



**COUNTY OF KENDALL, ILLINOIS
JUDICIAL LEGISLATIVE COMMITTEE**

Wednesday, July 27, 2016 - 3:00 p.m.

Kendall County Courthouse

Jury Assembly Room

807 West John Street; Yorkville, IL 60560



AGENDA

- 1. Roll Call and Determination of a Quorum:** Judy Gilmour, Dan Koukol, Matthew Prochaska, John Purcell, Bob Davidson
- 2. Approval of Agenda**
- 3. Approval of May 25, 2016 Meeting Minutes**
- 4. Status Reports**
 - ❖ Circuit Clerk
 - ❖ Courthouse
 - ❖ Court Services
 - ❖ Public Defender
 - ❖ Sheriff's Office/Court Security
 - ❖ State's Attorney
- 5. Legislative Report and Update**
- 6. Old Business**
- 7. New Business**
 - *Circuit Clerk Fee Schedule Presentation*
- 8. Action Items for County Board**
- 9. Public Comment**
- 10. Executive Session**
- 11. Adjournment**

**COUNTY OF KENDALL ILLINOIS
JUDICIAL LEGISLATIVE COMMITTEE**

Courthouse Jury Assembly Room

807 W. John Street, Yorkville IL

Wednesday, May 25, 2016

Meeting Minutes

Call to Order

The Judicial Legislative Committee was called to order by Committee Chair Matthew Prochaska at 3:01p.m.

Roll Call

Committee Members Present: Judy Gilmour - here, Dan Koukol - present, Bob Davidson - yes, Matthew Prochaska – here

Committee Members Absent: John Purcell (excused absence)

Others Present: Aaron Burdick, Vicky Chuffo, Judge Tim McCann, Tina Varney, Eric Weis, Jeff Wilkins

Approval of Agenda – Member Davidson made a motion to approve the agenda, second by Member Gilmour. **With all in agreement, the motion carried.**

Approval of Minutes – Member Davidson made a motion to approve the March 23, 2016 minutes, second by Member Prochaska. **Minutes approved with all in agreement.**

Status Reports

Circuit Clerk – No report

Courthouse – Judge McCann reported that Civil Process has been moved into their new office across from the Jury Assembly room.

Judge McCann also reported that the mural work has begun with Facilities Management preparing the wall for installation, and the artist has started to paint the actual mural. Judge McCann said the mural will depict important times and locations in the history of Kendall County, and even some hidden “treasures” within.

Judge McCann said the artist, Mr. Euloji Ortega, is local to Kendall County and has incredible talent, and that the Kendall Arts Guild has, with our permission, commissioned the painting of the custom mural to be located directly on the upper wall inside the main courthouse doors.

Judge McCann said that work has also begun on the Law Enforcement Memorial which is being constructed by the Kendall County Association of Chiefs of Police. The memorial will recognize the service of our local law enforcement officers as well as recognize those that have died in the line of duty. Judge McCann said there was great attendance at the ground-breaking ceremony last week.

Judge McCann also said that both projects are being privately funded, and that no taxpayer's funds are being used for either project. Aside from some assistance by Facilities Management staff, the remainder of the materials and labor are being paid for through donations raised by the organizations.

Sheriff's Office/Court Security – No report

Court Services/Probation – Tina Varney briefly reviewed the monthly report. She also made note that there is a court order for placement of one minor, and Court Services is awaiting notification of bed availability. This placement will be in excess of \$300 per day, for approximately one year.

Public Defender – Vicki Chuffo said they continue with a normal case load, and they remain busy as usual.

State's Attorney – No report

Legislative Report and Update

- *Review 2016 Legislative Program for Cook and Collar Counties* – Jeff Wilkins provided the status of several bills, and reviewed the PTELL Mandate, other mandates, including SB2227 on Unfunded Mandates. Mr. Wilkins also provided updates on other bills including funding for Meals on Wheels, Disposal of unused Medications, and other legislation opposed generally by the Counties.

Old Business – Member Prochaska said that any legislation regarding the reduction of Juror Fees has stalled out pending the Illinois Supreme Court case. The UCCI submitted an amicus brief to the Supreme Court, but the brief was not accepted by the Supreme Court.

New Business

- *Resolution requesting that the Illinois Department of Transportation remove the stop sign at IL-126 and Old Ridge Road* – Motion made by Member Koukol to forward for approval to the County Board the *Resolution requesting that the Illinois Department of Transportation remove the stop sign at IL-126 and Old Ridge Road*, second by Member Gilmour. Member Koukol said that IDOT, according to the original plan was to remove the stop sign, and grind the hill down approximately six inches, but IDOT did not complete the planned work. Member Koukol stated that the Highway Engineer and Chairman Shaw have sent letters to IDOT addressing the situation, with no response, and that any additional assistance from the Judicial Committee would be welcome. **With all members present voting aye, the motion carried.**
- *Resolution Opposing HB5619* – Member Prochaska explained proposed House Bill 5619, and reasoning for the opposition.

Judge McCann said that the larger issue would be the additional cost in opening the building on the weekend, and the additional costs of Sheriff's Deputies, Court Services,

Public Defender, Circuit Clerk, State's Attorney and Judicial personnel providing these services. Judge McCann said the issue would be what provisions these offices have for overtime, staff availability, and compensatory time.

Member Davidson made a motion to forward the *Resolution Opposing HB5619* to the County Board for approval, with the proposed changes to the 2nd paragraph, second by Member Gilmour. **With all in agreement, the motion carried.**

- *Resolution Opposing SB386* – Member Prochaska reported on the proposed bill and the opposition reasoning. Member Davidson made a motion to forward to the County Board for approval the *Resolution Opposing SB386*, second by Member Gilmour. **With all in agreement, the motion carried.**
- *Local Debt Recovery Program Intergovernmental Agreement* – Member Prochaska briefly reviewed the agreement with the committee. Member Davidson made a motion to forward the *Local Debt Recovery Program Intergovernmental Agreement* to the Finance Committee for approval, second by Member Koukol. **With all in agreement, the motion carried.**
- *UCCI Statewide Salary & Fringe Benefits Report* – Member Prochaska briefly informed the committee about the report that was distributed at the recent UCCI meeting in Springfield. Member Prochaska distributed a copy to each Board member earlier in the week. Administrative Services will obtain copies for Judge McCann, Tina Varney and Leslie Johnson.

Items for COW – None

Actions Items for County Board

- *Resolution requesting that the Illinois Department of Transportation remove the stop sign at IL-126 and Old Ridge Road*
- *Resolution Opposing HB5619 (Juvenile Court Hearing)*
- *Resolution Opposing SB386 (Board of Health Authority)*

Public Comments - None

Executive Session – None Needed

Adjournment – A motion was made by Member Gilmour, second by Member Koukol to adjourn the Judicial Legislative Committee. **With all in agreement, the meeting adjourned at 3:47p.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant/Recording Clerk

To: Kendall County Board * Judicial/Legislative Committee
 From: Tina J. Varney, Director * Kendall County Court Services
 Date: July 27, 2016
 Re: Juvenile Detention and Board & Care Monthly Report * Costs Incurred



Juvenile Detention - FY2016

Kendall County Court Services FY2016 Summary - Juvenile Detention					Same Time FY2015	Same Time FY2014	Same Time FY2013	Same Time FY2012	Same Time FY2011
Month	Total New Admissions	Total Holdovers*	Total Days	Total Cost Incurred					
12/2015	10	4	142	\$15,620.00	\$3,000.00	\$3,400.00	\$5,500.00	\$3,870.00	\$8,010.00
01/2016	9	5	138	\$15,180.00	8,400.00	7,600.00	6,500.00	6,480.00	7,380.00
02/2016	4	6	101	\$11,110.00	4,100.00	9,400.00	8,010.00	11,720.00	4,140.00
03/2016	0	1	31	\$3,410.00	2,300.00	4,300.00	13,300.00	11,970.00	6,480.00
04/2016	4	1	54	\$5,940.00	2,400.00	3,000.00	9,200.00	5,850.00	4,680.00
05/2016	2	2	38	\$4,180.00	7,800.00	11,510.00	3,500.00	7,830.00	4,320.00
06/2016	7	2	106	\$11,660.00	5,500.00	13,600.00	6,800.00	4,050.00	6,570.00
07/2016					8,400.00	8,700.00	9,500.00	5,580.00	7,110.00
08/2016					7,400.00	6,300.00	16,730.00	7,290.00	9,810.00
09/2016					16,000.00	11,200.00	10,700.00	6,930.00	17,950.00
10/2016					15,440.00	5,600.00	10,300.00	5,940.00	18,430.00
11/2016					15,100.00	1,400.00	3,700.00	8,010.00	9,900.00
TOTAL	36		610	\$67,100.00	\$95,840.00	\$86,010.00	\$103,740.00	\$85,520.00	\$104,780.00

*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 2016 (Juvenile Detention):

Amount Budgeted: \$ 90,000.00
 Amount Expended: 82,200.00 (as of 07/27/2016)
 Amount Remaining: \$ 7,800.00

Juvenile Board & Care - FY2016

	Number of Minors Placed	Days Paid	Total Monthly Cost Incurred	Total Cost Incurred
12/2015	1	31	\$5,193.12	\$5,193.12
01/2016	1	1	184.04	\$5,377.16
02/2016	0	0	0.00	\$5,377.16
03/2016	0	0	0.00	\$5,377.16
04/2016	0	0	0.00	\$5,377.16
05/2016	0	0	0.00	\$5,377.16
06/2016	1	1	339.57	\$5,716.73
07/2016				
08/2016				
09/2016				
10/2016				
11/2016				
TOTAL		33		

Kendall County Fiscal Year 2016 (Juvenile Board & Care):

Amount Budgeted: \$ 90,000.00
 Amount Expended: 10,742.33 (as of 07/28/2016)
 Amount Remaining: \$79,257.67

Kendall County Court Services Technology vs. Secure Custody Costs

Client	Pre-Trial or Sentenced	Date Enrolled	# of Days to Date (7/27/2016)	Cost Per Day in Custody	Total Cost Per Day if in Custody	Cost Per Day on Technology*	Total Cost on Technology*	Total Savings
Adult								
1	Pretrial	4/11/2016	108	\$ 60.00	\$ 6,480.00	\$ 4.75	\$ 513.00	\$ 5,967.00
2	Pretrial	4/15/2016	104	\$ 60.00	\$ 6,240.00	\$ 4.75	\$ 494.00	\$ 5,746.00
3	Pretrial	6/2/2015	422	\$ 60.00	\$ 25,320.00	\$ 4.75	\$ 2,004.50	\$ 23,315.50
4	Pretrial	6/17/2016	41	\$ 60.00	\$ 2,460.00	\$ 4.75	\$ 194.75	\$ 2,265.25
5	Pretrial	6/7/2016	51	\$ 60.00	\$ 3,060.00	\$ 4.75	\$ 242.25	\$ 2,817.75
6	Pretrial	6/30/2016	28	\$ 60.00	\$ 1,680.00	\$ 4.75	\$ 133.00	\$ 1,547.00
7	Pretrial	1/2/2016	208	\$ 60.00	\$ 12,480.00	\$ 4.75	\$ 988.00	\$ 11,492.00
8	Pretrial	12/22/2015	219	\$ 60.00	\$ 13,140.00	\$ 4.75	\$ 1,040.25	\$ 12,099.75
9	Pretrial	2/25/2016	154	\$ 60.00	\$ 9,240.00	\$ 4.75	\$ 731.50	\$ 8,508.50
10	Pretrial	12/10/2015	231	\$ 60.00	\$ 13,860.00	\$ 4.75	\$ 1,097.25	\$ 12,762.75
Bischof								
1	Pretrial	1/25/2016	185	\$ 60.00	\$ 11,100.00	\$ 10.75	\$ 1,988.75	\$ 9,111.25
2	Pretrial	9/19/2015	313	\$ 60.00	\$ 18,780.00	\$ 10.75	\$ 3,364.75	\$ 15,415.25
3	Pretrial	1/22/2016	188	\$ 60.00	\$ 11,280.00	\$ 4.75	\$ 893.00	\$ 10,387.00
Juvenile								
1	Pretrial	6/14/2016	44	\$ 110.00	\$ 4,840.00	\$ 4.75	\$ 209.00	\$ 4,631.00
			2,296		\$ 139,960.00		\$ 13,894.00	\$ 126,066.00

*Note: Per day cost does not include the officer time monitoring the cases. In addition to basic monitoring, technology cases require an officer on-call 24/7 whether there is one case or multiple cases. Officers are paid \$300/month in stipend for being on-call. Supervisors are paid \$100/month in stipend for being back-up on-call. ~07/27/2016

TO: Legislative/Judicial Committee Members

FROM: Victoria Chuffo, Public Defender; Monthly Report VC

NUMBER OF CASES ASSIGNED TO EACH PUBLIC DEFENDER
AS OF JULY 27, 2016

VICTORIA CHUFFO, Public Defender

- 64 cases / last month 79 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender

- 121 cases / last month 107 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender

251 cases / last month 262 cases - Felony/ Juvenile cases

REID SEAGREN, Asst. Public Defender

264 cases/ last month 233 cases - Misdemeanor/Traffic cases

CHRISTOPHER WARMBOLD, Asst. Public Defender

254 cases / last month 222 cases =
Misdemeanor/Traffic/Juvenile Cases

My office has been appointed a total of 253 new cases between June 29, 2016 and July 27, 2016. The Kendall County Public Defender's Office currently has 954 open cases as of today's date; July 27, 2016. The Public Defender appointments for felonies, misdemeanors, traffic offenses, juvenile abuse and neglect and juvenile delinquency cases have increased since last month.



Counties *at the* Capitol

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June 10, 2016



99th Illinois General Assembly

END OF SESSION *Report*

Taylor Anderson, Legislative Consultant

As you are aware, the General Assembly adjourned the spring session on May 31st without sending a budget to the Governor. This continues the twelfth month that Illinois has operated without a budget in place.

In a move similar to last year both the House and the Senate are planning to hold session days throughout the summer. The House will be back every Wednesday through the month of June and possibly beyond. The Senate has not released an official schedule but speculation is that they may mirror the House.

However, what is different this year is the absence of K-12 funding. Last year it was the lone portion of the budget signed by the Governor, but with no budget yet on his desk there is nothing for him to sign. This will be a major pressure point over the summer and leading up to mid-August when the first checks for the schools are sent. Adding to that pressure is the fact that because the May 31st deadline has been passed any appropriation legislation will require a supermajority of votes in both chambers for approval. Perhaps forcing the need for Republican votes, as even though numerically the Democrats in both chambers have supermajorities they may not have the votes needed for some of the ideas that have been floated thus far without Republican support.

One of the ideas that has been floated, both by the Senate President and by the Governor though they differ in substance, is a stop-gap budget. The Governor's stop gap proposal, which we previously reported were filed in House Bill 6585 and Senate Bill 3435, is intended to fill gaps in both FY 16 and FY 17 and would take money away from various shared local sources of revenue. The other stop gap proposals have not been fleshed out in detail but mainly seem to focus on FY 16 and no sources of revenue's have been specifically identified.

There continues to appear to be deep divides between not only the Governor and the Democratic lead chambers but also between the House and Senate about the appropriate method for plotting a path forward.

This report features bills of relevance to county government that have passed both chambers. It is not all inclusive. If you have any questions please contact our office at 217-528-5331 or ilcounty@gmail.com.

House Bills Passed

**HB 229 (Franks) Bush
LOCAL GOVERNMENT DISSOLUTION**
Permits Lake County and McHenry County to dissolve units of local government whose governing body is appointed by the county chairman. Currently this power is only provided to DuPage County. Excludes conservation districts from this provision.

**HB 694 (Cloonen) Hutchinson
EDPA GRUNDY COUNTY**
Extends a county Economic Development Project Area (EDPA) located in Grundy County from 23 to 35 years. The EDPA must (for one year) receive approval from 2/3 of the taxing districts representing at least 75% of the aggregate tax levy for all of the affected taxing districts in order to establish or extend the EDPA.

**HB 740 (Hoffman) Clayborne
KASKASKIA REGIONAL PORT DIST.**
Makes changes to the Kaskaskia Regional Port District Act that are initiatives of the district to expand its authority as part of its strategic plan. The changes include expansion of the district's purpose; its authority for environmental remediation; and borrowing authority.

**HB 1380 (Phelps) Manar
ARBITRATION AWARDS**
Sets in statute that any party who fails to comply with an arbitration award or who fails to submit a grievance dispute concerning the arbitration award must pay to the prevailing party all reasonable costs of the trial and appellate courts. Treats employers of general service employees and employers of security employees similarly, and the "loser pays" concept would apply to both parties to a collective bargaining agreement.



Forby advances Hardin County Work Camp bill

Senator Gary Forby (D-Benton) has been hard at work on an issue important to Southern Illinois: reopening the Hardin County Work Camp. He made progress by passing a measure through the Senate to do just that.

House Bill 4326 would require the Illinois Department of Corrections to operate the Hardin County Work Camp.

"I am happy to see this measure gain such great support from my colleagues both in the Senate and the House," said Forby. "This is important for our region and for people throughout Illinois. Work camps like the one in Hardin County allows inmates to pay their debt to society while also developing skills, so that once they are released the don't come back. If we want to reduce recidivism, this is the way to do it."

Last August the Commission on Government Forecasting and Accountability held a hearing to discuss the economic impact of closing several state facilities. The panel voted in favor of keeping Hardin County Work Camp open. Governor Rauner still moved to close the facility.

"I really hope the Governor reconsiders his motion to close the facility and signs this legislation," Forby added.

The measure passed the Senate with a vote of 36 to 14 and the House 69 to 34. It now goes to the Governor's desk.

HB 3554 (Guzzardi) Harmon WAGE PAYMENT RECOVERY
Directs the Department of Labor (DOL) to conduct a good faith search to find aggrieved employees harmed by unpaid wages so they may recover what they are owed. If the DOL cannot locate the aggrieved employee then the Department can deposit the amount recovered into a specified DOL fund. Also prohibits the Department from requiring proof of citizenship or Social Security numbers.

HB 4036 (Lilly) Hutchinson UNPAID LEAVE BENEFIT – VICTIMS OF DOMESTIC VIOLENCE
Amends the Victims' Economic Security and Safety Act. Allows victims of sexual abuse to get up to four weeks of unpaid leave from work following the incident. The measure would apply to businesses with fewer than 15 employees. The initial plan called for 12 weeks of unpaid leave.

HB 4379 (McSweeney) T. Cullerton LOCAL GOVT. TRAVEL EXPENSES
Creates the Local Government Travel Expense Control Act. Requires that non-home rule units of local government, community colleges, and school districts create a regulation and documentation process for travel, meal, and lodging expenses.

HB 4391 (Hoffman) Bertino-Tarrant TOWNSHIP CRIMINAL CONVICTIONS
Amends the Township Code. Provides that a person is not eligible to hold any office if that person, at the time required for taking the oath of office, has been convicted in any court located in the United States of any infamous crime, bribery, perjury, or other felony.

HB 4462 (Mussman) Nybo EPINEPHRINE AUTO-INJECTORS
Expands access to epinephrine to treat life-threatening allergic reactions. Allows state police and other law enforcement agencies to conduct training programs for officers on how to recognize and respond to anaphylaxis, including administration of an epinephrine auto-injector.

HB 4522 (Hoffman) Clayborne FIRE REIMBURSEMENT
Amends the Fire Protection District Act. Provides that a fee may not be charged

that exceeds \$250 per hour (currently, \$250 per hour per vehicle) for services rendered by the fire protection district to non-residents of the district.

HB 4529 (Sandack) Syverson REPEALS IL BUILDING COMMISSION
Abolishes the Illinois Building Commission. Transfers the Illinois Building Commission's function of identifying local building codes to the Capital Development Board.

HB 4536 (Walsh) Hastings PARK DISTRICT CONTRACT BIDS
Increases the amount of a contract that requires competitive bidding for supplies, materials, and work from \$20,000 to \$25,000. A board may require competitive bidding in an amount lower than \$25,000 if required by board policy.

HB 4603 (Bennett) Barlickman PUBLIC DEFENDER REPORT
Provides that the county board may determine if the Public Defender shall prepare and file a quarterly or monthly report (currently, shall prepare and file a monthly report). Also provides that a county board may use an omnibus vote to approve any 2 or more designated ordinances, orders, resolutions, or motions placed in a single voting group.

HB 4630 (Ives) Connelly CLOSED SESSION RECORDS
Allows access to the verbatim recordings and minutes of closed meetings to duly elected officials or appointed officials filling a vacancy of an elected office in a public body.

HB 4688 (Tryon) Syverson PUBLIC WATER SUPPLY REGS
Requires the owners or custodians of public water supplies to comply with the recommendations on optimal fluoridation for community water levels as proposed and adopted by the U.S. Dept. of Health and Human Services.

HB 4715 (Bryant) Radogno FOIA – NEW FINES
States that if a public body fails to comply with a court order to disclose public records after 30 days and the court's order is not on appeal or stayed the court may impose an additional penalty of up to \$1,000 for each day the violation continues.

**HB 4999 (Guzzardi) Connelly
WORK PRIVACY – SOCIAL MEDIA**
Makes it unlawful for any employer or prospective employer to require, request, access, authenticate, or coerce any employee or prospective employee to provide usernames and passwords to their personal online account.

**HB 5017 (Wheeler) Raoul
JUVENILE RECORD EXPUNGEMENT**
Allows a person who has been arrested, charged, or adjudicated delinquent for an incident occurring before his or her 18th birthday to petition the court at any time for expungement of law enforcement records and juvenile court records relating to the incident.

**HB 5530 (Williams) Van Pelt
PROCUREMENT FOOD DONATIONS**
A public entity shall not enter into a contract to purchase food with a bidder if the contract terms prohibit the public entity from donating food to food banks, which includes homeless shelters, food pantries and soup kitchens.

**HB 5538 (Jesiel) Bush
DOMESTIC VIOLENCE TRAINING**
Specifies initial recruit training and continuing education for law enforcement officers in domestic violence victim and abuser dynamics.

**HB 5572 (Sims) Raoul
SEX OFFENDER MONITORING**
Creates the Sex Offenses and Sex Offender Registration Task Force in order to ensure that law enforcement and communities are able to identify and monitor high-risk sex offenders.

**HB 5594 (Lang) Bush
DRUG COURT – OPIOID ABUSE**
Prohibits drug court judges from denying medication assisted treatments, like methadone, for defendants.

**HB 5610 (Moffitt) Anderson
FIRE DISTRICT APPROVAL**
Requires a fire protection district's board approval to assume duties of an adjacent city's dissolved fire department.

**HB 5611 (Belsler) Halne
FIRE CHIEF AUTHORITY**
Allows a fire chief to refer an order to the State's Attorney if the owner or occupant does not comply with an order.

Bill halts lobbying groups participation in public pension systems

Employees of lobbying entities would be ineligible for a taxpayer-funded pension under legislation passed by Sen. Jennifer Bertino-Tarrant (D-Shorewood).

Under **House Bill 4259**, employees of certain organizations would no longer be able to collect a pension through the Illinois Municipal Retirement Fund (IMRF), State Universities Retirement System (SURS) and Teachers' Retirement System (TRS).

"These pension systems shouldn't be serving lobbying groups," Bertino-Tarrant said. "This makes no sense. The taxpayers shouldn't be forced to pay these pensions." The proposal corrects a loophole in existing law.

Currently, employees of the following entities identified in the legislation are eligible for a pension through IMRF:

- Illinois Municipal League
- Illinois Association of Park Districts
- Illinois Supervisors, County Commissioners and Superintendents of Highways Association
- United Counties Council of Illinois
- Will County Governmental League

Employees with the Illinois Principals Association or the Illinois Association of School Administrators can also currently receive a SURS retirement. An employee of a school board association can get a TRS pension. The changes made in Bertino-Tarrant's legislation would apply to individuals employed by an identified organization after the law becomes effective. Having been passed by both chambers unanimously, **House Bill 4259** will now go to the Governor's desk for approval.



HB 5660 (Martwick) Mulroe PUBLIC CONSTRUCTION BOND NOTICE

A verified notice of a claim shall be deemed filed on the date personal service occurs, or the date when (rather than where) the verified notice is mailed as authorized by statute.

HB 5683 (Breen) Nybo OPEN MEETINGS REQUESTS

States that if a person files a request for review of a potential Open Meetings Act violation with the Public Access Counselor at the Attorney General's Office they have sixty (60) days after the decision by the Attorney General to resolve the request with a non-binding opinion or means other than issuing a binding opinion.

**HB 5684 (Breen) Nybo
IMRF – WAGE TRANSPARENCY**
Creates the Local Government Wage Increase Transparency Act. Applies to

employees under the Illinois Municipal Retirement Fund (IMRF) who began participation before January 1, 2011 and who are not subject to a collective bargaining agreement. Defines "disclosable payment" as a payment that: 1) would be made to the employee by the employer after the employee expressed the intent to retire or withdraw services; 2) would increase the employee's reportable monthly income by more than 6%; and 3) would be made between 12 months and 90 days prior to the employee's expected termination of service. After an employee has expressed to the employer an intent to retire or withdraw from service, the employer may not pay a disclosable payment to the employee within a specified period before the expected date of retirement or withdrawal without first disclosing certain information about the payment at a public meeting of the governing body of the employer. Includes a home rule preemption.

Wind energy device assessments bill sent to Governor

Rep. Tom Demmer (R-Dixon) passed legislation in the Illinois House before the end of May to extend the process by which wind energy devices are assessed for property taxes, providing stability for both the industry and local taxing districts.

"I am glad to deliver a stable, predictable method that both local government and wind energy developers can use for the next five years," said Rep. Demmer. "This helps communities and businesses plan for the future. That is good for taxpayers and good for wind energy employees."

Prior to the passage of Senate Bill 2612, the assessment process for wind energy devices was scheduled to sunset in tax year 2016. Under the terms of the legislation, the assessment process will be extended five years, until 2021.

Wendy Ryerson, Chief County Assessment Officer for Lee County and past president of the Illinois Chief County Assessment Officers Association, reacted to the passage of Senate Bill 2612, "the continuation of the state-wide assessment standard provided by Senate Bill 2612 offers stability for taxing districts and wind project owners, and gives assessment officials a proven methodology to follow. It is a win-win for everyone."

Demmer's legislation was supported by the Illinois County Assessment Officers Association, the Illinois Association of County Board Members, the Fair Assessment Information Resources Committee, and the Illinois Farm Bureau.



HB 6041 (Moffitt) Haine FIRE DISTRICT TRANSFER

The voters of the entire fire protection district may vote on whether a territory of that district may be disconnected and transferred to another district. Provides that a loss of annual real estate tax revenues by the district from which the disconnection is sought of 25% (currently, 15%) or more because of the disconnection shall constitute serious injury and require dismissal of the petition.

HB 6083 (Bryant) Radogno FOIA – WRONGFUL DEATH ACT

Advances another portion of "Molly's Law" and extends the statute of limitations in wrongful death cases to five (5) years after the date of death if the death is the result of violent intentional conduct or within one (1) year after the final disposition of the criminal case if the defendant is charged with a homicide offense. However, it only applies to the violent actor and that these changes apply to causes of action that accrue on or after the effective date.

HB 6162 (Skoog) Collins EMPLOYEE SICK LEAVE ACT

If an employer has a sick leave policy allowing the employee time off (illness, injury, or medical appointment) then the employer must extend that sick leave policy to the employee in the case of illness, injury, or medical appointment of the employee's child, spouse, sibling, parent, grandchild, step-mother, step-father, or step-parent.

HB 6261 (Sandack) Connelly BOARD OF HEALTH POWERS

Provides that a county's board of health may enter into contracts with other entities to provide public health services outside of a board of health's own jurisdiction.

HB 6291 (Nekritz) Raoul JUVENILE COURT PROBATION

Eliminates the five (5) year mandatory juvenile probation period on all offenses other than first degree murder and sets the probationary floor at three (3) years. Also prohibits commitment of minors to the Department of Juvenile Justice for Class 3 and Class 4 controlled substances violation unless for multiple probation violations.

Study will begin aimed at returning state jobs to Sangamon County

House Joint Resolution 133 calls on each state agency to prepare an agency or office work-force report describing the number, type, and duties of their employees in each county in this state and the justification as to why these positions, specifically upper and middle management positions, could not be located in Springfield. The resolution, sponsored by Rep. Sara Wojcicki Jimenez (R-Springfield), was adopted by both Houses and will now go to each state agency which will submit a report to the General Assembly and Governor by August 31st.

HB 5884 (Cloonen) Hutchinson INVEST NOT-FOR-PROFIT

Provides that municipalities and counties may invest up to \$250,000 per year in public funds in not-for-profit community development financial institutions across all institutions.

HB 6021 (Yngling) Bliss PENSION BENEFIT REINSTATEMENT

Creates a one year window for TRS, SURS and IMRF that allows annuitants who received a refund of contributions in lieu of a survivor benefit to repurchase those survivors benefits, with added interest, from the fund.

HB 6030 (Conroy) T. Cullerton DECEASED ANNUITANTS

Requires every pension fund or retirement system (except downstate fire and police funds) to develop a process to identify annuitants who are deceased at least once per month. The entities noted in this legislation must provide free and open access to the records and information in their respective databases.

Senate Bills Passed

SB 384 (Munoz) Sims **OPEN MEETINGS – HIPAA**

Allows a public body to hold a closed meeting to discuss matters protected under the federal Patient Safety and Quality Improvement Act of 2005 or HIPAA (or the regulations adopted under either Act) by a hospital or other institution providing medical care, that is operated by the public body.

SB 571 (Koehler) Gordon-Booth **ENTERPRISE ZONES**

Establishes that the effective date of an Enterprise Zone will be the date of the DCEO's certification and states that the zone application process will begin three years prior to expiration. This will give communities additional time to plan for long-term economic development and will allow for a continuation of benefits from an old zone to a new zone if there is a time gap. Sets a special effective date for Enterprise Zones certified Jan. 1, 2016 through Dec. 31, 2016.

SB 1529 (Link) Currie **ELECTIONS OMNIBUS**

Contains a litany of election-related changes and updates and serves as the 2016 elections omnibus bill. Impacts election commissions and entities across the state.

SB 2138 (Nybo) Sullivan **SNOW REMOVAL LIABILITY LIMITS**

Creates the Snow Removal Service Liability Act. Voids and deems unenforceable any language in a snow removal contract that indemnifies the property owner for damage caused by a snow removal contractor due to property owner negligence and replaces the terms "promisee" with "service provider" and "service receiver" making it less confusing than original bill. **NOTE:** The Act does not apply to contracts for snow removal or ice control services on public roads or with public bodies.

SB 2160 (Sullivan) Bradley **PROPERTY TAX – FILTER STRIP**

Extends the sunset date for the assessment of vegetative filter strips to December 31, 2026. The original sunset date was set for December 31, 2016.

Legislation to help fire departments save lives and money

Legislation aimed at saving lives for those suffering a life-threatening allergic reaction, as well as helping local fire and rescue departments keep spending in line, is now headed to the Governor's desk.

Sen. Chapin Rose (R-Mahomet) sponsored **Senate Bill 3335**, and credits the Broadlands/Longview Fire Protection District in Champaign County for bringing this issue to him. The bill would allow Emergency Medical Technicians (EMTs) to dispense epinephrine using a syringe, drawn from a glass vial or ampule. Under current law, it can only be dispensed using the far more expensive epinephrine auto-injectors.

"This common-sense proposal is just another tool our emergency responders can utilize to save lives," Rose said. "It will also save rural communities a lot of money as vials are less expensive than epinephrine auto-injectors. Additionally, epinephrine auto-injectors have a shorter shelf life, so many times, they have to be disposed of without ever even being used."



SB 2186 (Althoff) Tryon **SCHOOL ZONING COMPLIANCE**

Clarifies law regarding local zoning ordinances by establishing that a school district is subject to, and its school board must comply with, any valid local government zoning ordinance or resolution that applies where the pertinent part of the school district is located. Local governments must streamline the zoning application and review process for a public school district by reducing application fees and other costs associated with a school district project to the greatest extent practicable and reflective of actual cost.

SB 2213 (Morrison) Zalewski **FOID CARD – MENTAL DISABILITY**

Requires the circuit court clerk to notify the State Police twice a year if the court has not directed the clerk to notify the State Police that no one has been adjudicated mentally disabled by the court or has been involuntarily admitted by the court within the last 6 months.

SB 2227 (Holmes) Kifowit **STATE MANDATES ACT – REPORTS**

Requires the Department of Commerce and Economic Opportunity to submit a bi-yearly report on mandates enacted in the previous two years, beginning in 2019. Also requires DCEO to review and report on all effective mandates every 10 years, beginning in 2017.

SB 2252 (Stadelman) Wallace **BAIL – ACCEPTING CASH**

Allows bail payments to be in the form of currency as well as other forms as the sheriff, by rule, shall authorize.

SB 2370 (Van Pelt) Currie **JUVENILE COUNSEL**

Requires that a minor 13 years to 17 years of age be represented by counsel throughout the entire custodial interrogation of the minor for any homicide offense. Any oral, written, or sign language statement made by the minor without counsel shall be inadmissible.

SB 2427 (Jones) Riley **COOK COUNTY PROPERTY**

Amends the Property Tax Code and clarifies that in Cook County only if a property owner is not residing at the property receiving a homestead exemption as of January 1st of the current tax year then the owner must notify the Chief County Assessment Officer (CCAO) by March 1st of the collection year.

SB 2439 (Sandoval) Zalewski **IMRF – FIREFIGHTER SLEP**

Allows certain firefighters to opt into the Alternative Pension Formula for County Sheriff employees IMRF-SLEP. Offers retroactive pension credit from January 1, 2011 to the date of entry into the alternative formula.



Vehicle Impounds legislation sent to governor

A measure sponsored by Senator Bill Haine (D-Alton) to protect citizens from excessive tow fees will go to the Governor.

Senate Bill 2261 has been an important Haine initiative this session. The issue was brought to his attention after reports of municipalities charging as much as \$500 for a tow release fee.

"I have worked very hard this year to get this legislation passed," said Haine. "I am happy that we were able to come together and get this important measure to protect citizens from outrageous fees accomplished. Having a car break down on the side of the road or having to abandon a vehicle because of unforeseeable circumstances is already a heavy enough burden to bear. Excessive impound fees on top of that is simply unreasonable."

The measure puts in place limits on administrative fees imposed by local municipalities. It also prevents a vehicle from being impounded for illegal parking unless it has been there for more than 48 hours or the owner was unable to move the vehicle due to an emergency circumstance.

NOTE: If a vehicle is wrongfully impounded and attorney fees accrue, the municipality or the county would be responsible for the fees.

SB 2517 (Manar) Sullivan ASSESSMENT BOOKS

Requires the chief county assessment officer to return the property tax assessment books to the board of review within 90 days of the township assessment roll or by the third Monday in June of the assessment year, whichever is later.

SB 2593 (McConaughay) Andersson PTAB – ELECTRONIC PETITION

Provides that the Property Tax Appeal Board (PTAB) can send an appellant's petition to the board of review via email, when the board of review's decision is being appealed.

SB 2600 (Delgado) Welch MINORITY ECON DEVELOPMENT

If a local government has an appointed economic development commission that receives any public funds or money, then the commission's board must include at least two labor representatives and at least two members from minority groups.

SB 2604 (Lightford) Welch ASSUMED BUSINESS NAME

Requires a person conducting business under an assumed name in Cook County to renew their assumed name certificate every five years. Sets the renewal fee at \$20 every five years.

SB 2612 (Koehler) Demmer WIND FARM ASSESSMENTS

Extends assessment provisions that apply to wind energy devices through year 2021 (currently 2016).

SB 2701 (Althoff) Franks IMRF RECORD KEEPING

Provides that all government officials participating in IMRF must keep records of the hours they spend working at their position as well as pass a resolution following each general election stating the normal hours the elected office holder would spend working annually. To qualify for IMRF a governing body must certify the hours required to be a member of the fund.

SB 2767 (Jones) Mitchell ENFORCE ORDINANCES

Amends the Counties Code. Includes unpaid taxes and fees as debt owed to a county under an enforcement of judgment.

SB 2783 (Link) Jackson UNCLAIMED PROPERTY

Reduces the dormancy period for unclaimed property from 7 to 5 years.

SB 2817 (Mulroe) Nekritz COOK COUNTY PURCHASE CREDIT

Provides a series of additional reforms to the Cook County Employee Annuity and Benefit Fund geared at streamlining process and limiting liability to the Fund.

SB 2819 (Mulroe) Nekritz COOK COUNTY – CONTRIBUTION

Authorizes Cook County to make additional contributions from additional sources to cover administrative expenses, disability benefits, group health benefits, and other annuity costs.

SB 2833 (Jones) Martwick ENFORCE JUDGMENTS

Provides that a judgment relating to a county code violation is a debt due and owing to a county and the findings, decision, and order of the hearing officer may be enforced in the same manner as a judgment entered by a court.

SB 2875 (Nybo) Sandack SURVEILLANCE LOCATION

Allows for emergency warrant exception to the Freedom From Location Surveillance Act in situations involving a clear and present danger of imminent death or great bodily harm to persons resulting from the use of force, or the threat of the imminent use of force, and in situations involving the felony offense of escape.

SB 2889 (McGuire) Fortner ELECTRONIC VALUATION SERVICES

Proves that a board of review can serve a petition electronically to a taxing district when a change of \$100,000 in valuation is sought.

SB 2894 (Clayborne) Martwick IMRF – SURVIVORS BENEFITS

Allows beneficiaries who have already begun receiving benefits, to apply for back payments previously denied by the 1 year limitation on application. Allows for IMRF member survivors qualified for benefits to apply for those benefits for more than a year after the death of the member and back payments from IMRF would not include interest.

SB 2896 (Althoff) Andrade
IMRF – RETURN TO WORK

Creates a reimbursement mechanism for IMRF in the event that a retired employee returns to work within IMRF but there is a failure to notify the Fund. The reimbursement may be charged to the employer by the fund for annuities paid during the annuitants time working for the employer. The fund may not charge the employer for reimbursement if the annuitant worked less than a year and was not aware of the employee annuity benefit. The fund is required to notify their annuitants of their responsibility to suspend their annuity upon returning to work annually. The State is exempt from liability under this provision. Returning to work as a full-time employee within IMRF should result in a suspended annuity.

SB 2964 (Harmon) Hoffman
PREVAILING WAGE OPT-OUT

Provides that the Illinois Department of Labor must ascertain prevailing wage rates and must tie it to wages and benefits set by collective bargaining agreements in each county. Prohibits units of local government from opting out of prevailing wage requirements.

SB 2972 (Harmon) Davis
IMRF – SEPARATION BENEFIT

Allows a participant who is terminating service with the Illinois Municipal Retirement Fund to elect a separation benefit rather than a retirement annuity if his or her annuity would be less than \$100 (now \$30) per month.

SB 2994 (Cullerton) McSweeney
COUNTY APPOINTMENTS

Provides that on or before January 1, 2017, every county shall prepare a report for the General Assembly identifying any local public entity that the county board, board of county commissioners, county board chairman or president, or county executive appoints members to and containing other specified information

SB 3034 (Morrison) Mayfield
DONATE JURY FEES

Creates the Lake County Children's Advocacy Center Pilot Program beginning January 1, 2017. This will allow any juror in Lake County to elect to have his or her juror fees donated to the Lake County Children's Advocacy Center.



Automatic voter registration sent to Governor's desk

Senator Andy Manar's (D-Bunker Hill) plan to streamline the voter registration process in Illinois was approved by both chambers and now goes to the Governor's desk for him to consider.

Senate Bill 250 would allow for the Secretary of State's office and similar state agencies to submit eligible voters information to the State Board of Elections when they visit their facilities for services. According to supporters of the measure, this would significantly cut down the time and effort needed to register voters, and eliminate many duplicative steps that exist currently, saving taxpayer dollars.

"We have an opportunity to reduce government duplication and streamline services – we should take it," said Senate President John Cullerton. "If we can get people registering when they get their drivers' license, it will dramatically reduce the voter registration costs that are substantial at county and city offices across the state."

In the 2014 election, only 39.5 percent of eligible Illinois voters cast a ballot. Illinois also lags behind all neighboring states in voter registration for 18 to 24 year-olds. Statistics have shown currently of all voting-age eligible Illinoisans, 42 percent of black citizens, 57.8 percent of Asian citizens and 33 percent of all females are not registered.

Senate Bill 250 passed the House by a 86-30 vote and passed the Senate by a 42-16 vote.

Medical marijuana program extended

Senate Bill 10 extending the Compassionate Use of Medical Cannabis Pilot Program (MCPP) to 2020 is being sent to the Governor. Although extending the sunset may be the most prominent part of this legislation, the measure also includes numerous other additions to the program, such as adding PTSD and terminal illness as qualifying conditions.



The original Medical Cannabis Pilot Program was signed into law in 2013. The General Assembly passed a measure last year that would also extend the MCPP, but Governor Rauner vetoed part of the legislation.

**SB 3096 (Bennett) McAsey
SEXUAL ASSAULT INCIDENTS**

Creates the Sexual Assault Incident Procedure Act. Provides that on or before January 1, 2018, every law enforcement agency shall develop, adopt, and implement written policies regarding procedures for incidents of sexual assault or sexual abuse. A State's Attorney who is notified that a hospital is in possession of sexual assault evidence shall, within 72 hours, contact the appropriate law enforcement agency to request that the law enforcement agency take immediate physical custody of the sexual assault evidence.

**SB 3112 (Haine) Walsh
FOIA REQUESTS BY INMATES**

Allows a law enforcement agency twenty-one (21) days to respond to a FOIA request from an inmate and adds a clean-up reference to other prosecutor. Re-words the exemptions from disclosure for law enforcement records of other persons and information that would circumvent Supreme Court Rule 415. Amends the Freedom of Information Act to add exemptions from disclosure under FOIA.

**SB 3149 (Clayborne) Hoffman
PROPERTY TAX – PPV LEASES**

Involves an agreement to resolve litigation between St. Clair County and Scott Air Force Base over how a PPV lease used for military housing can be assessed and valued to the terms of a real property tax assessment agreement between local county assessment officials and the taxpayer. A PPV lease is a leasehold interest in U.S. military property that is leased to another whose property is not exempt for the purpose of the design, finance, construction, renovation, management, operation, and maintenance of rental housing units and associated improvements.

**SB 3162 (Harmon) Cassidy
CIVIL CASE E-FILE FEE**

Creates a \$9 filing fee on civil cases. Reduces the maximum county law library fee from \$21 to \$20 beginning January 1, 2022. Reduces the maximum filing fee on civil cases by \$6 beginning January 1, 2022. Reduces the maximum children's waiting room fee from \$10 to \$8 beginning January 1, 2022.

**SB 3284 (Hutchinson) Mitchell
ADMINISTRATIVE ADJUDICATION**

Allows any county to provide administrative adjudication for units of local government (within county boundaries) where the county and unit have entered into an Intergovernmental agreement.

**SB 3401 (Bush) McAuliffe
VETERANS COURT TREATMENT ACT**

Authorizes an alternative court program to provide alternatives for veterans, including treatment for mental health issues and or addiction issues.

Exelon moving forward on shutting down nuclear plants

Exelon Corporation announced on June 2 that it will move forward to shut down the Clinton and Quad Cities nuclear plants, given the lack of progress on Illinois energy legislation. The Clinton Power Station in DeWitt County will close on June 1, 2017, and the Quad Cities Generating Station in Rock Island County will close on June 1, 2018. Both have lost a combined \$800 million in the past seven years, despite being to of Exelon's best-performing plants.



"The Quad Cities Generating Station in Cordova plays a vital economic role in our corner of the state, so this is the worst news for the nearly 800 hard-working employees, the many businesses – large and small – that they support in their communities, as well as many local municipalities," said Sen. Neil Anderson (R-Moline). "These are good-paying jobs and the Cordova facility is the largest property-tax paying entity in Rock Island County. It is hard to really know how far-reaching the impact of this decision is going to be."

Anderson cosponsored legislation to pass the Next Generation Energy Plan (Senate Bill 1585) to promote clean energy and support the regional economic contributions of the Quad Cities Generating Station. The bill got a public hearing May 19, but the chief sponsor of the legislation Sen. Donne Trotter (D-Chicago) didn't call it for a vote in the Senate. Anderson says he will continue to push in the extended session for a legislative solution.

According to Exelon, the Energy Plan would nearly double energy efficiency programs, provide \$1 billion in funding for low-income assistance, jumpstart solar development with rebates and \$140 million in new funding, and reduce the fixed customer charge for energy delivery by 50 percent.

Retiring the plant will have a significant economic impact on the regions. The Clinton and Quad Cities plants support approximately 4,200 direct and indirect jobs and produce more than \$1.2 billion in economic activity annually. A state report found that closing the plants would increase wholesale energy costs for the region by \$439 million to \$645 million annually. The report also found that keeping the plants open would avoid \$10 billion in economic damages associated with higher carbon emissions over 10 years.

Employees will safely operate the facilities until the retirement dates, with staff transitions expected within six months after retirement. Exelon employs nearly 700 workers at Clinton and 800 workers at Quad Cities.

"We have worked for several years to find a sustainable path forward in consultation with federal regulators, market operators, state policymakers, plant community leaders, labor and business leaders, as well as environmental groups and other stakeholders," said Chris Crane, Exelon president and CEO. "Unfortunately, legislation was not passed, and now we are forced to retire the plants."

General Fund forecasted **(\$1.46 million dollar)** deficit for 2016.

As of 6/30/16

Doc Storage Revenue.....	\$83,914.29	
Salary.....	\$133,912.37	
Expenses.....	\$ 1845.15	(-\$51,843.23)
Balance	\$706,856.55	

Court Automation Revenue.....	\$82,265.60	
Salary.....	\$ 35,936.00	
Expenses.....	\$ 89,867.00	(-\$43,537.40)
Balance	\$564,849.77	

Projected 2017 Expenses:

Mandatory civil e-filing \$10,000-\$15,000

Reconfigure the office for 2 computer stations equipped with a monitor, scanner and printer for litigants and attorneys

Integrating our electronic filing system w/ case management system \$27,500

