



ILLINOIS CHAMBER

GOVERNMENT AFFAIRS

Report

January 27, 2023

This Week in Illinois

Session Update

The Senate returned to Springfield on Tuesday for two brief days of session. Senators were briefly on the floor each day with no substantive action occurring aside from the reading of appointment messages and the first reading of bills. The House was not in session this week.

The Senate LRB drafting deadline is today, January 27th and the House LRB deadline is February 3rd. Bills of note introduced so far have been highlighted in a section below. The introduction deadline for substantive Senate bills is February 10th while the House deadline is February 17th.

The House will return Tuesday, January 31st. The Senate will return Tuesday, February 7th at 12 pm. View the Senate [session calendar](#) for 2023. View the House 2023 [calendar](#).

[SR 26](#), **Amended Senate Rules** was adopted 45-0-0. This resolution amends the Senate rules adopted earlier this month. Notably, the criminal law committee is removed as a standing committee. The Judiciary Committee will now cover both criminal and civil law. Senate President Harmon said this change is due to fewer lawyers currently being members of the General Assembly.

Governor Pritzker Announces Departure of Deputy Governor Christian Mitchell

Today, Governor Pritzker announced the upcoming departure of Deputy Governor Christian Mitchell, who has overseen Environment, Infrastructure, and Public Safety since the beginning of the Governor's first term. Prior to serving as Deputy Governor, Mitchell served for six years in the Illinois House of Representatives.

New IDNR Director Appointed

On Monday it was announced that former State Representative Natalie Finnie will serve as Director of the Department of Natural Resources.

Finnie has served as Deputy Director of DNR since August of 2021 where she oversaw the Office of Land Management, Legislative Department, Office of Oil & Gas Management, and Office of Mines and Mineral. Prior to this, she was the State Representative of the 118th District from 2017 to 2019.

Illinois Has Paid Off Remaining Unemployment Insurance Trust Fund Debt

On Wednesday it was announced that the state has officially repaid the remaining \$1.36 billion unemployment insurance (UI) Trust Fund debt.

At the beginning of 2020, the Illinois UI Trust Fund was over \$2 billion. With the COVID pandemic taking hold and mandatory business shut downs the Trust fund plunged to a deficit of over \$4.5 billion requiring borrowing from the federal government.

During the Fall veto session, the Illinois Chamber, joined by other business groups and labor interests were able to come to an agreement that will save Illinois employers nearly a billion dollars in higher unemployment insurance taxes. The General Assembly approved the agreement in [SB 1698](#) which was then signed by Governor Pritzker. The financial portion of the agreement was embodied in [SB 2801](#) which made the necessary UI trust fund appropriations.

Bill Introductions of Note

[HB 1266](#) **Food Delivery Service Fee Cap.** Amends the Fair Food and Retail Delivery Act. Provides that beginning January 1, 2024, no third-party delivery service may charge a merchant a fee, commission, or charge per order through a digital network that totals more than 15% of the purchase price of the order, unless: (1) the third-party delivery service offers all merchants the option to obtain core delivery services for a fee, commission, or charge not to exceed 15% of the purchase price of the order without requiring the purchase of additional services; and (2) no later than November 1, 2023, the third-party delivery service notifies all merchants that have an existing contract with the third-party delivery service of this option.

[HB 1343](#) **Agricultural/Tax Credit** Amends the Illinois Income Tax Act. Creates an income tax credit for an owner of an agricultural asset who sells or rents the agricultural asset to a beginning farmer. Provides that the credit shall be equal to: (1) 5% of the lesser of the sale price or the fair market value of the agricultural asset, up to a maximum of \$32,000; or (2) 10% of the gross rental income in each of the first, second, and third years of a rental agreement, up to a maximum of \$7,000 per year. Provides that the taxpayer shall apply with the Department of Agriculture. Provides that the Department of Agriculture may not approve more than \$5,000,000 in credits under those provisions in any one taxable year. Effective immediately.

[HB 1345](#), **Water Utility** was introduced. This bill amends the Public Utilities Act. Provides that a public utility that provides both water and wastewater services may request, in a general rate case proceeding, that the Illinois Commerce Commission allocate a portion of the public utility's wastewater service revenue requirement for recovery through water service base rates, allocate a portion of the public utility's water service revenue requirement through wastewater base rates, or combine that public utility's water service and wastewater service revenue requirements. Provides that as part of a proceeding, the public utility shall present evidence to establish, and the Commission shall consider, specified factors. Provides that if the Commission finds that an allocation or combination is in the public interest, the Commission shall enter an order approving such allocation or combination of the public utility's water and wastewater service revenue requirements. Provides that the water service revenue requirement or wastewater service revenue requirement may not be increased by more than 2.5% through an allocation from the water service revenue requirement or wastewater service revenue requirement. Provides for notice to customers. Allows the Commission to adopt rules to implement the amendatory provisions. Repeals the amendatory provisions on December 31, 2026.

[HB 1364](#), **988 Task Force**. Creates the 9-8-8 Suicide and Crisis Lifeline Task Force Act.

[HB 1381](#) **Creates RIGHT TO KNOW ACT**. An operator of a commercial website or online service that collects personally identifiable information through the Internet about individual customers residing in Illinois who use or

visit its commercial website or online service shall notify those customers of certain specified information pertaining to its personal information sharing practices. Requires an operator to make available certain specified information upon disclosing a customer's personal information to a third party, and to provide an e-mail address or toll-free telephone number whereby customers may request or obtain that information. Contains a private right of action. The Chamber has previously opposed this legislation.

[HB 1403](#), **Autonomous Vehicles** was introduced. This bill defines "autonomous vehicle" as a motor vehicle that is equipped with hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis within the operational design domain, if any, including achieving a minimal risk condition, without any expected intervention or supervision by a conventional human driver, where applicable. Provides that an autonomous vehicle registered in this State shall continue to meet federal standards and regulations for a motor vehicle. Provides that an operator of an autonomous vehicle shall not use the vehicle to engage in the transport of interstate commerce or the transporting of passengers, or the transporting of goods, unless a human safety operator is physically present in the autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and intervene if necessary, including operating or shutting off the vehicle. Provides that a human safety operator must continue to meet all federal and State qualifications for autonomous and nonautonomous vehicles.

[HB 1409](#), **Contracting Goals** was introduced. This bill amends the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act. Provides that, in the procurement of architectural, engineering, and land surveying services and in the awarding of contracts for such services under the Act, not less than 30% of the total dollar amount of State contracts shall be established as an aspirational goal to be awarded to firms owned by minorities, women, and persons with disabilities. Provides that of that total amount of all State contracts awarded to firms owned by minorities, women, and persons with disabilities, contracts representing at least 16% shall be awarded to firms owned by minorities, contracts representing at least 10% shall be awarded to women-owned firms, and contracts representing at least 4% shall be awarded to firms owned by persons with disabilities.

[HB 1458](#) **Local Government Distributions** Amends the State Finance Act, the Motor Fuel Tax Law, the Emergency Telephone System Act, the Riverboat Gambling Act, and the Video Gaming Act. Provides that, in the absence of an appropriation for any State fiscal year, moneys that are required to be distributed to units of local government and other entities from the State and Local Sales Tax Reform Fund, the Motor Fuel Tax Fund, the State Gaming Fund, the Local Government Video Gaming Distributive Fund, and the Statewide 9-1-1 Fund are subject to a continuing appropriation. Effective immediately.

[HB 1499](#) **Creates the Local Cannabis Licensing Act.** Provides that a county or municipality may issue licenses for temporary events, cannabis clubs, and cannabis tours that will allow for the sale and consumption of cannabis or cannabis-infused products and for the sale of cannabis paraphernalia at such temporary events, clubs, or tours. Allows tours of cannabis craft grower or cultivation center facilities. Requires ordinances with specified requirements for such temporary events, cannabis clubs, and cannabis tours before any licenses are issued. Limits home rule powers. Makes conforming changes in the Cannabis Regulation and Tax Act and Smoke Free Illinois Act. Effective immediately.

[SB 40.](#) **EV Charging** was introduced. This bill Creates the Electric Vehicle Charging Act. Provides that the Act applies to new single-family homes and newly constructed or renovated multi-unit residential buildings that have parking spaces and are constructed or renovated after the effective date of the Act. Defines terms. Provides that a new single-family residence or a small multifamily residence shall have at least one electric vehicle capable parking space for each residential unit that has dedicated parking, unless any subsequently adopted building code requires additional electric vehicle capable parking spaces or installed electric vehicle supply equipment. Includes electric vehicle parking space requirements for a new, large multifamily residential building or a large multifamily residential building being renovated by a developer converting the property to an association. Includes electric vehicle parking space requirements for affordable housing and for an existing multi-unit residential building subject to an association that undertakes renovation. Includes electric vehicle charging station policies for unit owners and for renters.

[SB 46](#), **Waterway Ports Commission** was introduced. This bill creates the Illinois Waterway Ports Commission Act. Provides that the Illinois Waterway Ports Commission is created and shall exercise jurisdiction with respect to the duties and powers delegated to it under the Act within the following port districts and counties: the Seneca Regional Port District, the Ottawa Port District, the Illinois Valley Regional Port District, the Heart of Illinois Regional Port District, and the Havana Port District and Fulton, Mason, Tazewell, Peoria, Woodford, Marshall, Putnam, Bureau, LaSalle, and Grundy counties. Provides that the Commission shall (1) coordinate and synchronize common efforts and initiatives in the Commission area to enhance the reporting and benefits of statistical data; (2) make recommendations to the Governor, the General Assembly, Congress, and federal agencies on regional issues that impact multimodal transportation, economic development, environmental sustainability, and climate resiliency of the Commission area; (3) coordinate and synchronize common efforts and initiatives on the larger Illinois Waterway with the Mid-America Port Commission and the Joliet Regional Port District; (4) coordinate and synchronize federal activities associated with the nonfederal sponsorship of the M-55 Illinois-Gulf Marine Highway; and (5) request and assist in requesting funding for the Commission area and the surrounding areas, as the Commission deems necessary.

[SB 82](#), **Employee Classification/Trucks** was introduced. This bill amends the Employee Classification Act. Changes the definition of "performing services" to include the movement by truck of property, goods, materials, or equipment, including, but not limited to, construction related materials on the job site to or from the job site. Defines "truck" as any motor vehicle designed, used, or maintained primarily for the transportation of property, goods, materials, or equipment in furtherance of a commercial or industrial enterprise.

[SB 124](#), **Cairo Port** was introduced. This bill states that the sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Department of Transportation for a grant to the Alexander-Cairo Port District for all costs associated with non-bondable development expenses of the Cairo Port.

[SB 130](#) **HMO** Amends the Health Maintenance Organization Act. Provides that the powers of a health maintenance organization include the voluntary use of a referral system for enrollees to access providers under contract with or

employed by the health maintenance organization. Provides that the provisions shall not be construed as requiring the use of a referral system to obtain a certificate of authority.

SB 138 Hospitals Amends the Hospital Licensing Act. Provides that a municipality, political subdivision, State agency, or other governmental entity that owns or operates a hospital under any law authorizing or establishing a hospital or hospital district shall, relative to the delivery of health care services, have, in addition to any authority vested by law, the authority and legal capacity concerning the specified use and investment of funds. Provides that conversion of public funds for the benefit of any individual concerning the specified use and investment of funds shall constitute grounds for review and action by the Attorney General or the applicable State's Attorney. Provides that a municipality, political subdivision, State agency, or other governmental entity exercising the powers granted for the use and investment of funds shall be subject to all applicable public purchasing requirements and the requirements of the Open Meetings Act.

GAP Call

This is a notice that the Illinois Chamber will host a Government Affairs Professionals (GAP) call this Monday, **January 30th at 3:00 pm**. We will provide you updates on what new legislation we are watching for this week and for the Spring. GAP Call information is provided below.

Throughout the Spring, GAP calls will take place every Monday afternoon when either the House or Senate is in session. We will make you aware of scheduling changes as they occur.

Please send any questions in advance to ckaericher@ilchamber.org.

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ILLINOIS
CHAMBER



Save the Date

CHAMBER DAY **2023**

STRONGER BUSINESS
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Come in, we're
OPEN

APRIL 18, 2023

9:30 AM - 1:00 PM

ABRAHAM LINCOLN HOTEL • SPRINGFIELD

Documents of Interest

[Illinois Chamber 2022 End of Session Report](#)

[102nd General Assembly Legislative Ratings](#)

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