

# The Public Servant

The newsletter of the Illinois State Bar Association's Committee on Government Lawyers

## From the Chair

BY MARYLOU LOWDER KENT

**It is with much enthusiasm that I assume the Chair** of the ISBA Standing Committee on Government Lawyers during the 2015-2016 term. I am very excited about the group of attorneys who will serve on the Committee this year and the unique perspectives they can offer to the objectives of the Committee. In particular, I would like to thank those individuals who have stepped up to chair our subcommittees: Kate Kelly and Lynn Patton as Newsletter Co-Editors; Pat

Driscoll as Legislation Chair; Athena Taite as CLE Chair; and Evan Bruno and Justin Leinenweber as Website Coordinators. The important work of the Committee could not be accomplished without your time and talents.

During the coming year, the Committee will continue to review and comment upon legislation that affects government attorneys and the agencies they represent. Justin Leinenweber and the CLE

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## The first Roz Kaplan Award

BY KAREN DIMOND

**Roz Kaplan devoted her life to public service;** initially as a high school French teacher and later as a government attorney. For 14 years she worked in the Civil Appeals Division of the Attorney General's Office, becoming chief in 1987, and Illinois Solicitor General in 1991. In these positions, she appeared in the Illinois Supreme Court and Illinois Appellate Courts many times. Then she served as Chief of Civil Appeals and Ancillary Litigation for the Attorney Registration and Disciplinary Commission.

Roz set high standards for herself and

those working for her. She was an untiring advocate for an ethical and professional approach to law. She advanced the legal community by serving as President of the Appellate Lawyer's Association and as a member of many ISBA committees. She championed the interests of government lawyers in particular and convinced the ISBA's Board of Governors that CLE programs should be discounted for public sector lawyers.

Unfortunately, in 2010, Roz lost her long battle with cancer. However, she remains in the hearts and memories of

(Notice to librarians: The following issues were published in Volume 16 of this newsletter during the fiscal year ending June 30, 2015: December, No. 1; April, No. 2; June, No. 3).

Committee are planning an informative webinar on issues relating to concealed carry permits which will be produced this fall, and the Committee is considering several relevant and timely topics for presentation next spring. In addition, as public sector attorneys, I believe we have an exciting opportunity to assist ISBA President Umberto Davi and the ISBA leadership in the goal of expanding civics education in this State, and it is my hope to involve the Committee more directly in this important mission.

The Committee will also have the pleasure of selecting the second recipient of the Roz Kaplan Award to be presented to a public sector attorney for distinguished service. Congratulations to Kate Kelly of

many of her fellow government attorneys.

The Roz Kaplan Award honors government attorneys whose dedication and service has made a difference in their communities. The award recognizes attorneys who, like Roz Kaplan, have dedicated their careers to government service. The recipient must be a member of the ISBA, have at least 20 years of continuous service in the public sector as a full time employee (not as a member of the judiciary), and must have provided distinguished service to the profession, been an outstanding leader, and have followed the highest ethical standards.

The very first Roz Kaplan Award has been bestowed on Kathryn Kelly, who has followed in Roz's footsteps by devoting her career to government service and to the advancement of government attorneys. Kate's high level of energy, enthusiasm, and sense of fun has enabled her to serve her community and her profession in many different ways.

Raised in the Beverly neighborhood of Chicago, Kate learned the importance of public service and teaching from her family. Her mother was a teacher and her father a professor. Her sister later became a professor, too. The family often volunteered together at Christmas to make sure needy

the US Attorney's Office of the Northern District of Illinois who was honored as the first recipient of this award during the recent ISBA Annual Meeting (Kate was also honored for 15 years of service as a Newsletter Editor for the Committee!).

In conclusion, I would like to invite all readers of this newsletter to communicate any issues or concerns you may have about practicing law in the public sector to the Committee. A major purpose of this Committee is to serve as a forum to share the experiences and advice of governmental lawyers who have faced similar issues or concerns. In addition, we welcome your comments and ideas for topics you would like the Committee to address. I look forward to a busy and productive year! ■

families would have a wonderful holiday and welcomed at the dinner table people from all walks of life.

Also in her early life, Kate perfected her singing talent at Mother McAuley High School, as a church soloist and in community theatre productions. Singing is a skill that would later unexpectedly resurface in her legal career. More on that below!

After college, where she majored in both political science and international studies with a minor in Spanish, Kate elected to attend DePaul Law School. There, she served as Symposium Editor of the DePaul Law Review, and she excelled as a member of the National Trial Team. While in law school, she also published two lead law review articles focusing on the First Amendment in two different Florida law journals. In addition, she volunteered as a Spanish language translator for Chicago Volunteer Legal Services throughout law school and beyond. Always passionate about politics, Kate served as an intern and volunteer for Senator Paul Simon and other candidates.

While still in law school, Kate became involved in the ISBA as a student representative. She worked closely with Janet Sosin, Dan Josephs and John Thies

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to recruit law students to the ISBA. As a second year, she was selected to receive the ISBA Law Student Public Service Award. She was then appointed, while still a law student, to the Legal Education Admission and Competence Committee, the only committee at the time where law students could serve. She quickly rose to become the chair very shortly out of law school. She wonders why it didn't occur to her then that she was the youngest, least experienced person in the room, yet she was the committee's leader.

Kate clerked for a major law firm while in law school, but was convinced before she graduated that government service was the path she wanted to take. Upon graduating in 1993, she rejected two high-paying offers from large law firms and instead was lucky enough to clerk for the Seventh Circuit Court of Appeals for two years. All the while, Kate was still working with the ISBA.

Following her clerkship, Kate accepted a position in the U.S. Attorney's Office for the Northern District of Illinois—where she has remained. As an Assistant U.S. Attorney in the Civil Division, she defends Title VII and tort actions and prosecutes affirmative civil fraud litigation. She has had the opportunity to try many bench and jury cases in the federal courts.

She was tapped by Chief Judge Holderman to be one of the founding members of the Seventh Circuit E-Discovery Pilot Program, serving as education co-chair. That committee has produced many free and informative CLEs over the last several years. Her hours of dedication have enabled attorneys to become better educated on e-discovery issues.

Kate continued to be very active in the ISBA throughout her career. She is a Past Chair of the ISBA Standing Committee on Government Lawyers, serving as one of its newsletter editors for over 16 years, and has performed in its annual "Ethics Extravaganza" for over 14 years. Kate has also served as a member of other ISBA sections, task forces and committees, such as Federal Civil Practice, Legal Education, Women in the Law, the Diversity Task Force, and Bar Services.

Another one of Kate's many bar

association activities has been performing for the CBA's annual Bar Show for 21 years. Originally, Kate was not granted singing roles. But that changed when she and her a cappella quartet were heard singing the National Anthem at a Bulls game in 1996. Thus, she combined her legal and theatrical talents!

Her favorite CBA bar show role? Miss Piggy singing "Fever" about swine flu in the 2009 show, a performance which can still be viewed on You-Tube: <<https://www.youtube.com/watch?v=BBnB2o52-e0>>. Enjoy the pink dress, wig and ears. Other great roles included portraying Hillary Clinton in two different shows. Kate is now in charge of the CBA road show, which performs for Oakton Community College and for other non-profit organizations.

Like other members of her family, Kate enjoys teaching. She has taught Law and Policy at DePaul University's School of Public Service for 15 years, Appellate Advocacy at Loyola Law School, and Trial Advocacy at DePaul Law School. She also trains CVLS volunteers, is a frequent instructor and lecturer for the Department of Justice National Advocacy Center, and a frequent speaker on e-discovery. She is popular as a moderator for many CBA and ISBA programs, probably because she provides entertaining introductions and keeps the speakers on track. Finally, not confining her teaching to the legal field, Kate also serves as an aerobics instructor!

In the remainder of her spare time, Kate helps several non-profits with their fund-raising goals by donating gift baskets to be auctioned by the charities. Lest you think she only volunteers for legal organizations, in 2005 she was named Volunteer of the Year by the Greater LaGrange YMCA.

Kate tries to foster the spirit of volunteerism and public service in her two children, too. She and her daughter work together at a local resale shop, and both her son and daughter work with her to make donations to a local food bank.

The Standing Committee on Government Lawyers received many nominations for the inaugural Roz Kaplan Award. After a spirited debate regarding the many well-qualified nominees, the Committee chose Kate as the award

recipient because of her 22 years of dedicated public service, her reputation for excellent work, her dedication to the ISBA and other legal groups, and her exhaustive work mentoring young attorneys.

When she learned she had been named as the first recipient of the Roz Kaplan Award, Kate responded with surprise. "I'm in shock. It is such an honor to receive an award in Roz's name. She exemplified dedication to public service in her many years of government service. Like me, she spoke her mind and always advocated for what she thought was right. I can only hope to live up to her high standards."

Whether singing, lawyering, mentoring, or volunteering, Kate represents the best of what public service is all about. Congratulations! ■

**Did you know?**

**Every article published by the ISBA in the last 15 years is available on the ISBA's Web site!**

**Want to order a copy of any article?\* Just call or e-mail Jean Fenski at 217-525-1760 or [jfenski@isba.org](mailto:jfenski@isba.org)**

**\*Sorry, if you're a licensed Illinois lawyer you must be an ISBA member to order.**

# Legislative summary of the 99th General Assembly

The following is a summary of Public Acts 99-001 through 99-100 which may be of interest to the government bar.

Copies of a Public Act may be found on the Illinois General Assembly's Web site at: <<http://www.ilga.gov/legislation/publicacts/default.asp>>.

## Administrative Law

**Public Act 99-002, effective March 26, 2015.** Amends the Illinois Administrative Procedure Act to allow the use of emergency rulemaking to implement specified sections of the Illinois Public Aid Code. 5 ILCS 100/5-45.

**Public Act 99-059, effective July 16, 2015.** Amends the Radon Industry Licensing Act to provide that the Assistant Director of the Illinois Emergency Management Agency or his or her designee may, at the Assistant Director's instance or on the written request of another party to an administrative proceeding or investigation administered under the Act or any other law concerning radon, subpoena witnesses to attend and give testimony before the hearing officer designated to preside over the proceeding or investigation and subpoena the production of books, papers, or records that the Assistant Director or his or her designee deems relevant or material to any administrative proceeding or investigation. Provides for witness fees. Authorizes the Agency to adopt rules governing the procedure for challenging a subpoena. 420 ILCS 44/52.

## Appropriations

**Public Act 99-001, effective March 26, 2015.** Amends Public Acts 98-642, 98-675, 98-677, 98-678, 98-679, 98-680, and 96-681 to make changes and additions to FY 15 appropriations.

**Public Act 99-005, effective July 1,**

**2015.** Makes FY16 appropriations to the State Board of Education and specified retirement systems.

**Public Act 99-007, effective July 1, 2015.** Makes FY16 appropriations and reappropriates funds to various entities for specified purposes. Effective July 1, 2015.

## Boards, Commissions, and Task Forces

**Public Act 99-023, effective July 10, 2015.** Amends the Children and Family Services Act to change the date by which the Illinois Children's Justice Task Force shall submit a report to the General Assembly, regarding its recommendations for a statewide multidisciplinary approach to child abuse or neglect investigations, to January 31, 2016 (rather than March 1, 2015). 20 ILCS 505/39.2.

**Public Act 99-052, effective January 1, 2016.** Amends the Recyclable Metal Purchase Registration Law to create the Recyclable Metal Theft Task Force within the Office of the Secretary of State. Provides that the Task Force shall endeavor to establish a collaborative effort to combat recyclable metal theft throughout the State, assist in developing regional task forces to combat recyclable metal theft, and consider and develop long-term solutions for the rising problem of recyclable metal thefts in this State. Requires the Task Force to report its findings annually to the General Assembly and the Governor. 815 ILCS 325/6.5.

## Business Organizations

**Public Act 99-041, effective July 14, 2015.** Amends the Common Interest Community Association Act to make associations organized as limited liability companies subject to the Act. Adds references to articles of organization. In places where the Act addresses an

association's declaration or bylaws, adds operating agreements. 765 ILCS 160/1-5, 1-20, 1-25, 1-30, 1-50.

## Code of Civil Procedure

**Public Act 99-024, effective January 1, 2016.** Amends the Mortgage Foreclosure Article of the Code of Civil Procedure. In provisions outlining circumstances in which the court is not required to appoint a special representative for a deceased mortgagor for the purpose of defending the action, adds situations where there is a: (i) beneficiary under a transfer on death instrument; (ii) person or entity that was conveyed title to the property by the deceased mortgagor prior to death; (iii) person or entity that was conveyed title to the property under the administration of the deceased's estate; or (iv) trust that was conveyed title to the property. 735 ILCS 5/15-1501.

**Public Act 99-041, effective July 14, 2015.** Amends the Code of Civil Procedure to add certain common interest community associations owned by limited liability companies to the list of associations subject to specified provisions of the Code. 735 ILCS 5/9-102.

**Public Act 99-079, effective January 1, 2016.** Creates the Uniform Interstate Depositions and Discovery Act to provide procedures for the issuance of a subpoena to require deposition testimony or discovery production in this State in connection with litigation pending in a foreign jurisdiction. Defines terms. Provides that Illinois Supreme Court rules and the section of the Code of Civil Procedure concerning subpoenas apply to subpoenas issued under the new provisions. Provides that in applying and construing the Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter

among states that enact it. Provides that the Act is applicable to cases pending on the effective date.

## Counties

**Public Act 99-004, effective May 31, 2015.** Amends the Counties Code to provide that Adams County may impose a public safety retailers' occupation tax and service occupation tax at the rate of 0.25%, as provided in the referendum approved by the voters on April 7, 2015, notwithstanding the omission of certain additional information that is otherwise required to be printed on the ballot below the question. 55 ILCS 5/5-1006.5.

**Public Act 99-006, effective June 29, 2015.** Amends provisions of the Counties Code regarding county franchise fee review. Provides that if a community antenna television system (CATV) operator providing cable or video service in that county is required to pay the service provider fees imposed by the Cable and Video Competition Law of 2007, then the county may conduct an audit of that CATV operator's service provider fees derived from the provision of cable and video services to subscribers within the franchise area to determine whether the amount of service provider fees paid by that CATV operator to the county is accurate. Makes changes concerning the procedures for conducting audits. Also amends the Cable and Video Competition Law of 2007 of the Public Utilities Act. Replaces language concerning audits with language that provides that a holder that has received State-issued authorization is subject to an audit of its service provider fees derived from the provision of cable or video services to subscribers within any part of the local unit of government which is located in the holder's service territory, that any such audit shall be conducted by the local unit of government or its agent for the sole purpose of determining any overpayment or underpayment of the holder's service provider fee to the local unit of government, and that on or after the effective date of the amendatory Act, any audit conducted under the provisions by a local government shall be governed by the Counties Code. 55 ILCS 5/5-1095.1.

**Public Act 99-010, effective January 1, 2016.** Amends the Counties Code to remove the provision that court security officers shall be subject to a Sheriff's Merit Commission for disciplinary purposes and to provide that no court security officer shall be subject to the jurisdiction of a Sheriff's Merit Commission unless the officer was hired through the Sheriff's Merit Commission's certified applicant process. 55 ILCS 5/3-6012.1.

**Public Act 99-018, effective January 1, 2016.** Amends the Counties Code to provide that a default in the payment of a fine or penalty or any installment of a fine or penalty may be collected by any means authorized for the collection of monetary judgments. Allows the state's attorney of the county in which the fine or penalty was imposed to retain attorneys and private collection agents for the purpose of collecting any fine or penalty or installment of a fine or penalty. Provides that any fees incurred with respect to such attorneys or private collection agents shall be charged to the offender. 55 ILCS 5/5-43035.

**Public Act 99-019, effective January 1, 2016.** Amends the Counties Code to provide that a county may accumulate an amount not to exceed 3% of the equalized assessed value of property subject to taxation by the county (rather than 5% of the amount appropriated to the county's general corporate or operating fund) in their County Capital Improvement, Repair, or Replacement Fund. 55 ILCS 5/6-1002.5.

**Public Act 99-075, effective January 1, 2016.** Amends the Counties Code to provide that in a county that has a property fraud alert system, a county recorder may create a registration form to register a property owner on the county's property fraud alert system that a real estate professional may file with the recorder on behalf of a property owner. Provides that real estate professionals must register with the county recorder prior to filing the registration forms on behalf of property owners. Limits liability for those assisting a property owner with registering for the property fraud alert system. Limits home rule powers. Makes other changes. 55

ILCS 5/3-5010.10.

## Criminal Law

**Public Act 99-069, effective January 1, 2016.** Amends the Criminal Code of 2012 and the Unified Code of Corrections to eliminate mandatory sentences of natural life imprisonment for persons convicted of offenses committed before they attain 18 years of age. Provides that when a person commits an offense and the person is under 18 years of age at the time of the commission of the offense, the court, at the sentencing hearing, shall consider in mitigation in determining sentence the person's potential for rehabilitation or evidence of rehabilitation, or both. Deletes that the court, in the exercise of its discretion may consider, but is not subject to, mandatory minimum prison terms, consecutive sentencing requirements, sentencing enhancements, or other sentencing requirements imposed on adults for the same offense. Provides that the court may sentence the defendant to any disposition authorized for the class of the offense of which he or she was found guilty, and may, in its discretion, decline to impose any otherwise applicable sentencing enhancement based upon firearm possession, possession with personal discharge, or possession with personal discharge that proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person, except if the defendant is convicted of first degree murder and would otherwise be subject to sentencing for murdering: (1) a peace officer, fireman, or emergency management worker when the peace officer, fireman, or emergency management worker was killed in the course of performing his or her official duties, or to prevent the peace officer or fireman from performing his or her official duties, or in retaliation for the peace officer, fireman, or emergency management worker from performing his or her official duties, and the defendant knew or should have known that the murdered individual was a peace officer, fireman, or emergency management worker; (2) an employee of an institution or facility of the Department of Corrections, or any similar local correctional agency, when the employee was killed in the course of performing his or her official duties, or



to prevent the employee from performing his or her official duties, or in retaliation for the employee performing his or her official duties; (3) an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver or other medical assistance or first aid person while employed by a municipality or other governmental unit when the person was killed in the course of performing official duties or to prevent the person from performing official duties or in retaliation for performing official duties and the defendant knew or should have known that the murdered individual was an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistant or first aid personnel; or (4) by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer, based on the category of persons identified therein, the court shall impose a sentence of not less than 40 years of imprisonment. Provides that in addition, the court may, in its discretion, decline to impose the sentencing enhancements based upon the possession or use of a firearm during the commission of the offense. Deletes provision that the court shall sentence a person to natural life imprisonment for first degree murder if the person who, at the time of the commission of the murder, had attained the age of 17 or more and is found guilty of murdering an individual under 12 years of age. 720 ILCS 5/10-2, 11-1.20, 11-1.30, 11-1.40, 12-33, 29D-14.9, 29D-35; 730 ILCS 5/5-4.5-95, 5-4.5-105, 5-8-1.

**Public Act 99-077, effective January 1, 2016.** Amends the Criminal Code of 2012 and the Unified Code of Corrections to add to the offense of institutional vandalism infliction of damage on a church, synagogue, mosque, cemetery, mortuary, school, educational facility, community center, similar structure, or grounds adjacent to, and owned or rented by an above designated place, because of the actual or perceived sexual orientation of another person or group. Provides that for purposes

of the hate crime statute, the institutional vandalism statute, and the statute concerning aggravating factors in sentencing, "sexual orientation" has the meaning ascribed to it in the Illinois Human Rights Act. Provides that the proscribed acts must be committed by reason of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals, regardless of the existence of any other motivating factor or factors (adds ancestry, gender, sexual orientation, or physical or mental disability). 720 ILCS 5/12-7.121-1.2; 730 ILCS 5/5-5-3.2.

**Public Act 99-094, effective January 1, 2016.** Amends the Code of Criminal Procedure of 1963 to provide that in a prosecution of criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, or aggravated criminal sexual abuse, the court may set any conditions it finds just and appropriate on the taking of testimony of a victim who is a child under the age of 18 years or a moderately, severely, or profoundly intellectually disabled person or a person affected by a developmental disability, involving the use of a facility dog, in any proceeding involving that offense. Defines "facility dog." Provides that when deciding whether to permit the child or person to testify with the assistance of a registered service or therapy animal, the court shall take into consideration the age of the child or the person, the interests of the child or the person, the rights of the parties to the litigation, and any other relevant factor that would facilitate the testimony by the child or the person. 725 ILCS 5/106B-10.

**Public Act 99-095, effective July 21, 2015.** Amends the Vital Records Act to authorize certification or a certified copy of a birth certificate to be issued upon the specific written request of a state's attorney for the purpose of a criminal prosecution. 410 ILCS 535/25.

**Public Act 99-096, effective July 22, 2015.** Amends the Compassionate Use of Medical Cannabis Pilot Program Act to provide that a law enforcement or

correctional agency, or any individual employed by a law enforcement or correctional agency, is not subject to criminal or civil liability, except for willful and wanton misconduct, as a result of taking any action within the scope of the official duties of the agency or individual to prohibit or prevent the possession or use of cannabis by a cardholder incarcerated at a correctional facility, jail, or municipal lockup facility, on parole or mandatory supervised release, or otherwise under the lawful jurisdiction of the agency or individual. 410 ILCS 130/25.

## Emergency Telephone Systems

**Public Act 99-006, effective June 29, 2015.** Amends the Emergency Telephone Safety Act and the Wireless Emergency Telephone Safety Act to create a single statewide 9-1-1 system, to be administered by the Department of State Police. Amends the Attorney General Act, the Department of State Police Law of the Civil Administrative Code of Illinois, the State Finance Act, the Prepaid Wireless 9-1-1 Surcharge Act, and the Public Utilities Act to make conforming changes. 50 ILCS 750/15.3, 19, 75, 99; 50 ILCS 751/27, 45, 70; 50 ILCS 753/15; 15 ILCS 205/6.5; 20 ILCS 2605/2605-25, 52; 30 ILCS 105/5.866.

## Environmental Barriers Act

**Public Act 99-061, effective July 16, 2015.** Amends the Environmental Barriers Act to provide that the Capital Development Board shall adopt and publish the updated Illinois Accessibility Code by January 1, 2017 (instead of January 1, 2016). Provides that the Board shall update its accessibility standards beginning on January 1, 2017 (currently, January 1, 2016) if the ADA Standards for Accessible Design are updated by that time. 410 ILCS 25/4.

## Environmental Law

**Public Act 99-011, effective July 10, 2015.** Amends the Environmental Protection Act to provide that municipalities and counties may approve one-day compostable waste collection events and permanent compostable waste collection points and establishes requirements for those programs. Provides that a specified permit is not required for the operation of a one-day compostable waste collection event, if

the compostable waste collection event is operated in accordance with the specified statutory provision and the approval issued for the compostable waste collection event. 415 ILCS 5/22.55.

**Public Act 99-012, effective July 10, 2015.** Amends the Environmental Protection Act to provide that the portion of a municipal solid waste landfill unit: (A) that is located in a county having a population of not less than 55,000 and not more than 60,000 according to the 2010 federal census; (B) that is owned by that county; (C) that is permitted, by the Environmental Protection Agency, prior to the effective date of this amendatory act; and (D) for which a permit application is submitted to the Agency within 6 months after the effective date of this amendatory act for the disposal of non-hazardous special waste is not a pollution control facility. 415 ILCS 5/3.330.

**Public Act 99-013, effective July 10, 2015.** Amends the Electronic Products Recycling and Reuse Act to provide that a manufacturer may count the total weight of a cathode ray tube device, prior to processing, towards its goal under this section if all recyclable components are removed from the device and the cathode ray tube glass is managed in a manner that complies with all Illinois Environmental Protection Agency regulations for handling, treatment, and disposition of cathode ray tubes. Makes other changes. 415 ILCS 150/15, 20, 50, 55, 80, 82.

**Public Act 99-020, effective July 10, 2015.** Amends the Environmental Protection Act to provide that "coal combustion by-product" means coal combustion that is synthetic gypsum used in specified ways. 415 ILCS 5/3.135.

**Public Act 99-034, effective July 14, 2015.** Amends the Illinois Solid Waste Management Act to provide that, all State agencies responsible for the maintenance of public lands in the State shall review its procurement specifications and policies to determine: (1) if incorporating compost materials will help reduce stormwater run-off and increase infiltration of moisture in land maintenance activities; and (2) the current

recycled content usage and potential for additional recycled content usage by the Agency in land maintenance activities and report to the General Assembly by December 15, 2015. 415 ILCS 20/3.

**Public Act 99-055, effective July 16, 2015.** Amends the Environmental Protection Act to provide that, except to the extent required by federal law, generators and transporters of hazardous waste and facilities accepting hazardous waste are not required to submit copies of hazardous waste manifests to the Environmental Protection Agency. Provides that nothing in this provision precludes the Agency from collecting specified fees. 415 ILCS 5/22.02.

**Public Act 99-060, effective July 16, 2015.** Amends the Environmental Protection Act to provide that drug evidence that is placed into a drug destruction device by a law enforcement agency at the location where the evidence is stored by the agency and that is destroyed under the supervision of the agency in accordance with the specifications of the device manufacturer shall not be considered discarded or a waste under the Act until it is rendered non-retrievable. 415 ILCS 5/22.58.

**Public Act 99-067, effective July 20, 2015.** Amends the Environmental Protection Act to provide that, to the extent allowed by federal law, Exceptional Quality biosolids shall not be subject to regulation as a sludge or other waste if they meet specified requirements. Defines "Exceptional Quality biosolids." Provides that Exceptional Quality biosolids that have not been bagged shall not be subject to regulation as sludge or other waste if they are used on agricultural land in a manner that follows recommended application rates and are used on all land in a manner that follows best management practices to protect water quality. 415 ILCS 5/3.560, 22.56a.

**Public Act 99-073, effective January 1, 2016.** Amends the Rivers, Lakes, and Streams Act to provide that the Department of Natural Resources may issue orders requiring all necessary remedial actions to correct violations of the Act and impose

civil penalties. Provides that any person who violates any provision, rule or regulation adopted by the Department, any permit, term, or condition, or violates any order of the Department under this Act, shall be liable for a civil penalty of up to 2 times the applicable permit fee, but not to exceed \$5,000 for a violation. Provides that the penalty fee may be payable to the Department and deposited into the State Boating Act Fund for use by the Department for ordinary and contingent expenses. 615 ILCS 5/26a.

**Public Act 99-081, effective January 1, 2016.** Amends the Illinois Exotic Weed Act to add exotic bush honeysuckles (*Lonicera maackii*, *Lonicera tatarica*, *Lonicera morrowii*, and *Lonicera fragrantissima*), exotic olives (*Elaeagnus umbellata*, *Elaeagnus pungens*, *Elaeagnus angustifolia*), salt cedar (all members of the *Tamarix* genus), poison hemlock (*Conium maculatum*), giant hogweed (*Heracleum mantegazzianum*), Oriental bittersweet (*Celastrus orbiculatus*), and lesser celandine (*Ficaria verna*), teasel (all members of the *Dipsacus* genus), and Japanese, giant, and Bohemian knotweed (*Fallopia japonica*, syn. *Polygonum cuspidatum*; *Fallopia sachalinensis*; and *Fallopia x bohemica*, resp.) to designated exotic weeds. Further amends the Act to provide that specified permits may be used for the use of exotic olive (*Elaeagnus umbellata*, *Elaeagnus pungens*, *Elaeagnus angustifolia*) berries in the manufacture of value added products. Provides that the exotic berry permit holder must register annually with the Department of Natural Resources and be able to demonstrate to the Department that seeds remaining post-manufacture are sterile or otherwise unviable. 525 ILCS 10/3, 4.

**Public Act 99-082, effective July 20, 2015.** Amends the Environmental Protection Act to provide that, beginning July 1, 2015, no person may knowingly mix sharps, including, but not limited to, hypodermic, intravenous, or other medical needles or syringes or other medical household waste containing used or unused sharps, including, but not limited to, hypodermic, intravenous, or other medical needles or syringes or other

sharps, with any other material intended for collection as a recyclable material by a residential hauler. Further provides that, beginning July 1, 2015, no person may knowingly place sharps into a container intended for collection by a commercial hauler for processing at a recycling center. Provides that the Environmental Protection Agency may provide educational materials to the public about the safe management and proper disposal of household generated sharps through the use of literature, websites, DVDs, a toll-free number, or any other method which the Agency deems appropriate. Amends the Department of Public Health Powers and Duties Law. Provides that as soon as practicable after the effective date of this amendatory Act, the Department of Public Health shall review and, if necessary, revise specified guidelines and educational materials. Makes other changes. 20 ILCS 2310/2310-252; 415 ILCS 5/56.1.

**Public Act 99-083, effective July 20, 2015.** Amends the Nuclear Safety Law of 2004. Repeals a provision authorizing community water supplies to request that the Illinois Emergency Management Agency perform analytical services to determine compliance with contaminant levels for radionuclides as specified in State or federal drinking water regulations. 20 ILCS 3310/30.

**Public Act 99-089, effective January 1, 2016.** Amends the Environmental Protection Act to provide that a provision concerning beneficial use determinations does not apply to dust suppressants applied to material that is: (i) burned for energy recovery; (ii) used to produce a fuel; or (iii) otherwise contained in a fuel. 415 ILCS 5/22.54.

## Family Law

**Public Act 99-090, effective January 1, 2016.** Amends the Alienation of Affections Act, the Breach of Promise Act, and the Criminal Conversation Act to abolish actions for alienation of affections, breach of promise to marry, and criminal conversation, changes the short titles of those Acts, amends the Code of Civil Procedure to make a conforming change, and contains findings. Amends

the Illinois Marriage and Dissolution of Marriage Act by making changes regarding: construction of the Act; venue; pleadings; solemnization of marriage; offenses involving issuance of licenses; grounds for dissolution of marriage; judgments for legal separation; mediation; costs of educational sessions; hearings on default; filing of a praecipe for summons; time for entering judgments; simplified dissolution procedure; temporary relief; dissolution action stays; agreements; disposition of property and debts; child support; attorney's fees; modification of provisions of judgments; educational expenses; support for disabled children who have attained majority; custody proceedings, hearings, and orders; allocation and restriction of parental responsibilities; parenting plans; interviews and evaluations of children; enforcement of allocated parenting time; parental relocation; applicability; repeal of various provisions; and other matters. Amends the Intergovernmental Missing Child Recovery Act of 1984, the Code of Criminal Procedure of 1963, the Uniform Child-Custody Jurisdiction and Enforcement Act, the Illinois Domestic Violence Act of 1986, and the Probate Act of 1975 to make conforming changes. Makes other changes. 735 ILCS 5/13-202; 740 ILCS 5/0.01, 7.1; 740 ILCS 15/10.1; 740 ILCS 50/0.01, 7.1; 325 ILCS 40/7.1; 725 ILCS 5/112A-23; 750 ILCS 5/102, 104, 105, 107, 209, 219, 304, 401, 402, 403, 404, 405, 409, 411, 413, 452, 453, 501, 501.1, 502, 503, 504, 505, 505.1, 506, 508, 509, 510, 512, 513, 513.5, 600, 601.2, 602.3, 602.5, 602.7, 602.8, 602.9, 602.10, 602.11, 603.5, 603.10, 604.10, 606.5, 606.10, 607.5, 609.2, 610.5, 801; 750 ILCS 36/202; 750 ILCS 60/214, 223; 755 ILCS 5/11-7.1.

**Public Act 99-049, effective July 15, 2015.** Amends the Adoption Act to provide for the re-adoption and confirmation of the foreign adoption decree of a child adopted in a foreign country. The amendment also (1) amends the Child Care Act of 1969 and the Adoption Act to define "placement disruption," "secondary placement," "adoption dissolution," "unregulated placement," and "post-placement and post-adoption support services"; (2) further amends the Adoption Act to provide that

in the case of an intercountry adoption that requires oversight by the adoption services governed by the federal Intercountry Adoption Universal Accreditation Act of 2012, Illinois shall not impose any additional preadoption requirements and makes corresponding changes; and (3) provides that the Department of Children and Family Services shall establish, maintain, and provide information about post-placement and post-adoption support services and imposes reporting requirements upon the Department. Makes other changes. 225 ILCS 10/2.30, 2.31, 2.32, 2.33, 2.34; 750 ILCS 50/1, 2, 4.1, 5, 13, 18.9.

## Financial Institutions

**Public Act 99-039, effective January 1, 2016.** Amends the Illinois Banking Act to provide that the Secretary of Financial and Professional Regulation may assess reasonable receivership fees against any State bank that does not maintain insurance with the Federal Deposit Insurance Corporation. Provides that members of the State Banking Board of Illinois cease to be eligible to serve on the Board once they no longer meet the requirements of their original appointment; however a member from a State Bank shall not be disqualified solely due to a change in the bank's asset size. Amends the Savings Bank Act. Provides that savings banks and service corporations shall pay specified fees in quarterly installments. Removes a provision concerning a fee that is levied as an adjustment to the supervisory fee. Provides that the Secretary may assess reasonable receivership fees against any savings bank operating under the Act that does not maintain insurance with the Federal Deposit Insurance Corporation. Provides that if the funds in the estate of the savings bank are insufficient to cover the expenses that arise from the administration of a receivership, the Secretary may pay such expenses from the Non-insured Institutions Receivership account. Provides that members of the Board of Savings Banks cease to be eligible to serve on the Board once they no longer meet the requirements of their original appointment. 205 ILCS 5/48, 48.05, 78; 205 ILCS 205/9002.5, 10085, 12201.

## Firearms

**Public Act 99-029, effective July**



**10, 2015.** Amends the Firearm Owners Identification Card Act to allow a person to acquire or possess a firearm or firearm ammunition with only a valid concealed carry license in his or her possession (rather than must have a valid FOID card in his or her possession). Provides the changes made in the appeal to the Director of State Police regarding disqualification for a developmental disability or intellectual disability by this amendatory Act apply to requests for relief pending on or before the effective date of this amendatory Act, except that the 60-day period for the Director to act on requests pending before the effective date shall begin on the effective date of this amendatory Act. Provides that nothing in the definition of "gun show" shall be construed to exclude a gun show held in conjunction with competitive shooting events at the World Shooting Complex sanctioned by a national governing body in which the sale or transfer of firearms is authorized under the Criminal Code of 2012. Provides that any non-resident registered competitor or attendee of a competitive shooting event held at the World Shooting Complex sanctioned by a national governing body, who is not prohibited by the laws of Illinois, the state of his or her domicile, or the United States from obtaining, possessing, or using a firearm may purchase or obtain a rifle, shotgun, or other long gun or ammunition for a rifle, shotgun, or other long gun at the competitive shooting event. Provides that a competitor or attendee of a competitive shooting event who does not wish to purchase a firearm at the event is not required to register or have his or her name appear on a list of registered competitors and attendees provided to the Department of State Police by the sanctioning body. Amends the Criminal Code of 2012. Provides that waiting period for the delivery of a firearm after application for its purchase has been made does not apply to the transfer or sale of any rifle, shotgun, or other long gun to a resident registered competitor or attendee or non-resident registered competitor or attendee by any dealer licensed as a federal firearms dealer under the federal Gun Control Act of 1968 at competitive shooting events held at the World Shooting Complex sanctioned by a national governing body. Provides that the Department of Natural Resources shall give notice to

the Department of State Police at least 30 calendar days prior to any competitive shooting events at the World Shooting Complex sanctioned by a national governing body. Provides that the sanctioning body shall provide a list of all registered competitors and attendees at least 24 hours before the events to the Department of State Police. Provides that any changes to the list of registered competitors and attendees shall be forwarded to the Department of State Police as soon as practicable. Amends the Firearm Concealed Carry Act. Provides that the disclosure requirement during an investigative stop is satisfied if the licensee presents his or her license to the officer or the non-resident presents to the officer evidence that he or she is qualified to carry under the Act. Provides that upon the request of the officer, the licensee or non-resident shall also identify the location of the concealed firearm and permit the officer to safely secure the firearm for the duration of the investigative stop. Provides that if a licensee carrying a firearm or a non-resident carrying a firearm in a vehicle is contacted by a law enforcement officer or emergency services personnel, the law enforcement officer or emergency services personnel may secure the firearm or direct that it be secured during the duration of the contact if the law enforcement officer or emergency services personnel determines that it is necessary for the safety of any person present, including the law enforcement officer or emergency services personnel. Provides that the licensee or nonresident shall submit to the order to secure the firearm. Provides that when the law enforcement officer or emergency services personnel have determined that the licensee or non-resident is not a threat to the safety of any person present, including the law enforcement officer or emergency services personnel, and if the licensee or non-resident is physically and mentally capable of possessing the firearm, the law enforcement officer or emergency services personnel shall return the firearm to the licensee or non-resident before releasing him or her from the scene and breaking contact. If the licensee or non-resident is transported for treatment to another location, the firearm shall be turned over to any peace officer. The peace officer shall provide a receipt which includes the make,

model, caliber, and serial number of the firearm. In the provision that a licensee may carry a concealed firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area only for the limited purpose of storing or retrieving a firearm within the vehicle's trunk, deletes language that the licensee must ensure that the concealed firearm is unloaded prior to exiting the vehicle. Provides that the waiver of the applicant's privacy and confidentiality rights and privileges under federal and State laws only applies to records sought in connection with determining whether the applicant qualifies for a license to carry a concealed firearm under the Act, or whether the applicant remains in compliance with the Firearm Owners Identification Card Act. Provides the Department of State Police may require (rather than the licensee shall submit) a notarized statement that the licensee has changed his or her address or name. Amends the Criminal Code of 2012. Provides that the exception from the waiting period for acquiring a firearm after application for its purchase has been made in relation to mail order purchases by non-residents only applies to a mail order sale of a firearm from a federally licensed firearms dealer to a nonresident of Illinois under which the firearm is mailed to a federally licensed firearms dealer outside the boundaries of Illinois. Provides that nothing in the waiting period provision relieves a federally licensed firearm dealer from the requirements of conducting a NICS background check through the Illinois Point of Contact under the federal Gun Control Act of 1968. Provides that the Department of State Police must destroy the list of registered competitors and attendees at competitive shooting events held at the World Shooting Complex sanctioned by a national governing body no later than 30 days after the date of the event. Further amends the Criminal Code of 2012. Provides that the offense of unlawful use of weapons concerning the carrying or possession of firearms in any vehicle or concealed on or about one's person or on or about one's person, upon any public street, alley, or other public lands within the corporate limits of a city, village, or incorporated town does not apply to or affect transportation of weapons that are carried or possessed in accordance with the Firearm

Concealed Carry Act by a person who has been issued a currently valid license under the Firearm Concealed Carry Act. 405 ILCS 5/6-103.2, 103.3; 430 ILCS 65/1.1, 2, 3, 3a, 10; 430 ILCS 66/10, 30, 55, 65; 720 ILCS 5/24-1, 24-3; 740 ILCS 110/12,

## Food Handling

**Public Act 99-009, effective July 10, 2015.** Amends the Food Handling Regulation Enforcement Act to provide that the provisions and rules set forth in a section concerning farmers' markets only apply to that section. 410 ILCS 625/3.3.

**Public Act 99-062, effective July 16, 2015.** Amends the Food Handling Regulation Enforcement Act to provide that any individual seeking a food service sanitation manager certificate or a food service sanitation manager instructor certificate must receive a passing score on the examination set by the certification exam provider accredited under standards developed and adopted by the Conference for Food Protection or its successor organization (rather than a score of at least 75% on the examination). Further amends the Food Handling Regulation Enforcement Act to provide that the Department of Public Health shall approve the training program of any multi-state business with a plan that follows the guidelines in specified provisions of the Act and is on file with the Department by March 31, 2015 (currently, May 15, 2013). 410 ILCS 625/3, 3.06.

## Good Samaritan Act

**Public act 99042, effective January 1, 2016.** Amends the Good Samaritan Act to add to the definition of "free medical clinic," programs organized by a certified local health department utilizing members of the federal Volunteer Medical Reserve Corps, at which the care provided does not include an overnight stay in a health-care facility. Specifies that the added programs are those that provide medical care without charge to individuals unable to pay for it. Makes other changes. 745 ILCS 49/30.

**Public Act 99-092, effective January 1, 2016.** Amends the Good Samaritan Act to provide that a dentist who administers vaccinations as provided in the Illinois

Dental Practice Act at a public health clinic operated pursuant to the Public Health District Act, without charge to the patient or the receipt of a fee or compensation from that service in any way, shall not be liable for civil damages as a result of his or her acts or omissions in providing vaccinations, except for willful or wanton misconduct. Makes other changes. 745 ILCS 49/20.

## Homeland Security

**Public Act 99-036, effective July 14, 2015.** Amends the Illinois Emergency Management Agency Act to change references from "Homeland Security Emergency Preparedness Fund" and "the Fund" to "Homeland Security Emergency Preparedness Trust Fund" and "the Trust Fund." 20 ILCS 3305/17.5.

## Licensed Occupations

**Public Act 99-015, effective January 1, 2016.** Amends the Residential Mortgage Licensing Act of 1987 to provide that the Secretary of Financial and Professional Regulation shall conduct an examination of each licensee that engages in brokering and lending activities, the scope of which shall address the delinquency rate of the licensee's loan portfolio. Provides that licenses shall be renewed every year using the common renewal date of the Nationwide Mortgage Licensing System and Registry as adopted by the Director of the Division of Banking of the Department of Financial and Professional Regulation. Provides that properly completed renewal application forms and filing fees must be received by the Secretary 30 (was 60) days prior to the license expiration (was renewal) date to be timely received. Provides that the Secretary may share with the Residential Mortgage Board non-confidential delinquency rate related information, including any public disciplinary orders against licensees that result from the delinquency rate related examination findings. Removes a provision requiring the publication of a specified notice in the Illinois Register. 205 ILCS 635/2-1, 2-2, 2-6, 4-5, 4-8.

**Public Act 99-022, effective January 1, 2016.** Amends the Elevator Safety Act to provide that the Office of the State Fire Marshal (rather than the Elevator Safety

Review Board) shall authorize the issuance of elevator contractor's licenses, elevator mechanic's licenses, inspector's licenses, and inspection company licenses. Further provides that the Board no longer has the power to establish fee schedules for inspections of conveyances. Requires that the Board prescribe an inspection form, which shall be the only inspection form used by a person, company, or home rule unit licensed to inspect conveyances under the Act. Provides that all applications for a contractor's or inspection company license shall contain a copy of the Certificate of Authority to transact business in the State from the Secretary of State for corporations registered in another state, a certificate of good standing for corporations registered in Illinois, and an assumed name certificate issued by the Illinois county in which the business is located for a sole proprietor or partnership. Requires that all injuries caused by a malfunctioning conveyance be reported to the Office of the State Fire Marshal within 2 business days. 225 ILCS 312/15, 35, 105, 120, 140.

**Public Act 990-025, effective January 1, 2016.** Amends the Illinois Dental Practice Act to change the term "dental emergency responder" to "dental responder." Changes the definition of the term to mean a dentist or dental hygienist who is appropriately certified in disaster preparedness, immunizations, and dental humanitarian medical response consistent with the Society of Disaster Medicine and Public Health and training certified by the National Incident Management System or the National Disaster Life Support. Makes corresponding changes in the provisions concerning dental emergency responders. 225 ILCS 25/4, 54.2.

**Public Act 99-026, effective July 10, 2015.** Extends the repeal of the Professional Geologist Licensing Act from January 1, 2016 to January 1, 2026. Amends the Professional Geologist Licensing Act to make changes in provisions regarding definitions, restrictions and limitations, the Board of Licensing for Professional Geologists, qualifications for licensure, seals, expiration and renewal of licenses, disciplinary actions, investigations, records of disciplinary

proceedings, rehearings, hearing officer proceedings, restoration of suspended and revoked licenses, administrative review, and administrative procedure. Increases civil penalties for violations of the Act. Provides that all information collected by the Department of Financial and Professional Regulation in the course of examination or investigation of a licensee or applicant remain confidential. Makes other changes. 225 ILCS 745/15, 25, 30, 35, 50, 60, 65, 75, 80, 90, 95, 100, 110, 120, 125, 130, 135, 145, 155, 162, 165, 170, 180.

**Public Act 99-043, effective January 1, 2016.** Amends the Illinois Optometric Practice Act of 1987 to remove provisions allowing for a limited one year optometry practice license for applicants in a residency program. Allows the use of testimonials in advertisements of optometric services. Allows licensees to use the words “hospital,” “school,” and “university” in connection with the place where optometry may be practiced or demonstrated if the licensee is employed by and practicing at a location that is licensed as a hospital or accredited as a school or university. 225 ILCS 80/12, 22, 24.

**Public Act 99-059, effective July 16, 2015.** Amends the Radon Industry Licensing Act to provide that the Assistant Director of the Illinois Emergency Management Agency or his or her designee may, at the Assistant Director’s instance or on the written request of another party to an administrative proceeding or investigation administered under the Act or any other law concerning radon, subpoena witnesses to attend and give testimony before the hearing officer designated to preside over the proceeding or investigation and subpoena the production of books, papers, or records that the Assistant Director or his or her designee deems relevant or material to any administrative proceeding or investigation. Provides for witness fees. Requires the Agency to adopt rules governing the procedure for challenging a subpoena. 420 ILCS 44/52.

**Public Act 99-076, effective July 20, 2015.** Creates the Interstate Medical Licensure Compact Act to provide that

Illinois ratifies and approves of the Interstate Medical Licensure Compact. The Compact provides that it will develop a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians to become licensed in multiple states. The Compact provides for eligibility requirements, application requirements, fees, renewal requirements, information concerning investigation and discipline, and other procedures to implement the Compact.

**Public Act 99-100, effective January 1, 2016.** Amends the Illinois Insurance Code to provide that payment for services rendered by a registered surgical assistant who is neither an employee of an ambulatory surgical treatment center nor an employee of a hospital shall be paid at the appropriate non-physician modifier rate if the payor would have made payment had the same services been provided by a physician. Makes conforming changes in the Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act. 215 ILCS 5/370b.1; 225 ILCS 130/47.

## **Liquor**

**Public Act 99-046, effective July 16, 2015.** Amends the Liquor Control Act of 1934 to add provisions concerning the preparation of a spirit where ingredients are added to infuse flavor into the spirit for consumption on a licensee’s premises. Further amends the Liquor Control Act of 1934 to prohibit the Illinois Liquor Control Commission from enforcing any trade practice policy or other rule that was not adopted in accordance with the Illinois Administrative Procedure Act. Provides that certain locations within or adjacent to a hotel shall be considered part of the hotel’s licensed premises if those locations are owned and managed by the hotel operator and that those locations may be maintained and managed pursuant to a single retailer’s license issued by the State Commission. In a provision that prohibits the issuance of a license within 100 feet of churches, schools, hospitals, or certain other buildings, provides that a local liquor control commissioner may grant an exemption to that prohibition if a local rule or ordinance authorizes the

local liquor control commissioner to grant that exemption. In a provision of the Act that prohibits happy hours, removes certain prohibitions and requirements. Prohibits the sale of more than one drink of alcoholic liquor for the price of one drink of alcoholic liquor. Adds provisions concerning happy hours, meal packages, party packages, and entertainment packages. Repeals a provision that prohibits the sale of liquor on Sundays, except under certain circumstances, and makes a conforming change. Requires all alcohol servers to complete responsible alcohol service server training and provides certain dates by which alcohol servers in certain counties must complete the training. Makes changes in provisions concerning product sampling. Makes other changes. 235 ILCS 5/1-2, 1-3.25, 3-14, 4-1, 6-11, 6-22.5, 6-27.1, 6-27.5, 6-28, 6-28.5, 6-31.

**Public Act 99-047, effective July 15, 2015.** Amends the Liquor Control Act of 1934 to remove a specific exception to a prohibition on issuing a retailer’s license to a person licensed as a distiller or wine manufacturer. Provides that the changes made by the amendatory Act shall not diminish or impair the rights of any person, whether a distiller, wine manufacturer, agent, or affiliate thereof, who requested in writing and submitted documentation to the Illinois Liquor Control Commission on or before February 18, 2015, to be approved for a retail license pursuant to a certain provision; provided that, on or before that date, the State Commission considered the intent of that person to apply for the retail license under a specified provision that was removed by the amendatory Act and, by recorded vote, the State Commission approved a resolution indicating that such a license application could be lawfully approved upon that person duly filing a formal application for a retail license and if that person, within 90 days of the State Commission appearance and recorded vote, first filed an application with the appropriate local commission, which application was subsequently approved by the appropriate local commission prior to consideration by the State Commission of that person’s application for a retail license. Provides that the State Commission may

approve the person's application for a retail license or renewals of such license if such person continues to diligently adhere to all representations made in writing to the State Commission on or before February 18, 2015, or thereafter, or in the affidavit filed by that person with the State Commission to support the issuance of a retail license and to abide by all applicable laws and duly adopted rules. Deletes language providing that a local liquor control commissioner may grant an exemption to the prohibition on the sale at retail of alcoholic liquor within 100 feet of a church, school, hospital, home for aged or indigent persons or for veterans, or a military or naval station if a local rule or ordinance authorizes the local liquor control commissioner to grant that exemption. 235 ILCS 5/6-4, 6-11.

**Public Act 99-051, effective January 1, 2016.** Amends the Liquor Control Act of 1934 to provide that no person shall sell, offer for sale, or deliver, receive, or purchase for resale in this State any product consisting of or containing powdered alcohol. Defines "powdered alcohol." Provides that a knowing violation of the prohibition on selling, offering for sale, or delivering, receiving, or purchasing for resale in this State any product consisting of or containing powdered alcohol is a Class A misdemeanor for a first offense and a Class 4 felony for second or subsequent offense. 235 ILCS 5/6-34.5.

## Loan Programs

**Public Act 99-037, effective January 1, 2016.** Amends the Home Equity Assurance Act to provide that a governing commission of a Guaranteed Home Equity Program with no less than \$4,000,000 in its guarantee fund may by resolution (currently, only by referendum) establish a Low Interest Home Improvement Loan Program. 65 ILCS 95/11.

## Medical Cannabis

**Public Act 99-031, effective January 1, 2016.** Amends the Compassionate Use of Medical Cannabis Pilot Program to provide that nothing in the Act may be construed to require an employer or a property and casualty insurer to reimburse a person for costs associated with the medical use of

cannabis. 410 ILCS 130/40.

**Public Act 99-096, effective July 22, 2015.** Amends the Compassionate Use of Medical Cannabis Pilot Program Act to provide that a law enforcement or correctional agency, or any individual employed by a law enforcement or correctional agency, is not subject to criminal or civil liability, except for willful and wanton misconduct, as a result of taking any action within the scope of the official duties of the agency or individual to prohibit or prevent the possession or use of cannabis by a cardholder incarcerated at a correctional facility, jail, or municipal lockup facility, on parole or mandatory supervised release, or otherwise under the lawful jurisdiction of the agency or individual. 410 ILCS 130/25.

## Medical Practices

**Public Act 99-028, effective January 1, 2016.** Amends the Mental Health and Developmental Disabilities Confidentiality Act to provide that unless otherwise expressly provided for in the Act, records and communications made or created in the course of providing mental health or developmental disabilities services shall be protected from disclosure regardless of whether the records and communications are made or created in the course of a therapeutic relationship. Provides that "record" does not include a reference to the receipt of mental health or developmental disabilities services noted during a patient history and physical or other summary of care. Defines "therapeutic relationship." 740 ILCS 110/2, 3.

**Public Act 99-054, effective January 1, 2016.** Amends the State Finance Act and the African-American HIV/AIDS Response Act to extend the date of repeal of the African-American HIV/AIDS Response Fund from July 1, 2016 to July 1, 2026. Amends the AIDS Confidentiality Act to make changes to the definitions of "health care professional" and "informed consent." With respect to informed consent, replaces references to "health care facilities or providers" with "a health care provider, health care professional, or health facility." Defines "pre-test information," "opt-in testing," and "opt-out testing." Provides that consent for opt-out

HIV testing may be incorporated into a patient's general consent for medical care on the same basis as other testing. Provides that a subject's or a subject's legally authorized representative's verbal or written consent, or declination of opt-out HIV testing, must be documented by the health facility or provider in the general consent for medical care, a separate consent form, or elsewhere in the medical record. Makes other changes concerning informed consent and pre-test information. Makes other changes. 30 ILCS 105/5.666; 410 ILCS 303/27; 410 ILCS 305/3, 4, 5, 9.

**Public Act 99-048, effective July 15, 2015.** Amends the Hospital Licensing Act to require a hospital to provide information and instructional materials regarding sudden infant death syndrome, requires the materials provided by a hospital concerning safe sleep environments to include information developed by the American Academy of Pediatrics or a statewide or nationally recognized sudden infant death syndrome or medical association. 210 ILCS 85/11.7.

## Minimum Wage

**Public Act 99-017, effective January 1, 2016.** Amends the Minimum Wage Law to provide that overtime compensation provisions of the Law do not apply to any employee who is a member of a bargaining unit recognized by the Illinois Labor Relations Board and whose union has contractually agreed to an alternate shift schedule as allowed by specified provisions of the Fair Labor Standards Act of 1938. 820 ILCS 105/4a.

## Municipalities

**Public Act 99-006, effective June 29, 2015.** Amends provisions of the Illinois Municipal Code regarding municipal franchise fee review. Provides that if a community antenna television system (CATV) operator providing cable or video service in that municipality is required to pay the service provider fees imposed by the Cable and Video Competition Law of 2007, then the municipality may conduct an audit of that CATV operator's service provider fees derived from the provision of cable and video services to subscribers



within the franchise area to determine whether the amount of service provider fees paid by that CATV operator to the county or municipality was accurate. Makes changes concerning the procedures for audits. Amends the Cable and Video Competition Law of 2007 of the Public Utilities Act. Replaces language concerning audits with language that provides that a holder that has received State-issued authorization is subject to an audit of its service provider fees derived from the provision of cable or video services to subscribers within any part of the local unit of government which is located in the holder's service territory, that any such audit shall be conducted by the local unit of government or its agent for the sole purpose of determining any overpayment or underpayment of the holder's service provider fee to the local unit of government, and that on or after the effective date of the amendatory Act, any audit conducted under the provisions by a local government shall be governed by the Illinois Municipal Code. 65 ILCS 5/11-42-11.05.

**Public Act 99-063, effective January 1, 2016.** Amends the Illinois Municipal Code, in a Division concerning annexation of property, provides that municipalities may annex a parcel under 1 acre that is separated from a municipality only by a forest preserve district, federal wildlife refuge, open land or open space that is part of an open space program, or conservation area without requiring any showing that the forest preserve district, federal wildlife refuge, open land, open space, or conservation area creates an artificial barrier preventing the annexation. 65 ILCS 5/7-1-1.

## National Guard

**Public Act 99-088, effective July 21, 2015.** Amends the Service Member's Employment Tenure Act to expand the definition of "military service" to include any period of active duty by members of the National Guard who are called to active duty pursuant to an order of the Governor of this State or an order of a governor of any other state as provided by law. 330 ILCS 60/3.

## New Acts

**Public Act 99-076, effective July 20, 2015.** Creates the Interstate Medical

Licensure Compact Act to provide that Illinois ratifies and approves the Interstate Medical Licensure Compact. The Compact provides that it will develop a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians to become licensed in multiple states. The Compact provides for eligibility requirements, application requirements, fees, renewal requirements, information concerning investigation and discipline, and other procedures to implement the Compact.

**Public Act 99-079, effective January 1, 2016.** Creates the Uniform Interstate Depositions and Discovery Act to provide procedures for the issuance of a subpoena to require deposition testimony or discovery production in this State in connection with litigation pending in a foreign jurisdiction. Defines terms. Provides that Illinois Supreme Court rules and the section of the Code of Civil Procedure concerning subpoenas apply to subpoenas issued under the new provisions. Provides that in applying and construing the Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it. Provides that the Act is applicable to cases pending on the effective date.

**Public Act 99-085, effective January 1, 2016.** Creates the Illinois Parentage Act of 2015 and provides methods for the establishment of a parent-child relationship. Authorizes genetic testing. Provides for temporary relief and proceedings to adjudicate parentage. Provides for child support establishment and enforcement. Repeals the Illinois Parentage Act of 1984. Amends the Probate Act of 1975 to provide that a posthumous child must have been *in utero* at the time of a decedent's death in order to qualify for a share of an estate. Amends numerous Acts to make conforming changes. 20 ILCS 1005/1005-130; 20 ILCS 2105/2105-15; 20 ILCS 2505/2505-65; 55 ILCS 5/3-5036.5; 225 ILCS 425/2.04; 305 ILCS 5/10-3.1, 10-16.7, 10-17, 10-17.7, 10-19, 10-25, 10-25.5, 10-27, 12-4.7c; 410 ILCS 513/22, 30; 410 ILCS 535/12, 24; 625 ILCS 5/2-109.1, 7-703; 705 ILCS 105/27.1a; 705

ILCS 405/1-3, 6-9; 725 ILCS 5/112A-14; 730 ILCS 5/3-5-4; 735 ILCS 5/2-209, 2-1401, 12-112, 12-819; 740 ILCS 170/11; 750 ILCS 5/713; 750 ILCS 16/50; 750 ILCS 22/102; 750 ILCS 25/6; 750 ILCS 28/15; 750 ILCS 47/35; 750 ILCS 50/1, 8, 12a, 18.06; 750 ILCS 60/202, 214; 755 ILCS 5/2-3; 805 ILCS 5/1.25; 805 ILCS 180/50-5.

**Public Act 99-099, effective January 1, 2016.** Creates the Human Trafficking Resource Center Notice Act, which provides that specified businesses and establishments shall post in a conspicuous place a notice informing the public of the availability of the National Human Trafficking Resource Center. Contains provisions regarding the form and substance of the notice. Provides that a business or establishment that fails to comply with the requirements of the Act is liable for a civil penalty of \$500 for a first offense and \$1,000 for each subsequent offense. Adds provisions revising applicability of the Act to farm labor contractors. Provides for the use of a model notice developed by the Illinois Task Force on Human Trafficking.

**Public Act 99-050, effective January 1, 2016.** Creates the Powdered Caffeine Control and Education Act to prohibit any person from selling, offering to sell, giving away, or providing free samples of powdered pure caffeine to any person under age 18 located in the State or to any person under age 18 making the purchase from within the State. Sets forth penalties for violations of the Act. Defines required terms.

## Probate

**Public Act 99-070, effective January 1, 2016.** Amends the Probate Act of 1975 to provide that a temporary guardian shall have the limited powers and duties (instead of "all of the powers and duties") of a guardian of the person or of the estate which are specifically enumerated by court order. 755 ILCS 5/11a-4.

**Public Act 99-093, effective January 1, 2016.** Amends the Probate Act of 1975 to provide that the court shall order a citation to issue for the appearance before it of any person whom the petitioner believes may be liable to the estate of a ward pursuant to any



civil cause of action. Makes other changes concerning persons who may be issued a citation. 755 ILCS 5/16-1.

## Property Taxes

**Public Act 99-098, effective January 1, 2016.** Amends the Property Tax Code to provide that complaints and other written correspondence concerning any property that is overassessed or underassessed sent by the United States mail shall be considered filed as of the postmark date. Provides that complaints and other written correspondence sent by a delivery service other than United States mail shall be considered as filed as of the date sent. Provides that a taxing district wishing to intervene shall file a request with the board of review at least five days in advance of a scheduled hearing. Makes related changes. 35 ILCS 200/16-55.

## Public Aid

**Public Act 99-002, effective March 26, 2015.** Amends the Illinois Public Aid Code to provide that notwithstanding any other provision of the Code to the contrary, and subject to federal approval, providers of certain services shall have their reimbursement rates or dispensing fees reduced for the remainder of State fiscal year 2015 by an amount equivalent to a 2.25% reduction for the full fiscal year. Provides that no provider shall be exempt from these rate reductions, except that, rates or payments, or the portion thereof, paid to a provider that is operated by a unit of local government that provides the non-federal share of such services shall not be reduced as provided in this provision. 305 ILCS 5/5-5b.1, 5-5e, 5A-2, 5A-10, 14-12.

**Public Act 99-086, effective July 21, 2015.** Amends the Illinois Public Aid Code to provide that beginning “as soon as practical if the data is reasonably available, but no later than January 1, 2017” the Department of Healthcare and Family Services shall publish monthly reports on its website on the enrollment of persons in the State’s medical assistance program, and the enrollment of recipients of medical assistance into a Medicaid Managed Care Entity contracted by the Department. In the list of information the monthly reports are

required to contain, provides that the reports shall include the number of persons enrolled in the medical assistance program under specified provisions of the Illinois Public Aid Code. Makes other changes. 305 ILCS 5/5-30.2, 11-5.1.

**Public Act 99-087, effective July 21, 2015.** Amends the Illinois Public Aid Code to provide that at least once each calendar month, the Department of Human Services shall cross-reference its roster of public aid recipients with the death records information from the Department of Public Health residing on the Electronic Data Warehouse at the Department of Healthcare and Family Services. Provides that a public aid recipient who is found to have a death record shall be subject to an immediate cancellation of his or her public aid benefits, including the deactivation of his or her LINK card, in instances where there are no other individuals receiving benefits in that assistance unit and upon certification that the identity of the public aid recipient matches the identity of the person named in the death certificate. Defines “LINK card.” 305 ILCS 5/12-4.7f.

## Public Utilities

**Public Act 99-006, effective June 29, 2015.** The Public Utilities Act is amended to provide that telecommunications carriers, wireless carriers, Interconnected VoIP service providers, and sellers of prepaid wireless telecommunications service shall have 60 days from the date the Illinois Commerce Commission files its order to implement the new rate established by the order. Provides that amounts to be charged or assessed under the Public Utilities Act to certain entities is not imposed on a provider or the consumer for wireless Lifeline service where the consumer does not pay the provider for the service unless the consumer purchases optional minutes, texts, or other services from the provider, to be collected by the seller. Defines “seller” to mean a person who sells prepaid wireless telecommunications service to another person. Provides that for any such ordinance adopted by a unit of local government imposing a service provider fee on and after the effective date of the amendatory Act, the holder’s liability shall commence on the first

day of the calendar month that is at least 30 days after the adoption of such ordinance. Makes changes to penalties imposed for delinquent statewide surcharges. 220 ILCS 5/13-506.2, 13-703, 13-1200, 21-401, 21-801, 21-901, 21-1001, 21-1601.

## Retirement Systems

**Public Act 99-008, effective July 8, 2015.** Amends the State Finance Act. Provides that, beginning in State fiscal year 2017 (rather than State fiscal year 2016), payments to the designated retirement systems under provisions concerning the State Pensions Fund shall be in addition to, and not in lieu of, any State contributions required under the Illinois Pension Code. Provides that, for fiscal year 2016, the General Assembly shall appropriate from the State Pensions Fund to the State Universities Retirement System the amount estimated to be available during the fiscal year in the Fund. Amends the State Finance Act and the Illinois Pension Code to provide for payment of State contributions to the State Employees’ Retirement System of Illinois. Further amends the Illinois Pension Code, in the Downstate Police, Downstate Fire, Cook County, Cook County Forest Preserve, Chicago Park District, and Metropolitan Water Reclamation District Articles and in provisions relating to certain transit authorities, provides that if the employer fails to transmit required contributions to the pension fund, the fund may certify to the State Comptroller the amount due, and the Comptroller must deduct and deposit into the fund the certified amounts from payments of State funds to the employer. Amends the Uniform Disposition of Unclaimed Property Act to provide that, beginning in State fiscal year 2017 (rather than fiscal year 2016), all amounts that are deposited into the State Pensions Fund from the Unclaimed Property Trust Fund shall be apportioned to the designated retirement systems. 30 ILCS 105/8.12, 14.1; 40 ILCS 5/3-125, 4-118, 7-172.1, 7-195.1, 7-210, 7-214, 9-184.5, 10-107.5, 12-149.5, 13-503.5, 14-131, 22-104.

## Sales Tax

**Public Act 99-044, effective January 1, 2016.** Amends the Motor Fuel Sales Act to provide that: the Department of Agriculture shall maintain on its website a list of gasoline

and service stations that are required to report to the Department of Agriculture's Bureau of Weights and Measures; the list shall include the addresses and telephone numbers of the gasoline and service stations; and the Department of Agriculture shall provide the Department of Human Services with a link to this website information. Provides that the Department of Human Services shall post on its website a link to the list of gasoline and service stations provided by the Department of Agriculture (rather than posting the addresses and telephone numbers of all gasoline and service stations in Illinois). 815 ILCS 365/2.

### **School and School Districts**

**Public Act 99-002, effective March 26, 2015.** Amends the School Code to provide that for payments made for State fiscal year 2015, the State Board of Education shall, for each school district, calculate that district's pro-rata share of a minimum sum of \$13,600,000 or additional amount as needed from the total net General State Aid funding as calculated under a specified provision of the Code that shall be deemed attributable to the provision of special educational facilities and services in a manner that ensures compliance with maintenance of State financial support requirements under the federal Individuals with Disabilities Education Act. Makes other changes. 105 ILCS 5/18-8.05.

**Public Act 99-021, effective January 1, 2016.** Amends the School Code. In provisions concerning the registration and recognition of non-public elementary and secondary schools: (i) changes a statutory reference; (ii) makes changes concerning the release of criminal history record information concerning an applicant for employment; (iii) requires a student teacher, prior to the commencement of any student teaching experience (or required internship) in a school, to authorize a fingerprint-based criminal history records check; and (iv) requires a school to perform a check of the Statewide Sex Offender Database and of the Statewide Murderer and Violent Offender Against Youth Database for each student teacher. In provisions concerning criminal history records checks and checks

of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database for applicants for employment with a school district: (i) requires the Department of State Police and the Federal Bureau of Investigation to furnish records of convictions forever and hereinafter (until expunged); (ii) makes changes concerning the release of confidential information concerning criminal convictions; (iii) provides that information obtained by a school district within the last year with respect to employees of persons or firms holding contracts with the school district must be made available to a requesting school or school district (instead of to a requesting school, school district, community college district, or private school); and (iv) makes changes concerning checks for student teachers. 105 ILCS 5/2-3.25o, 10-21.9, 34-18.5.

**Public Act 99-030, effective July 10, 2015.** Amends the School Code and Critical Health Problems and Comprehensive Health Education Act to make changes concerning the divisions of the State Board of Education, a block grant progress report and plan, references to English learners, educational service regions, regional and assistant regional superintendents of schools, references to educator licensure, and the advisory committee relating to the Critical Health Problems and Comprehensive Health Education Act. Further amends the School Code. With respect to the registration and recognition of non-public elementary and secondary schools, changes a reference from provisions in the Teacher Certification Article of the Code to provisions in the Educator Licensure Article of the Code. Makes other changes. 105 ILCS 5/1A-10, 1C-4, 2-3.12, 2-3.25o, 2-3.39, 2-3.62, 2-3.64a-5, 2-3.160, 3-1, 3-2.5, 3-11, 3-15.6, 3-15.17, 10-17a, 14-8.02, 14-9.01, 14C-1, 14C-2, 14C-3, 14C-5, 14C-7, 14C-9, 14C-11, 27A-5, 34-2.4, 34-8.17.

**Public Act 99-035, effective January 1, 2016.** Amends the Educator Licensure Article of the School Code to provide that the career and technical educator endorsement on an Educator License with Stipulations may be renewed and,

for individuals who were issued the career and technical educator endorsement on an Educator License with Stipulations on or after January 1, 2015, the license may be renewed if the individual passes a test of basic skills (instead of providing that the career and technical educator endorsement on an Educator License with Stipulations may be renewed if the individual passes a test of basic skills). Provides that the provisional career and technical educator endorsement on an Educator License with Stipulations may be renewed only one time for 5 years and, for individuals who were issued the provisional career and technical educator endorsement on an Educator License with Stipulations on or after January 1, 2015, the license may be renewed one time if the individual passes a test of basic skills and has completed specified coursework (instead of providing that the provisional career and technical educator endorsement on an Educator License with Stipulations may be renewed only one time for 5 years if the individual passes a test of basic skills and has completed specified coursework). 105 ILCS 5/21B-20.

**Public Act 99-045, effective July 15, 2015.** Amends the Personnel Code to provide that from the effective date of the amendatory Act until January 1, 2017, all positions within the Illinois School for the Deaf and the Illinois School for the Visually Impaired requiring licensure by the State Board of Education under the School Code are exempt from jurisdictions A, B, and C. 20 ILCS 415/4d.

**Public Act 99-058, effective July 16, 2015.** Amends the School Code to authorize the State Superintendent of Education to use moneys in the Institute fund and the State Board of Education to use funds available in the Teacher Certificate Fee Revolving Fund to support the recruitment and retention of educators, to support educator preparation programs as they seek national accreditation, and to provide professional development; specifies dedication of moneys. Makes changes concerning a provisional educator or career and technical educator endorsement and a chief school business official endorsement on an Educator License with

Stipulations, a Substitute Teaching License, a general administrative endorsement and a superintendent endorsement on a Professional Educator License, out-of-state applicants and applicants trained in another country receiving a Professional Educator License, and professional development activities. Provides that an Educator License with Stipulations with only a paraprofessional endorsement does not lapse. Removes the requirement that an alternative educator licensure program for teachers or a principal preparation program offered by a not-for-profit entity be approved by the Board of Higher Education. In provisions concerning the conviction of certain offenses as grounds for revocation of a license, adds the offense of unauthorized video recording and live video transmission (under certain circumstances) to the definition of "sex offense." Makes changes concerning the training of teachers to teach physical education and safety education, educator testing, and educators trained in other states or countries. 105 ILCS 5/3-12, 21B-20, 21B-25, 21B-35, 21B-40, 21B-45, 21B-50, 21B-60, 21B-80, 27-9, 27-17.

**Public Act 99-065, effective July 16, 2015.** Amends the School Code to require the School Security and Standards Task Force to submit a report to the General Assembly and the Governor on or before January 1, 2016 and the State Board of Education on or before July 1, 2016 (instead of on or before January 1, 2015). Abolishes the Task Force and repeals the provisions concerning the Task Force on July 2, 2016. Further amends the School Code. With respect to the advisory group that develops a training module or training modules for reading instruction, provides that the advisory group shall complete its work before December 15, 2015 and is abolished on December 15, 2015. 105 ILCS 5/2-3.160, 2-3.161.

**Public Act 99-084, effective January 1, 2016.** Amends the School Code with regard to recognition standards for student performance and school improvement, prohibits the State Board of Education from having separate performance standards for students based on race or ethnicity. 105 ILCS 5/2-3.25a.

**Public Act 99-091, effective January 1, 2016.** Amends the School Code to permit a congressional township comprising the territory of a school district to pass, by a 2/3 vote of all voters voting on the question, a proposition to elect board members at large and without restriction by area of residence within the district. Further provides that with respect to certain community unit school districts, combined school districts, and community consolidated school districts, permits the election of board members at large and without restriction by area of residence within the district if two-thirds of all voters voting on the proposition vote in favor of the proposition. 105 ILCS 5/10-10.5.

## Special Districts

**Public Act 99-003, effective January 1, 2016.** Amends the Park District Aquarium and Museum Act to provide that the corporate authorities of cities and park districts may enter into leases, not to exceed 99 years, to allow a corporation or society to erect, enlarge, ornament, build, rebuild, rehabilitate, improve, maintain, and operate its aquarium or museum as long as: (1) the public is allowed access to such grounds in a manner consistent with its access to other public parks; and (2) the city or park district retains a reversionary interest in any improvements made by the corporation or society. Further provides that aquariums or museums may include presidential libraries, centers, and museums. 70 ILCS 1290/1.

**Public Act 99-004, effective May 31, 2015.** Amends the Fire Protection District Act to provide that a board of trustees of a fire protection district may submit a question to increase the current special tax rate for the purpose of providing funds to pay the costs of emergency and rescue crews and equipment to the voters of the fire protection district by referendum. Provides the special tax rate may be raised to a maximum of .10%. Sets out the language to be used in the referendum. 70 ILCS 705/24.

**Public Act 99-014, effective July 10, 2015.** Amends the Sanitary District Act of 1936 to provide a sanitary district created under this Act which is located in a county having a population of 3,000,000 or more, which is wholly included in three or more

municipalities, which no part is included in any unincorporated area, which has no employees, and which has no revenue bond indebtedness shall, upon the effective date of this amendatory Act of the 99th General Assembly, be dissolved by operation of law. Provides that the officers of the dissolved sanitary shall convey the property of the sanitary district, liquidate personal property, pay debts, and distribute remaining monies to the municipalities taking over for the sanitary district. Provides the municipalities may levy and collect a tax for the purpose of maintaining, constructing or replacing sewers with the aggregate amount of which for each year may not exceed 0.25%. 70 ILCS 2805/37.1

**Public Act 99-016, effective January 1, 2016.** Amends the Park District Code to delete a subsection regarding petitions to reorganize park districts located in 2 municipalities, one with a population of less than 500 that expired on January 1, 1987. 70 ILCS 1205/2-2.1.

**Public Act 99-053, effective July 16, 2015.** Amends the Park Commissioners Land Sale Act to provide that notice of an application for the sale of park district land not exceeding 3 acres shall be given at least ten days before the day of the hearing on the application. Provides that all interested persons may appear at the hearing of the application in circuit court. 70 ILCS 1235/1.

**Public Act 99-097, effective July 22, 2015.** Amends the Rental Housing Support Program Act and, in a provision concerning the Rental Housing Support Program, provides that the Illinois Housing Development Authority shall distribute amounts for the Program solely from annual receipts on deposit in the Rental Housing Support Program Fund, provides: (i) that a proportionate share of annual receipts on deposit appropriated to the Fund each year (rather than a proportionate share of annual receipts) shall be distributed to municipalities with a population greater than 2,000,000; (ii) that of the remaining annual receipts on deposit appropriated to the Fund each year (rather than of the remaining annual receipts) the Authority shall designate at least 10% in areas of the



State not covered as specified under the Rental Housing Support Program Act; and (iii) that the remaining annual receipts on deposit appropriated to the Fund each year (rather than the remaining annual receipts) after the distributions in the previous provisions shall be distributed in areas of the State not covered as specified under the Act. Provides that in order to plan for periodic fluctuations in annual receipts on deposit appropriated to the Fund each year (rather than for periodic fluctuations in annual receipts), the Authority shall establish by rule a mechanism for establishing a reserve fund and the level of funding that shall be held in reserve either by the Authority or by local administering agencies. Defines “annual receipts” to mean revenue derived from the Rental Housing Support Program State surcharge from July 1 to June 30. Makes other changes. 310 ILCS 105/7, 10, 25.

## State Agencies

**Public Act 99-034, effective July 14, 2015.** Amends the Illinois Solid Waste Management Act to provide that, all State agencies responsible for the maintenance of public lands in the State shall review its procurement specifications and policies to determine: (1) if incorporating compost materials will help reduce stormwater run-off and increase infiltration of moisture in land maintenance activities; and (2) the current recycled content usage and potential for additional recycled content usage by the Agency in land maintenance activities and report to the General Assembly by December 15, 2015. 415 ILCS 20/3.

**Public Act 99-074, effective July 20, 2015.** Amends the Illinois Human Rights Act to provide that the Department of Human Rights has the power to coordinate with state (in addition to federal and local) agencies in conformity with the Act. 775 ILCS 5/7-101.

## State Budget

**Public Act 99-002, effective March 26, 2015.** Amends the Governor’s Office of Management and Budget Act regarding the quarterly report for the 4th quarter of State fiscal year 2015. Amends the State Finance Act to authorize transfers from the designated funds into the General Revenue Fund or the General Obligation Bond

Retirement and Interest Fund as indicated. 20 ILCS 3005/7.2; 30 ILCS 105/8.50, 13.2.

**Public Act 99-038, effective July 14, 2015.** Amends the State Finance Act to provide that within 30 days after the effective date of this amendatory Act, the State Comptroller shall order transferred and the State Treasurer shall transfer from the listed funds moneys in the specific amounts for deposit into the Audit Expense Fund. 30 ILCS 105/6z-27.

## State Employees

**Public Act 99-045, effective July 15, 2015.** Amends the Personnel Code to provide that from the effective date of the amendatory Act until January 1, 2017, all positions within the Illinois School for the Deaf and the Illinois School for the Visually Impaired requiring licensure by the State Board of Education under the School Code are exempt from jurisdictions A, B, and C. 20 ILCS 415/4d.

## State Matters

**Public Act 99-064, effective July 16, 2015.** Amends the State Designations Act to designate sweet corn as the official State vegetable of the State of Illinois. 5 ILCS 460/56.

**Public Act 99-066, effective July 16, 2015.** Amends the State Commemorative Dates Act to designate September 19 of each year as “Preventing Lost Potential Day,” to be observed throughout the State as a day set apart to provide a new focus on the importance of and dedication to educate, encourage, protect, and develop our State’s youth. 5 ILCS 490/141.

**Public Act 99-078, effective July 20, 2015.** Creates the First 2015 General Revisory Act to combine multiple versions of sections amended by more than one Public Act. Renumbers sections of various Acts to eliminate duplication. Corrects obsolete cross-references and technical errors. Makes stylistic changes.

## State Records

**Public Act 99-095, effective July 21, 2015.** Amends the Vital Records Act to authorize certification or a certified copy of a birth certificate to be issued upon the specific

written request of a state’s attorney for the purpose of a criminal prosecution. 410 ILCS 535/25.

## Transportation

**Public Act 99-056, effective July 16, 2015.** Amends the Transportation Network Providers Act to provide that if a transportation network company’s insurer makes a payment for a claim covered under comprehensive coverage or collision coverage, the transportation network company shall cause its insurer to issue the payment directly to the business repairing the vehicle, or jointly to the owner of the vehicle and the primary lienholder on the covered vehicle. Provides that a unit of local government, whether or not it is a home rule unit, may not regulate transportation network companies, transportation network company drivers, or transportation network company services in a manner that is less restrictive than the regulation by the State. Repeals the Act on June 1, 2020. 625 ILCS 57/10, 32, 34.

## Universities and Colleges

**Public Act 99-027, effective January 1, 2016.** Amends the County Cooperative Extension Law to provide that the Cooperative Extension Service of the University of Illinois may (was shall) establish a Rural Transition program. 505 ILCS 45/2b.

**Public Act 99-072, effective January 1, 2016.** Amends the State Universities Civil Service Act, in provisions concerning appointments and promotions, changes references from the Director of the University Civil Service Merit Board to the Executive Director of the University Civil Service Merit Board. Provides that if a position needs to be filled, the Executive Director shall certify to the employer the names and addresses of the persons with the 3 highest scores on the appropriate register (instead of the names and addresses of the 3 persons standing highest on the appropriate register); makes related changes. Provides that if a superior position in the promotional line is to be filled, the Executive Director shall certify to the employer, in the order of their seniority, the names and addresses of the persons with the 3 highest scores on the

appropriate promotional register (instead of the names and addresses of the 3 persons standing highest upon the appropriate promotional register). Removes language that provides that sex shall be disregarded except when the nature of the position requires otherwise. 110 ILCS 70/36h, 36j.

## Vehicle Code

**Public Act 99-032, effective July 10, 2015.** Amends the Illinois Vehicle Code to provide that beginning in registration year 2017 (rather than 2016), the application for registration renewal and standard registration fees for a military combat mission veteran shall be waived for the year following that combat mission veteran's return from active duty. Provides that proof of combat mission service shall come from the service member's hostile fire pay or imminent danger pay documentation (rather than discharge documentation) received any time in the 12 months preceding the registration renewal. Provides that the application for registration renewal and standard registration fees exemption shall apply to a member of the active-duty or reserve component of the United States Armed Forces returning from a combat mission. Provides that nothing concerning the waiver of the application for registration renewal and standard registration fees for a military combat mission veteran is applicable to the additional fees incurred by specialty, personalized, or vanity license plates. 625 ILCS 5/3-415, 3-806.7.

**Public Act 99-040, effective January 1, 2016.** Amends the Illinois Vehicle Code to provide for the use of red or white oscillating, rotating, or flashing lights on vehicles which are occasionally used as rescue vehicles and authorized for use as rescue vehicles by a volunteer EMS provider. Defines "volunteer EMS provider." 625 ILCS 5/1-220, 12-215.

**Public Act 99-057, effective July 16, 2015.** Amends the Illinois Vehicle Code to define "gross combination weight rating" (GCWR). Provides that the GCWR of the power unit will not be used to define a commercial motor vehicle when the power unit is not towing another vehicle. Makes conforming changes regarding the definition

of GCWR. Provides for the collection of a \$10 surcharge for vehicles in the 12,000 lbs. and less weight plate category to identify those vehicles as covered farm vehicles. Makes it a serious traffic violation to drive a commercial motor vehicle on a highway with a commercial driver instruction permit, but unaccompanied by the holder of a valid commercial driver's license. Exempts persons operating a covered farm vehicle, as defined under the Illinois Vehicle Code, from requirement to have a commercial driver's license or requirement to submit a medical examiner's certificate for operation of a commercial motor vehicle in non-excepted interstate commerce. 625 ILCS 5/1-124.3, 1-124.5, 3-818, 6-500, 6-507, 6-508.1.

**Public Act 99-068, effective January 1, 2016.** Amends the Illinois Vehicle Code to provide that a registration plate and stickers, issued to a vehicle with a rear loaded motorized forklift, that is securely fastened in a horizontal position to the rear of that vehicle shall not be required to be clearly visible at all times. 625 ILCS 5/3-413.

**Public Act 99-071, effective January 1, 2016.** Amends the Illinois Vehicle Code to provide that commencing with the 2017 registration year, the reduced fee set forth for any vehicle owner, or spouse of the vehicle owner, who has been approved for benefits under the Senior Citizens and Disabled Persons Property Tax Relief Act shall apply to any special registration plate authorized in the Code. Provides that the reduced fee does not apply to the fee paid in addition to the registration fee for motor vehicles displaying personalized license plates. 625 ILCS 5/3-806.3.

**Public Act 99-080, effective January 1, 2016.** Amends the Illinois Vehicle Code to provide that vehicle registrations of vehicles of the first division shall be for a 5 calendar year basis, in addition to other registration periods. Provides that beginning with the 2018 registration year, the Secretary of State may enter into an agreement with a rental owner who registers a fleet of motor vehicles of the first division to provide for the registration of the rental owner's vehicle on a 5 calendar year basis. Provides that motor vehicles registered on a 5 calendar year basis

shall be issued a distinct registration plate that expires on a 5-year cycle. Provides that the Secretary may prorate the registration of these registration plates to the length of time remaining in the 5-year cycle. Provides that registration plates issued as 2-year or 5-year plates (rather than only 2-year plates) may be issued as multi-year plates at the discretion of the Secretary. Provides that application for renewal of a vehicle registration shall be made by the owner, as to those vehicles required to be registered for 5 calendar years, not later than December 1 of the year preceding commencement of the 5-year registration period. Makes conforming changes. 625 ILCS 5/3-414, 3-414.1, 3-415.

## Wildlife Code

**Public Act 99-033, effective January 1, 2016.** Amends the Wildlife Code to remove the prohibition on taking bobcats in the State. Provides that it shall be unlawful for any person to trap or to hunt bobcats with gun, dog, dog and gun, or bow and arrow, except during the open season which will be set annually by the Director of Natural Resources between 12:01 a.m., November 1 to 12:00 midnight, February 15, both inclusive. Provides that the season limit for bobcat shall not exceed one bobcat per permit. Provides that the pelts of bobcats shall be tagged in accordance with federal regulations and the Department of Natural Resources may require harvest registration and set forth procedures, fees for registration, and the process of tagging pelts in administrative rules. Provides that bobcats may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle. Provides that before any person may lawfully hunt or trap a bobcat, he or she shall first obtain a "Bobcat Hunting and Trapping Permit." Provides the fee for a Bobcat Hunting and Trapping Permit shall not exceed \$5. Allows the Department of Natural Resources to limit the number of Bobcat Hunting and Trapping Permits that are made available each season. Provides that the harvest of bobcats in this State shall be non-detrimental, as defined by federal regulations (50 CFR 23.61), and as determined by the United States Fish and Wildlife Service in accordance with 50 CFR 23.69. 520 ILCS 5/2.30, 2.30b, 2.33, 2.33a. ■



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## October

**Thursday, 10/1/15- Teleseminar**—Estate & Trust Planning for Non-traditional Families.

**Friday, 10/02/15- Rockford, NIU Rockford**—Solo and Small Firm Practice Institute Series—A Closer Look: Securing and Growing Your Practice – Fall 2015. Presented by the ISBA. 8:15-5:15 pm.

**Tuesday, 10/6/15- Webinar**—Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 3-4.

**Tuesday, 10/6/15- Teleseminar**—Insurance and Indemnity in Real Estate.

**Wednesday, 10/7/15- Teleseminar**—Choice of Law and Choice of Forum in Contracts.

**Thursday, 10/08/15- Webinar**—Advanced Tips for Enhanced Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 3-4.

**Thursday, 10/8/15- Teleseminar**—Health Care Issues in Estate Planning.

**Thursday, 10/8-Friday, 10/9/15- Grafton, Pere Marquette State Park and Lodge**—A Family Law Financial Trial. Presented by the ISBA Family Law Section. 8:30-5:30 both days.

**Friday, 10/09/15- Springfield, Lincoln Land Community College Logan Hall Room 1138**—Computer Basics 2015: Is This Thing On? Presented by the ISBA Senior Lawyers Section, Co-sponsored by the ISBA Young Lawyers Division. 8:30-12:15 am.

**Monday, 10/12/15- CRO and Fairview Heights, Four Points Sheraton**—Advanced Workers Compensation. Presented by the ISBA Workers Compensation Section. 9:00

am – 4:00 pm.

**Monday, 10/12/15- Teleseminar- LIVE REPLAY**—Ethics, Disqualifications & Sanctions.

**Tuesday, 10/13/15- WEBINAR**—Health Care Workshop: “At Risk” – Advising Health Systems that Own a Health Insurer. Presented by ISBA Health Care Section Council. 12-1:30 (central time, speaker on Eastern).

**Tuesday, 10/13/15- Webinar**—Fastcase Boolean (Keyword) Search for Lawyers. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 3-4.

**Tuesday, 10/13/15- Teleseminar**—Advanced Choice of Entity, Part 1.

**Wednesday, 10/14/15- Teleseminar**—Advanced Choice of Entity, Part 2.

**Friday, 10/16/15- CRO**—Guardianship Bootcamp 2015. Presented by the ISBA Trusts and Estates. ALL DAY.

**Friday, 10/16/15- Elgin Community College**—Traffic Law Updates- Fall 2015. Presented by the ISBA Traffic Law and Courts Section Council. 8:55- 4 pm.

**Monday, 10/19/15- Teleseminar**—2015 Americans With Disabilities Act Update.

**Tuesday, 10/20/15- Teleseminar**—2015 Americans With Disabilities Act Update.

**Wednesday, 10/21/15- Bloomington-Normal Marriott Hotel**—Real Estate Law Update- 2015. Presented by the ISBA Real Estate Law Section Council. 8:30 am – 4:30 pm.

**Wednesday, 10/21/15- Teleseminar- LIVE REPLAY**—Business Planning with S Corps, Part 1. Thursday, 10/22/15- CRO STUDIO WEBCAST. Navigating a Section

31 Enforcement Case. Presented by the Environmental Law Section Council. 9:30-10:45 am.

**Thursday, 10/22/15- CRO**—Practice Management, The Cloud, and Your Firm. Presented by the ISBA. 1:00 pm- 4:30 pm.

**Thursday, 10/22/15- Teleseminar- LIVE REPLAY**—Business Planning with S Corps, Part 2.

**Friday, 10/23/15—CRO—From Opening to Close**—A Construction Trial and the Technology to Win Your Case. Presented by the Construction Law Section Council; Co-Sponsored by the Real Estate Law Section Council. 8:30-4:45.

**Tuesday, 10/27/15- Teleseminar**—Offers-in-Compromise: Settling Tax Liability for Individuals and Business Owners.

**Wednesday, 10-28- Friday, 10-30—CRO**—Advanced Mediation/Arbitration Training Master Series. Presented by the ISBA. 8:00-5:00 each day.

**Friday, 10/30/15- Danville Public Library**—Pro Bono Practice and Professionalism: the Basics of Estate Planning, the Guardianship Process, and Family Law. Presented by the ISBA Standing Committee on the Delivery of Legal Services. 9:30 am- 4:30 pm.

## November

**Tuesday, 11/03/15- Teleseminar**—Indemnification & Hold Harmless Agreements in Business & Real Estate.

**Wednesday, 11/04/15- Teleseminar**—Estate & Income Tax Planning Issues in Divorce.

**Thursday, 11/05/15- ISBA Regional Office**—Hot Topics in Criminal Law in Illinois- 2015. Presented by the ISBA Criminal Justice Section Council. 9:00 am- 5:00 pm. ■

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