local governmental entity and its employees owe no duty of care to individual members of the general public to provide governmental services.

SB 2032 (Overweis) **Local Government Notices and Records**

Status: Senate Assignments

Amends the Civil Administrative Code of Illinois. Provides that the Illinois Transparency and Accountability Portal webmaster must compile and update notices and digital public records from all school districts and units of local government without websites (currently, must only compile and update for specified units of local government). Amends the Local Records Act. Provides that a school district or unit of local government may publish any notice, agenda, record, or other information or material required by law electronically instead of in a newspaper. Further provides that any requirement to store or maintain any public record in microfilm or microfiche form shall be satisfied by the school district or unit of local government's maintenance of such public record in digital form.

SB 2041 (Haine) **Vehicle Impounding**

Status: Senate Assignments

Makes various changes to the Illinois Vehicle Code with respect to towed vehicles, daily storage charges and notifications provided by a county or municipality. Among the changes, provides that except if an administrative hearing officer overturns a vehicle impoundment, a county or municipality may assess a \$5 fee for each vehicle towed to defray additional administrative costs.

SB 2065 (Righter) – SUPPORT **Local Government Reduction**

Status: Senate Assignments

Provides that the Local Government Reduction and Efficiency Division of the Counties Code applies to all counties (currently, only applies to DuPage, Lake, and McHenry Counties).

For a more complete list of bills being tracked by the association visit our website at www.ilcounty.org.

House bills of interest to local governments will be featured in the next edition of **Counties at the Capitol**.

Additional bill positions will be reported upon action by the IACBM Legislative Committee.



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Counties at the Capitol

March 31, 2017 • www.ilcounty.org

This briefing includes bills tracked by the Illinois Association of County Board Members that were approved by substantive committees in the House and Senate. Committee deadlines have been extended on a significant number of Senate Bills.

SB 13 (Radogno) – OPPOSE

Property Tax Freeze (Component of the "Grand Bargain" of bills)

Status: Senate 3rd Reading

Implements a two-year local government property tax freeze (2017 and 2018).

SB 679 (Harmon) – SUPPORT

Motor Fuel Tax Reporting

Status: Senate 3rd Reading

Adds language that states that the submission of a road districts approved budget, a county's approved road maintenance budget showing expenses exceeding the motor fuel tax funds received shall be sufficient documentation and shall satisfy all documentation and reporting requirements. Restricts the Dept. of Revenue or the Dept. of Transportation from requiring any additional reporting requirements.

SB 789 (Sandoval) – SUPPORT

Motor Fuel Tax Flexibility

Status: Senate 2nd Reading

Allows any county board, township, or municipality to use motor fuel tax funds allotted to it for the operation costs of any public transportation service, capital improvements to improve or enhance pedestrian, bicycle, or transit mobility, and to support electric vehicle infrastructure. **NOTE: This bill is intended to give local governments the flexibility to spend motor fuel tax funds how they see fit.**



SB 685 (Connelly) – OPPOSE

State's Attorney Salary

Status: Senate 3rd Reading

Provides that a county board may establish a salary for a State's attorney higher than provided for in the Counties Code. However, any salary above the amounts provided for in the Code shall be paid out of the county treasury. **NOTE:** In relation, amendments filed would require an additional salary increase, equal to at least 90% of the additional salary provided to the state's attorney for any full-time public defender in the county to be paid from the county treasury.



SB 923 (Bush) – OPPOSE

County Board / Township Official

Status: Senate 3rd Reading

Disallows persons to simultaneously hold the office of county board and township supervisor, trustee, assessor or clerk. Validates lawful actions of individuals who were previously allowed to simultaneously hold specified offices.

Negotiations continue regarding siting of small wireless facilities

Senate Bill 1451 sponsored by Sen. Terry Link (D-Gurnee) creates the Small Wireless Facilities Deployment Act, which would prevent local governments from regulating mounting of facilities and networks on existing structures (e.g. utility pole). It also provides that small wireless facilities shall be classified as a permitted user and not subject to zoning review. The bill was

adopted by the Telecommunications Committee with the understanding that the sponsor would continue negotiations to address concerns raised by local governments. However, negotiations on amendments to the bill have not resulted in sufficient improvement to remove IACBM's opposition. **Senate Bill 1451 is on Second Reading in the Senate. OPPOSE**

SB 849 (Hutchinson)

Property Tax Objections

Status: Senate 2nd Reading

Changes the Property Tax Code to provide that no property tax charged by a county shall be sustained by any court because of forms of any budget or appropriation ordinance.

SB 910 (Bush)

County Board Apportionment Plan

Status: Senate 3rd Reading

Provides that when a county board creates or modifies the apportionment of districts in the county, each district shall also provide racial minorities or language minorities with equal opportunity to participate in the political process and elect candidates of their choice.

SB 937 (McQuire) – SUPPORT

Prompt Payment – Public Utilities

Status: Senate 3rd Reading

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

SB 1238 (McCann)

Veteran Court Treatment

Status: Senate 3rd Reading

Provides that at the discretion of the Chief Judge, the Veterans and Service members Court program may be operated in one or more counties in the Circuit, and allow veterans and service member defendants from all counties within the Circuit to participate.

SB 1402 (Clayborne)

Criminal – Asset Freeze Order

Status: Senate 3rd Reading

Allows the State's Attorney in a criminal case to bring an action seeking a court order to freeze the assets of a person charged with or convicted of a criminal offense if there are grounds to believe the defendant may dissipate the assets to avoid paying any fine, restitution, or costs that may or has been imposed as the result of a conviction.

SB 1561 (Koehler) – OPPOSE

Pollution Control Facilities

Status: Senate 2nd Reading

Amends the Solid Waste Planning and Recycling Act. Provides that nothing in this act shall be construed to permit a county with a population under 2 million

the power to regulate the operations of pollution control facilities or recycling centers. **NOTE: Negotiations continue with the sponsor on amended language to address concerns brought forward by county governments.**

SB 1592 (Harmon) – SUPPORT

Board of Election Commissioners

Status: Senate 2nd Reading

Allows counties to create a board of election commissioners within the office of the county clerk. Succeeds any other board of election commissioners existing within the territory of the county.

SB 1605 (Nybo)

County Zoning – Judicial Review

Status: Senate 2nd Reading

Provides that a county board decision relating to a petition or application for a special use, variance, rezoning, or other amendment to a zoning ordinance is subject to de novo judicial review of the record of the proceeding.

PREVAILING WAGE ACT

SB 1856 (Bivins) – SUPPORT

Status: Senate 2nd Reading

Provides that a public body can satisfy the Act's publishing requirements by posting on their website a hyperlink to the Department of Labor website that contains the wage schedule.

SB 1904 (Silverstein)

Status: Senate 2nd Reading

Changes the Act by stating that the Department of Labor will publish on its official website a prevailing wage schedule for each county in the State by July 15 every year. The wages will be set by the wages ascertained by the Department during the month of June. **NOTE: This bill is an initiative of Local #150, Illinois AFL-CIO, Illinois Construction Industry Committee, and Illinois Pipe Trades.**

Bill would let taxpayers know when local governments cut their property tax bill

Sen. Dan McConchie (R-Hawthorn Woods) has sponsored legislation that would outline for taxpayers when they receive a property tax break from their units of local government. **Senate Bill 1072** requires local property tax bills to clearly indicate when a local taxing body chooses not to collect the full amount of property taxes for that year and allows taxpayers to keep a portion of the money.



"This bill provides much-warranted transparency to taxpayers on their property tax bill and allows them to see when a school district or another taxing entity reduces their taxes for that year," said Sen. McConchie. "For example, if a school district has a surplus of funds and doesn't need to collect the full amount of taxes for that year, that school district can decide to reduce taxes. Under this proposal, taxpayers would clearly see which units of government are returning their hard earned money."

Senate Bill 1072 would require every property tax bill to list the total dollar amount that would have been due if no decrease was given, the dollar amount of any "abatement" being given back to the taxpayer, and then the total reduced tax bill that is actually due.

McConchie noted that when a taxing body does not collect the full amount of property taxes it is legally able to collect, the uncollected portion is "abated" back to the taxpayer. However, under current law, a taxing district can decrease the property tax amount that is owed, but it is not required to show that reduction on a taxpayer's bill. Currently, when taxpayers look at their tax bill, they have no idea whether a local unit of government has declined to take all the money it could. This bill would change that. **Senate Bill 1072 is on 3rd Reading.**

**SB 1680 (Sandoval)
Road District Tax Levy
Status: Senate 2nd Reading**

Clarifies language to match how the Township Bridge Program is currently and has historically been delivered except that the eligibility criteria are being clarified to match the minimum road and bridge levy requirements for receiving any allotment of Motor Fuel Tax funds.

**SB 2066 (Righter) – SUPPORT
DCEO Unfunded Mandates
Status: Senate 2nd Reading**

Provides that the Dept. of Commerce and Economic Opportunity (DCEO) must also include a statewide cost of compliance estimate in their catalog of State Mandates to the Governor and General Assembly.

**SB 1799 (Mulroe) – SUPPORT
Juvenile Detention Screening
Status: Senate 2nd Reading**

Provides a minor alleged to be a delinquent minor taken into temporary custody must be brought before a judicial officer within 48 hours (rather than 40 hours, excluding Saturdays, Sundays and court designated holidays). If an appearance is required of any minor taken and held in a place of custody or confinement operated by the State or any of its political subdivisions, including counties and municipalities, the chief judge of the circuit may permit by rule for the minor's personal appearance to be made by means of two-way audio-visual communication, including closed circuit television and computerized video conference, in certain proceedings. **NOTE: This bill is an initiative of the Illinois Association of County Board Members.**

**SB 1905 (Silverstein)
Collective Bargaining Freedom
Status: Senate 2nd Reading**

Provides the policy of the State that employers, employees, and their labor organizations are free to bargain collectively. Also, provides that the authority to enact laws or rules that restrict the use of union security agreements between an employer and a labor organization vests exclusively with the General Assembly. Prohibits local governments from enforcing any such law or rule.

**SB 1980 (Cunningham)
Code of Criminal Procedure – Confiscated FOID Card
Status: Senate 2nd Reading**

Provides that if a FOID card is confiscated, the clerk of the circuit court shall mail the confiscated card to the Department of State Police and all legally possessed firearms shall be returned to the person upon the criminal charges being dismissed.

NEWSWORTHY...

Manar advances automatic voter registration

Sen. Andy Manar (D-Bunker Hill) has re-introduced legislation to bring automatic voter registration to Illinois. Gov. Rauner vetoed the effort last year. **Senate Bill 1933** would establish an automatic voter registration system in Illinois by July 1, 2018.



Under the system, qualified voters would be automatically registered to vote when they visit the Illinois secretary of state and other state agencies for services. Voters would be able to opt out of the system if they wish. A series of checks would ensure no one is registered to vote that should not be. **Senate Bill 1933** advanced out of the Senate's Executive Committee on March 15. Currently, seven states and the District of Columbia have adopted automatic voter registration.

Koehler bill addresses proposed CAFOs



New legislation aimed at protecting the environment in rural Illinois was unveiled in the Senate on March 28. Sen. Dave Koehler (D-Peoria) unveiled a package of bills that would make changes to the regulations governing Concentrated Animal Feeding Operations (CAFOs).

CAFOs are farm facilities with a large concentration of animals such as hogs. Recently, a plan for a CAFO that would hold 20,000 head of hogs in Fulton County was withdrawn after a considerable pushback from the public. Joined by farmers from all across the state, Koehler introduced the legislation to bring transparency to the process of planning and expanding hog farms.

"People in rural Illinois deserve to know what exactly is going to be built in their backyard," Koehler said. "Registering these facilities and getting wastewater management on file are just a few of the steps we can take to make sure the public health of rural Illinoisans will be protected." *The legislation package includes Senate Bill 1272 and Senate Bill 1273.*

Committee deadlines have been extended to April 7, 2017 for the following Senate Bills.

IN THE KNOW

SB 85 (Connelly)
Local Government Inspector General
Status: Govt. Reform Committee
Creates the Local Government Ethics Commission and the Office of the Local Government Inspector General.

SB 585 (Barickman)
Property Tax Code – Tax Purchaser
Status: Property Tax Subcommittee
Provides that each tax purchaser shall pay to the county collector an automation fee set by the county collector of not more than \$10 for each item purchased (currently, each county collector may assess such a fee).

SB 686 (Morrison)
Property Tax Assessment Cap
Status: Property Tax Subcommittee
For assessment years following the next general assessment, no increase in assessment may exceed 20% per year. Provides for some exceptions.

SB 773 (Morrison)
Drainage District Dissolution
Status: Govt. Reform Committee
Provides that counties with a population of more than 500,000 and less than 3,000,000 may, by resolution, dissolve drainage districts wholly within their borders if the county board appoints the drainage commissioners with the county assuming all powers (including the ability to tax as a drainage district).



SB 909 (Bush)
Township Assessors – Lake County
Status: Local Government Committee
Provides that the county board of Lake County, by ordinance, or the voters of Lake County, by backdoor referendum, may vote to discontinue all offices of the township assessor in the county.

SB 957 (Barickman) – SUPPORT
Prevailing Wage Duration
Status: Special Issues Subcommittee
A prevailing wage determined at the time of bid submission shall continue for the duration of the contract.

SB 1308 (Connelly)
Labor Agreement Hearings
Status: Labor Committee
Provides that, once an agreement is reached between a public employer and its employees regarding all of the terms of a collective bargaining agreement, the agreement shall be published on the website of the public employer. Requires the public employer, not less than 14 days after publishing such agreement, to hold an open public meeting on the ratification of that agreement.

SB 1507 (Steans)
Stormwater Management
Status: Local Government Comm.
Authorizes all counties (currently, only specified counties) to adopt stormwater management plans.

SB 1513 (Lightford) – OPPOSE
Apprenticeship Utilization Act
Status: Commerce Committee
Provides that on projects covered under the Prevailing Wage Act where the estimated cost is in excess of \$250,000, all specifications shall require that no less than 15% of the labor hours within each trade be performed by apprentices of that trade.

SB 1683 (Sandoval) – OPPOSE
Local Government Fee Limits
Status: Transportation Committee
Provides that a municipality, township, county, or other unit of local government may not impose a fee for a permit in excess of the fees provided for in the Permits Article of the Chapter under the Illinois Vehicle Code governing size, weight, load, and permits.

SB 1735 (Munoz)
Short Term Rental Act
Status: Local Government Comm.
Provides that local governments may not enact or enforce an ordinance, regulation, or plan that has the express effect of prohibiting short-term rentals.

SB 1765 (Weaver) – SUPPORT
Property Tax Code Exemptions
Status: Revenue Committee
Provides that the provisions in a section relating to erroneous homestead exemptions applies to all counties (currently, only Cook County).

SB 2019 (Rose)
Probation Funds Public Inspection
Status: Civil Rights Subcommittee
Provides that all records relating to the obligation, receipt, and use of public funds of the State or county for probation and court services shall be made available to the public for inspection and copying.

SB 2032 (Overwels) – SUPPORT
Local Govt. Notices and Records
Status: Local Government Comm.
Provides that the Illinois Transparency and Accountability Portal webmaster must compile and update notices and digital public records from all units of local government without websites (currently, must only compile and update for specified units of local government). Provides that a local government may publish any notice, agenda, record, or other information required by law electronically instead of in a newspaper. Any requirement to store or maintain any public record in microfilm or microfiche form shall be satisfied by the local government's maintenance of such public record in digital form.

Term Limit Proposal

Sen. Chapin Rose (R-Mahomet) is pushing for a constitutional amendment that would impose term limits on all lawmakers – not just those in leadership. **SJRCA 12** is unlike other term limits measures as it takes effect immediately and applies to current legislators. For example, a legislator who has already served in their current position for 10 years or more, this would become their last term in office.

House Bills in the Senate

**HB 278 (DeLuca) T. Cullerton – SUPPORT
LGDF Payment Schedule
Status: Passed House 67-47-0**
Would incrementally increase the current 8% Local Government Distributive Fund (LGDF) share to 10% of total income tax collections by February 1, 2020.

**HB 291 (Olsen) Sandoval
IMRF Pension – Elected Officials
Status: Passed House 114-0-0**
Provides that a person who holds part-time elective office is not a participating employee with respect to that office, unless he or she (i) was elected to that office before the effective date of the amendatory Act and (ii) has elected while in that office to become a contributor. Elective office shall be deemed to be part-time if it requires the performance of duty during less than 1000 hours a year.

**HB 496 (Demmer) T. Cullerton
Township Code – Consolidation
Status: Passed House 111-2-0**
Provides that all townships within a coterminous, or substantially coterminous, municipality may be discontinued.

**HB 619 (Walsh) Haine – SUPPORT
FOIA – Exemptions
Status: Passed House 98-8-1**
Exempts from inspection and copying certain records requested by a person committed to the Dept. of Corrections or a county jail – the disclosure of which would result in the risk of harm to any person or the risk of an escape from a correctional facility.

**HB 799 (Andersson) McConnaughay
Highway Code – Detour Web Notice
Status: Passed House 110-1-0**
IDOT and a local governmental agency shall post notice of highway detour locations on their websites no later than 10 days before a detour becomes active. The posting requirement shall not apply to a local government that does not have a website.

**HB 1800 (Wheeler) Althoff
Illinois Highway Code – Snow Break Grower Fee
Status: Passed House 106-0-0**
Provides that a county board of a county that contracts with a person growing row crops on land adjacent to county highways to buy standing strips of the crops to remain in place to act as snow breaks along the highway may pay the grower an additional sum of money equal to at least 10% of the contract price as an Inconvenience fee.

**HB 2585 (DeLuca) Mulroe – SUPPORT
Legal Notices – Adjacent County
Status: Passed House 108-2-0**
Provides that, if notice is required to be published in a newspaper that is published in a particular unit of local government, and if there is no newspaper published in that unit of local government, then the notice may be published in a secular newspaper having general circulation within the unit of local government.

Measure gives Cook County homeowners more time to pay taxes

Rep. Elgie Sims (D-Chicago) is fighting to give Cook County homeowners additional time to pay their property taxes, responding to concerns raised by taxpayers and community leaders. Sims passed legislation through the House Thursday to protect local taxpayers from costly fees and penalties that would hit 50,000 Cook County residents next month.



House Bill 155 gives struggling homeowners an additional four months to pay their most recent tax bills, returning to the same period as was available in previous years, before an individual's property taxes are sold to a tax buyer, adding costly new fees on top of the original tax bill. In previous years, lawmakers have provided Cook County homeowners with additional time to avoid a tax sale. However no such extension currently exists for the most recent series of tax bills. As a result, the taxes of 50,000 Cook County residents could be sold as early as next week.

House Bill 155 would delay the sale until August, giving taxpayers more time to catch up.

Nuclear power bill advances



Legislation introduced by Rep. Tony McCombie (R-Savanna) enabling construction on existing nuclear power plants passed unanimously out of the House Energy Committee.

Since 1987, Illinois law has prohibited the construction of new nuclear plants as well as any necessary improvements on existing plants. Rep. McCombie's district includes Exelon's Quad Cities Generating Station north of Cordova.

House Bill 3657 enables nuclear plants to obtain approval from the Illinois Commerce Commission and the Federal Government to ensure proposed construction improvements are safe and affordable for consumers.

IN THE KNOW

HB 512 (Breen)

Election Code – Public Question Status: House 2nd Reading

Requires election authorities to publish notice of certain public questions not more than 60 (rather than 40) days before election. Increases the minimum time from 10 to 30 days before the election for the notice.

HB 539 (Hoffman)

Number of Election Judges Status: House 2nd Reading

Provides that county boards outside of the jurisdiction of boards of election commissioners may reduce the number of judges of election from 5 to 3 for primary elections.



HB 684 (Yingling)

Public Officer – Prohibited Acts Status: House 3rd Reading

Provides that a unit of local government with taxing authority, or any person holding public office with that unit of local government, shall not use public resources or public funds to obstruct, fight, or challenge initiatives to consolidate, merge, or eliminate any unit of local government. State moneys shall be withheld from the local government until the obstruction, fight, or challenge is concluded.

HB 2494 (Hoffman)

Juvenile Detention Status: House 2nd Reading

Provides that if a county detention facility holds in their custody a juvenile under a warrant for violation of aftercare release issued by the Department of Juvenile Justice, the Department shall take custody of the minor within 48 hours of the minor's apprehension, excluding weekends and holidays.

HB 537 (Pritchard)

Election Code – Revenue Referenda Status: House 2nd Reading

Amends the Election Code to provide for disclosure of certain items when a unit of local government proposes referenda seeking to impose or increase a retailers' occupation tax, a use tax, a service occupation tax, a service use tax, or a property tax, or regarding the issuance of bonds. Such referenda may only appear on ballots once every 23 months. In addition the local government must publish the referenda questions along with the required disclosures no more than 60 days nor less than 40 days prior to the referenda appearing on the ballot in a newspaper and on the local government's website, if they have one.

HB 678 (Gabel) – OPPOSE

Juvenile Court Act – Hearing Within 24-Hours Status: House 2nd Reading

Provides that an alleged juvenile delinquent must be brought before a judicial officer within 24 hours (rather than 40 hours) to determine further custody and that an initial detention hearing shall be no later than the morning after the juvenile arrived in placement, including weekends and holidays. The minor must be released from custody at the expiration of the 24-hour period if the minor is not brought before a judicial officer within that period. After the 24-hour period has lapsed, the court may review the minor's custodial status at any time prior to the trial or sentencing hearing.

HB 2424 (Breen)

Joint Purchasing Act – Void Contract Status: House 2nd Reading

Provides that if any contract or amendment to a contract is entered into or purchase or expenditure of funds is made at any time in violation of the Act or other laws, the contract or amendment may be declared void by the chief procurement officer (CPO) or may be ratified and affirmed, provided the CPO determines that ratification is in the best interests of the governmental unit. If a contract is ratified and affirmed, it shall be without prejudice to the governmental unit's right to any appropriate damages.

HB 2493 (Hoffman) – OPPOSE

Prevailing Wage – Responsible Bidder Status: House 2nd Reading

Provides that a public body shall specify in the call for bids that each bidder be a responsible bidder. **NOTE:** If enacted into law, all businesses seeking to bid on public works projects would be required to have an affiliation with a U.S. Department of Labor apprenticeship program in order to be eligible to work on a project. This bill would affect local governments by resulting in fewer eligible bidders, less competition, and higher costs for public works projects.

Bill aims to raise speed limit on tollways

House Bill 2938 sponsored by Rep. Peter Breen (R-Lombard) would require a consistent speed limit of 70 m.p.h. on all Illinois tollways, with the exception of I-294, which is due for reconstruction. The bill would also require General Assembly permission to go below 70 m.p.h. on those tollways. Maximum speed limits in Illinois were raised to 70 m.p.h. on most interstates in 2014. The administrative authorities decided to maintain 55-65 m.p.h. speed limits on most of the tollways. If approved, the effective date would be 12 months after being signed by the Governor.



HB 2584 (DeLuca)
Local Govt. Debt Reform Act
Status: House 3rd Reading

Provides that all bonds, including general obligation bonds and revenue bonds issued under the Act, shall be secured by a statutory lien on all revenues received or entitled to be received. The statutory lien shall automatically attach from the time the bonds are issued without further action or authorization by the governing authority of the public entity.

HB 2591 (Andersson) – OPPOSE
Court Fees and Fines Reform
Status: House 2nd Reading

Creates the Criminal and Traffic Assessment Act. Provides that a minimum fine for any violation is \$25. When any defendant is convicted of, pleads guilty to, or is placed on court supervision for violation of a State Statute or any local ordinance, the court shall order one schedule of assessments in the case plus each conditional assessment applicable to any 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. Makes other changes to the Clerks of Courts Act. *NOTE: This bill includes recommendations from the Supreme Court Statutory Task Force on fees and fines. Negotiations are ongoing to ensure that counties are kept whole under any new fee distribution system.*

HB 2619 (Slaughter)
Juveniles – Age of Detention
Status: House 3rd Reading

Provides that a juvenile may be kept or detained in a detention facility if the juvenile is 13 (rather than 10) years of age or older. No minor under 12 years of age shall be detained in a county jail or a municipal lockup for more than 6 hours.

HB 2756 (Fortner)
County Stormwater Management
Status: House 2nd Reading

Authorizes all counties (currently, only specified counties) to adopt stormwater management plans.

HB 2806 (Tabares)
Election Code – Early Voting
Status: House 2nd Reading

Requires a permanent polling place for early voting to remain open beginning the 40th (rather than 15th) day before an

election through the end of the day before election day, including weekends.

HB 2831 (Lang)
Property Assessed Clean Energy Act
Status: House 2nd Reading

Provides that a local unit of government may establish a property assessed clean energy program. To finance or refinance energy projects on the property covered by the program, a local government may impose an assessment pursuant to the terms of an assessment contract with the record owner of the property to be assessed. The assessment contract must be a voluntary written contract. Provides that a local unit of government may issue bonds to finance energy projects under a property assessed clean energy program. Contains other provisions and technical corrections.

HB 2992 (Slaughter)
Police Station – Polling
Status: House 2nd Reading

Provides that an election authority shall not locate a polling place for early voting, grace period registration and voting, or election day voting in a building permanently occupied by a local or State law enforcement agency. Allows for certain exceptions.

HB 3006 (Riley) – SUPPORT
FOIA – Internet Publish
Status: House 2nd Reading

Provides that a public record is considered published on the public body's website even if it is hosted on a website maintained by another governmental entity if a hyperlink to the public record is provided on the public body's site.

House Bill 3036 (Walsh) – OPPOSE
County Recorder Fee Schedules
Status: House 2nd Reading

Provides that on and after January 1, 2019, a county shall adopt and implement a predictable fee schedule that eliminates surcharges or fees based upon the individual attributes of documents to be recorded with the county recorder. Provides that fees for standard documents are divided into 5 classifications of document class flat fees, which are inclusive of county and State fees required for each recorded document. Provides for methods that the non-predictable fees may be increased prior to adopting document class flat fees. Prior to increasing a document class flat fee, a cost study must be completed showing that the increase is needed because the document class flat fees are not sufficient to cover the cost of providing the service.

IMRF Eligibility

HB 3122 (Moeller)

Status: House 2nd Reading

Provides that a person who holds part-time office as a member of a governing body is not a participating employee with respect to that office, unless he or she was elected to that office before the effective date of the amendatory Act and has elected while in that office to become a contributor. An office as a member of a governing body shall be deemed to be part-time if it normally requires the performance of duty during less than 1000 hours a year for the governing body of the participating municipality or instrumentality.

EDGE tax credit agreements now online

In an effort to achieve better government and transparency for taxpayers and businesses, EDGE tax credit incentive agreements are now available on the DCEO website. The portal is still in its early stages and will be updated with more information. Agreements signed prior to the Rauner Administration will also be posted online, including special EDGE deals. EDGE is an Illinois tax credit program that provides incentives for companies to relocate their business to Illinois or expand operations within the state – rather than moving out of state to a competing location. **For more information on eligibility, visit the DCEO EDGE Program page at www.illinois.gov/dceo.**