



## GOVERNMENT AFFAIRS

# *Report*

June 17th, 2022

## This Week in Illinois

### **Illinois Chamber of Commerce Board Announces New Board Chairperson**

The Illinois Chamber of Commerce Board of Directors is pleased to announce its new Chairperson, Ann Deters with Vantage Outsourcing. Ann was elected to the position, which is two years in length, during yesterday's board meeting held at Superior Air-Ground Ambulance Service in Elmhurst, IL.

“The Illinois Chamber is delighted to welcome Ann Deters to the team,” says Illinois Chamber President and CEO Todd Maisch. “With Ann’s incredibly diverse background in the business community, she has shown what it takes to be a strong industry leader and what it means to be a successful entrepreneur. We look forward to an electrifying next two years.”

Ann has served on various boards as well as CEO over the past 35 years. Ann started three highly successful companies in the healthcare sector where she gained a breadth of experience in healthcare, technology, and the financial service industries. This experience is complemented by Ann’s legacy as a fifth-generation entrepreneur.

“I look forward to working closely with the expert staff of the Illinois Chamber,” said Deters. “This organization is such an important part of the business community – from its unerring dedication to Illinois businesses to developing positive outcomes in every legislative session.”

“I also want to thank Brent Eichelberger, my predecessor, for fostering a strong framework of community and outward thinking during his two-year tenure as chairperson. I look forward to further progress upon the foundation he built.”

Brent Eichelberger, President and CEO of Illinois Market Commerce Bank says the following. “I have enjoyed my time as Board Chairperson learning in-depth about the Illinois Chamber and working with talented individuals. Ann will be a great advocate and leader for the Board, Illinois businesses, and the Chamber staff. Her expertise and business acumen will be a strong asset for the Chamber's work towards Stronger Business. Stronger Illinois.”



### **Message from the Illinois Chamber Chairperson: Ann Deters**

As a long-time business owner and entrepreneur, I am pleased and honored to serve in the role as your Illinois Chamber Board Chairperson. Throughout my career in various business sectors, I know what it means to develop a business base, foster a successful and motivated staff, and grow the bottom line.

I also know it can be exceedingly difficult for a business owner to watch and learn what is going on in the political and legislative arena. In spite of all the actions a business leader takes, political awareness most often takes a back seat to managing product and service development, operations, and payroll. Even for our larger members, who have departments that focus on this arena, it can be difficult to juggle it all.

We have become conscious, perhaps more now than in the past, of the importance of political, legislative, and regulatory awareness.

That is why your Illinois Chamber is so important and must be put in the same view as all business frameworks, such as D&O Insurance and cybersecurity. The Chamber of Commerce is something a business owner cannot be without, especially in Illinois.

As a member of the Illinois Chamber, you understand that information and interconnectivity make our world go round. The Chamber is a great way to stay on top of all subject matters that affect your organization.

If you have a need for workplace compliance training – look to your Illinois Chamber.

If you have a manager that needs training and a good foundation of new state laws – look to your Illinois Chamber.

If you have a specific piece of legislation you would like to learn more about or is causing you to wake up at 4 am – look to your Illinois Chamber.

If you are having issues navigating a permit of any kind or need to discuss how a specific tax is going to affect your business – look to your Illinois Chamber. A dedicated panel of experts is at your fingertips – for You.

I could not be happier to be a part of an organization that has the back of Illinois Businesses and I firmly believe that Stronger Business means a Stronger Illinois – for everyone.

Read Ann's bio [here](#)



## Illinois Chamber Board Holds Summer Meeting

Thank you Chamber Board member, Superior Ambulance Service for hosting our summer board meeting. It was great to see the organization's tremendous facilities and newest life-saving equipment and vehicles. The day was highlighted by the landing of the Superior Air Med Helicopter for all to see!

## **Illinois Chamber Joins Opposition to Federal “American Innovation and Choice Online Act” and the “Open Apps Markets Act”**

The Illinois Chamber joined with the US Chamber of Commerce and chambers of commerce from 46 states in opposition to the above acts which would harm the business community. These bills would fundamentally rewrite America’s antitrust laws that would harm consumers, create different rules for companies based on arbitrary criteria and discourage competition in the marketplace.

In part, the letter says the following:

*On behalf of the undersigned state and local chambers of commerce from 46 states, we strongly oppose recent legislation that would fundamentally rewrite America’s antitrust laws to protect competitors rather than consumers. Bills like S. 2992, the “American Innovation and Choice Online Act,” and S. 2710, the “Open App Markets Act,” would lead to higher prices and fewer choices for consumers, discourage vigorous competition, and create different rules for American companies based on arbitrary criteria like market capitalization, while imposing no restraints on most foreign companies. Moreover, enactment of any of these bills would intensify calls for the federal government to pick winners and losers in the economy – an endless slippery slope.*

*For the past four decades, antitrust law has served as a successful example of bipartisanship, with members of both parties agreeing that the law should protect the welfare of consumers, rather than particular competitors. This consensus has created a stable legal framework across congresses and presidential administrations that has allowed America’s innovative economy to thrive and American consumers to benefit from quality goods and services at low prices.*

*This stability is threatened. The antitrust bills currently under consideration would shift the focus of antitrust from promoting competition to protecting competitors from competition. They would punish some companies for competing vigorously while leaving other companies free to engage in the exact same conduct. As a result, these bills would give federal agencies the power to micromanage large sectors of the economy. In the future, the federal government would decide whether a company can innovate, lower prices, or offer free shipping and other services – or whether such vigorous competition is unfair.*

You can view final text of the letter and the list of signees from across the state and country [here](#).



## **Illinois Chamber 2022 Women in Business Conference**

Illinois women are Second to No One. We have amazing talent, determination, intelligence, and resolve.

This year's theme will be Challenge Accepted.

The Illinois Chamber welcomes you to our women's conference as we come together to discuss and further dreams of our already strong women for a stronger Illinois. This year's theme is "Challenge Accepted." The robust agenda will provide time for networking and connecting with professionals, and topics providing takeaways for all to take back to the office or home.

**When:** Wednesday, June 22, 2022 from 8:30 AM to 2:30 PM CDT

**Where:** NIU Center 1120 E. Diehl Road Naperville, IL 60563

Register [Here!](#)

## **Session Update**

The final day of Spring Session was held on April 8th. There are no further session dates scheduled at this time until Veto Session.

Earlier this month, the General Assembly released their Veto Schedule. Lawmakers will be back in Springfield Tuesday, November 15 -November 17 as well as November 29-December 1.

View and download the calendar [here](#).

## **Legislative Update: Bills of Interest Signed into Law**

[HB209](#), **Latex Gloves** was signed into law. This bill creates the Latex Glove Ban Act. Provides that, on and after January 1, 2023 a food service establishment may not permit employees to use latex gloves in the preparation and handling of food. Provides that, if latex gloves must be used in the preparation of food due to a crisis that interrupts a food service establishment's ability to source nonlatex gloves, a sign shall be prominently placed at the point of order or point of purchase clearly notifying the public of the temporary change. Provides that, to encourage compliance, the Department of Public Health shall send a notice of warning to a food service establishment for its first violation of specified provisions. Prohibits the use of latex gloves by (1) EMS personnel on and after January 1, 2023 and (2) health care facility personnel on and after January 1, 2024. Provides that, if a crisis exists that interrupts their ability to reliably source nonlatex gloves, EMS personnel and health care facility personnel may use latex gloves upon a patient, but shall prioritize, to the extent possible, using nonlatex gloves for the treatment of specified patients.

[HB 1780](#), **Drug Takeback** passed out of the House on concurrence by a vote of 95-14-0. This bill provides that the Act may be cited as the Drug Take-Back Act. Provides that each covered manufacturer must, beginning January 1, 2024 (rather than no later than July 1, 2022) or 6 months after becoming a covered manufacturer, individually or collectively implement (rather than participate in) an approved drug take-back program. Requires a drug take-back program to provide for the collection, transportation, and disposal of covered drugs. Provides that specified requirements shall be undertaken by a drug take-back program or a covered manufacturer (rather than a manufacturer program operator). Requires the Environmental Protection Agency to provide a 30-day public comment period on drug take-back program proposals and revised proposals during specified 90-day periods. Provides that the reason for the Agency's rejection of a drug take-back program proposal must be provided in the written notification to the manufacturer program operator.

[HB 3205](#), **Food/Retail Delivery** was signed into law. This bill creates the Fair Food and Retail Delivery Act. Prohibits a third-party delivery service from using the likeness, registered trademark, or intellectual property belonging to a merchant, and from taking or arranging for the pickup or delivery of an order from a merchant through the digital network, without first obtaining written consent from the merchant. Provides that an agreement subject to the Act may not include a provision that requires a merchant to indemnify a third-party delivery service, an independent contractor of the third-party delivery service, or a registered agent of the third-party delivery service for any damages or harm partially or wholly caused by or resulting from the third-party delivery service, an independent contractor of the third-party delivery service, or a registered agent of the third-party delivery service. Provides that a merchant whose likeness is used, or pickup or delivery is arranged through a third-party delivery service in violation of the Act, may bring an action in the circuit court in the county in which the merchant conducts business to recover actual damages or up to \$5,000, whichever is greater. Provides

that the court may, in its discretion, award punitive damages and other equitable relief it deems appropriate.

[HB 4161](#), **Income Tax Checkoff** was signed into law. This bill creates an income tax checkoff for donations to the 100 Club of Illinois Fund. Amends the State Finance Act to create the Fund. Provides that moneys deposited into the Fund shall be used to make grants to the 100 Club of Illinois for services in Illinois.

[HB 4332](#), **Healthcare** was signed into law. This bill provides that the Health Care Worker Registry shall include the individual's name, current address, and Social Security number or federal taxpayer identification number (rather than Social Security number only), the date and location of the training course completed by the individual, whether the individual has any disqualifying convictions from the date of the training course completed by the individual, and the date of the individual's last criminal records check.

[HB 4600](#), **Contractor Trailer Bill** was signed into law. This bill creates the Bond Reform in the Construction Industry Task Force. Provides that the Task Force shall study innovative ways to reduce the cost of insurance in the private and public construction industry while protecting owners from risk of nonperformance. Provides that the Task Force shall report its findings and recommendations to the General Assembly no later than March 1, 2023. Amends the Illinois Wage Payment and Collection Act. Provides that for all contracts entered into on or after July 1, 2022, a primary contractor making or taking a contract in the State for the erection, construction, alteration, or repair of a building, structure, or other private work in the State where the aggregate costs of the project exceed \$20,000 shall assume, and is liable for, any debt owed to a claimant by a subcontractor at any tier acting under, by, or for the primary contractor for the wage claimant's performance of labor included in the subject of the contract between the primary contractor and the owner. Removes language concerning debt owed to a third party incurred on a wage claimant's behalf. Provides that the following shall be exempt from liability: (i) primary contractors who are parties to a collective bargaining agreement on the project where the work is being performed; and (ii) primary contractors making or taking a contract in the State for the alteration or repair of an existing single-family dwelling or to a single residential unit in an existing multi-unit structure. Provides that claims shall be filed with the Department of Labor or filed with the circuit court within 3 years after the wages, final compensation, or wage supplements were due. Effective immediately or on the date House Bill 5412 of the 102nd General Assembly takes effect, whichever is later.

[HB 5412](#), **Contractors** passed out of the Senate by a vote of 38-18-0. This bill as amended, provides that, for all contracts entered into on or after July 1, 2022, a primary contractor making or taking a contract in the State for the erection, construction, alteration, or repair of a building, structure, or other private work in the State, shall assume, and is liable for, any debt owed to a claimant incurred pursuant to the Act by a subcontractor at any tier acting under, by, or for the

primary contractor for the wage claimant's performance of labor included in the subject of the contract between the primary contractor and the owner. Provides exemption from liability for a property owner who acts as a primary contractor related to the erection, construction, alteration, or repair of his or her primary residence. Provides that the primary contractor's liability under the new provisions shall extend only to any unpaid wages or fringe or other benefit payments or contributions, including interest owed, penalties assessed by the Department, and reasonable attorney's fees, but shall not extend to liquidated damages. Provides that a primary contractor or any other person shall not evade or commit any act that negates the requirements of the new provisions. Provides that the obligations and remedies provided in the new provisions shall be in addition to any obligations and remedies otherwise provided by law, except that nothing in the new provisions shall be construed to impose liability on a primary contractor for anything other than unpaid wages, fringe or other benefit payment contributions, penalties assessed by the Department of Labor, interest owed, and reasonable attorney's fees. In provisions concerning primary contractor responsibility for wage claims in construction industry, provides that nothing shall supersede or modify the express terms contained in any collective bargaining agreement relating to the primary contractor's liability to pay the wages of its subcontractor's employees. Provides that prior to the commencement of any civil action, a claimant or a representative of a claimant shall provide written notice to the employer and to the primary contractor detailing the nature and basis for the claim. Provides that failure of the employer or the primary contractor to resolve the claim within 10 days after receipt of this notice, or during any agreed upon period extending this deadline, may result in the filing of a civil action to enforce the provisions of the Act. Provides that nothing shall supersede or modify the obligations and liability that any primary contractor, subcontractor, or property owner may bear as an employer under the Act or any other applicable law. Provides that primary contractors who are parties to a collective bargaining agreement on the project where the work is being performed shall be exempt from specified provisions.

[HB 5575, Licensing](#) was signed into law. This bill creates the Comprehensive Licensing Information to Minimize Barriers Task Force Act. Creates the Comprehensive Licensing Information to Minimize Barriers Task Force within the Department of Financial and Professional Regulation. Adds provisions governing Task Force membership, duties, powers, and compensation. Provides that the Task Force shall meet monthly. Provides that the Task Force shall submit a report to the General Assembly, the Office of Management and Budget, the Department, and the public in the form of a final report by December 1, 2023. Provides that the final report shall identify low-income and middle-income licensed occupations in the State and aggregate the information from those occupations under the occupations' respective regulatory boards overseen by the Department. Repeals the Act on December 1, 2024.



[SB 1915](#), **Plastic Procurement** was signed into law. This bill provides that when a State agency or institution of higher education contract (rather than only a State contract) is to be awarded to the lowest responsible bidder, an otherwise qualified bidder who will fulfill the contract through the use of compostable foodware or recyclable foodware may be given preference over other bidders unable to do so; provided that the bid is not more than 5% greater than the cost of products that are single-use plastic disposable foodware. Provides that the contract awarded the cost preference shall also include the option of providing the State agency or institution of higher education with single-use plastic straws. Prohibits the procurement and use of single-use plastic disposable foodware at State parks and natural areas.

[SB 2981](#), **Design Build** was signed into law. This bill creates the Innovations for Transportation Infrastructure Act. Contains a statement of legislative policy. Adds provisions governing: authorization of project delivery methods; preconditions to commencement of procurement; procurement; evaluation and selection of proposals; project records; confidentiality; public disclosure; design-build contracts; construction manager/general contractor contracts; funding and financing; minority, disadvantaged, and women-owned businesses; labor agreements; acquisition of property; federal requirements; powers of the Department of Transportation and the Illinois State Toll Highway Authority; and rulemaking gives Illinois a design-build construction option. Adds a provision requiring the implementation of a disadvantaged business enterprise program to include minority-owned and women-owned businesses and disadvantaged businesses when applicable under federal law. Adds provisions establishing a disadvantaged business enterprise liaison.

[SB 3613](#), **Hydrogen Energy Task Force** was signed into law. This bill creates the Hydrogen Economy Act. Creates the Hydrogen Economy Task Force. Provides for membership of the Task Force. Provides that members of the Task Force shall serve without compensation. Provides for meetings of the Task Force. Provides that the Department of Commerce and Economic Opportunity shall provide administrative support to the Task Force. Provides for duties of the Task Force. Provides that the Task Force shall report to the Governor and the General Assembly by December 1 of each year on its activities, findings, and recommendations. Adds three members to the Hydrogen Economy Task Force: one member representing a non-profit energy research organization, appointed by the Governor; one representative of a trade association representing the investor-owned electric and natural gas utilities and power generation companies in the State of Illinois, appointed by the Speaker of the House of Representatives; and one representative of a trade association representing wind and solar electric generators, renewable transmission companies, appointed by the President of the Senate.

**Small Business Alert from the US Chamber: Dream Big Awards**

The U.S. Chamber's Dream Big Awards program is open for 2022 application submissions. Applications from small business owners through **July 8, 2022**.

Every year at The Big Week for Small Business, the Dream Big Awards program honors the achievements of small businesses and highlights their contributions to America's economic growth. The 2022 Small Business of the Year award winner will receive national recognition and a \$25,000 cash prize!

A business must meet the following requirements to be eligible for the Dream Big Small Business of the Year Award or a Business Achievement Award.

- For-profit business operating for at least one (1) year primarily within the United States.
- Have less than 250 employees OR gross revenues of less than \$20 million for each of 2021 and 2022.

The Award categories are as follows:

- Emerging Business
- Green/Sustainable Business
- Minority-Owned Business
- Veteran-Owned Business
- Woman-Owned Business
- Young Entrepreneur Business
- LGBTQ-Owned Business
- Community Support and Leadership Award

Learn more about the Dream Big Awards [here](#).

Find the application from the US Chamber [here](#).

A local Chamber of Commerce or trade/economic development group can refer a small business [here](#).

## ***Documents of Interest***

**Illinois Chamber 2022 End of Session Report**

**102nd General Assembly Legislative Ratings**

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