



## GOVERNMENT AFFAIRS

# *Report*

March 18th, 2022

## This Week in Illinois

### **Session Update**

The House was back in Springfield this week for session while the Senate was off. The House took limited floor action aside from announcements and resolutions with most work occurring in Committees. The lower chamber did welcome two guests speakers this week for addresses to the body, the first time since the onset of the COVID-19 pandemic.

Both the House and the Senate will return Tuesday, March 22nd while Friday, March 25th is the deadline to get bills originating in the opposite chamber out of committee in both the House and the Senate. A busy week is expected.

View the Senate Committee schedule for next week [here](#). View the House committee schedule [here](#). Rail report subscribers will continue to get daily updates.



## **President & CEO Maisch Releases New Two Minute Drill**

Earlier this week, Illinois Chamber President and CEO Todd Maisch discussed the Governor's three-pronged tax relief proposal and HB 5555, a chamber initiative in the latest Chamber two minute drill.

### ***In Case You Missed It...Corporate Board Reporting Penalty Provisions Amendment***

On Wednesday, a new amendment was filed on [HB 989](#) which was previously a shell bill. This floor amendment adds onerous penalty provisions to the corporate board reporting requirements. Many of you will recall the board reporting requirement was passed a few years ago after much controversy and the exclusion of penalty provisions. This act applies to all publicly traded companies with principal headquarters in Illinois. Under this amendment, the penalty for a first time oversight is \$100,000. The penalty more than doubles for second and subsequent violations.

The Chamber has always maintained that this issue shouldn't be micromanaged from 50 different state capitals.

(c-5) Penalties for failure to comply with reporting requirements. The Secretary of State shall impose fines for failure to comply with the timely submission of the report as required by subsection (c) as follows: (1) For a first time failure to timely file the report as required by subsection (c), the corporation shall be fined \$100,000. (2) For a second or subsequent failure to timely file the report as required by subsection (c), the corporation shall be fined an initial amount of \$200,000, with additional late filing fees in the amount of \$50,000 accruing monthly until the report is filed. Fines and fees collected under this subsection shall be available, upon appropriation by the General Assembly, for use to offset the cost of implementing this Section and for the training and placement of female and minority candidates to corporate boards.

Since this is a floor amendment, it may be called in committee with only an hour's notice. Please provide us your thoughts as soon as possible. We will discuss this bill in greater detail on Monday's GAP call.

New penalty provisions highlighted (right).

Link to full bill here: [HFA1 to HB989](#)

### **Bills of Interest with Action this Week:**

[SB 62](#), **RUUPA Payroll Card** passed out of the House Revenue Committee by a vote of 17-0-0. This bill provides that for an amount held on a payroll card, an indication of owner interest includes wages from an employer under the Illinois Wage Payment and Collection Act in the form of a recurring Automated Clearing House credit previously authorized by the apparent owner. Provides that an Automated Clearing House credit is not an indication of owner interest if the holder assesses fees for account inactivity on the payroll card account.

[SB 645](#), **Sick Leave** passed out of the Labor & Commerce Committee by a vote of 18-8-0. This bill amends the Employee Sick Leave Act. Provides that the rights afforded under the Act serve as the minimum standard in a negotiated collective bargaining agreement.

[SB 1234](#), **EPA Inspection Station** passed out of the House Transportation: Vehicles & Safety Committee by a vote of 12-0-0. This bill provides that, by October 1, 2022, the Illinois Environmental Protection Agency shall submit a report to the General Assembly containing its plan to replace the dismantled official inspection stations located in the City of Chicago. Provides that the plan shall consist of either a pilot program or a permanent replacement program, and shall provide information on the proposed locations of the new stations within the City of Chicago, information on programs implemented in other states, and a target date for full operation of all stations. Provides that the Agency shall issue a request for proposals related to its plan by January 1, 2023. Provides that the described plan shall also contain a timeline of actions, shall include procurement of services, technology, equipment, and other elements necessary to replace the former vehicle testing lanes, and shall state whether the replacement stations in the City of Chicago will utilize permanent self-service kiosks or other services. Provides that the plan shall also include the Agency's strategy of how best to inform people of the location and hours of

operation of the new official inspection stations and conduct an informational campaign.

[SB 2803](#), **UI Trust Fund** passed out of the House Executive Committee by a vote of 9-5-0. This bill appropriates \$2,000,000,000 from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Employment Security for payment to the Illinois Unemployment Insurance Trust Fund for partial repayment of Title XII advances, including prior year cost.

[SB 1915](#), **Plastic Procurement** passed out of the State Government Administration Committee by a vote of 5-3-0. 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 2963](#), **INS Group Life** passed out of the House Insurance Committee by a vote of 14-0-0. This bill provides that if active employment is a condition of a policy of group life insurance, in order to be delivered in the State the policy must contain provisions that state that continued coverage for specified active employees will remain in effect until the earliest of specified dates, and specified obligations of the replacing carrier may be limited to the amount for which the employee was covered under the prior carrier's group life insurance policy and may be reduced by any amounts payable under the prior carrier's group life insurance policy.

[SB 2984](#), **Youth Entrepreneur** passed out of the State Government Administration Committee by a vote of 8-0-0. This bill modifies requirements concerning entrepreneurship assistance centers to include assistance to youth entrepreneurs.

[SB 3050](#), **Competitive Bids** passed out of the State Government Administration Committee by a vote of 8-0-0. This bill amends the Park District Code. Provides that specified contracts related to supplies, materials, or work involving an expenditure in excess of \$30,000 (rather than \$25,000), or a lower amount if required by board policy, must be competitively bid. Provides that all competitive bids for contracts involving an expenditure in excess of \$30,000 (rather than \$25,000), or a lower amount if required by

board policy, must be sealed by the bidder and must be opened by a member or employee of the park board at a public bid opening at which the contents of the bids must be announced.

[SB 3073](#), **CCR** passed out of Committee by a vote 17-9-0. This bill Provides that owners and operators of CCR surface impoundments at electric generating plants that are bordering Lake Michigan shall close the CCR surface impoundment by removal by off-site disposal, pursuant to specified provisions and requirements. In additional provisions, requires an owner or operator to remove from his or her site, for off-site disposal, all CCR generated by a facility and remediate all soil and groundwater impacted by CCR, in accordance with specified requirements. Requires owners or operators to submit specified plans and reports to the Environmental Protection Agency. Provides that an owner or operator shall post with the Agency a performance bond or other security for the purpose of ensuring removal and remediation in accordance with the provisions. Provides that the Agency may enter into such contracts and agreements as it deems necessary to carry out the purposes of the provisions. Provides that neither the State, nor the Director of the Agency, nor any State employee shall be liable for any damages or injuries arising out of or resulting from any action taken under the provisions.

[SB 3082](#), **High Speed Rail Commission** passed out of the House Transportation: Regulations, Roads & Bridges Committee 7-3-0. This bill amends the High-Speed Railway Commission Act so that the following positions are now appointed by the Governor: a representative of a labor organization representing rail workers; a representative of a trade organization related to the rail industry; a representative of the Metropolitan Mayors and Managers Association; a representative from the Illinois Railroad Association; a representative from the University of Illinois System; a representative from the Chicago Metropolitan Agency for Planning; a representative of the Illinois Municipal League; a representative of the Champaign-Urbana Mass Transit District; a representative of the Region 1 Planning Council; a representative of the McLean County Regional Planning Commission; and a representative of the East-West Gateway Council of Governments. Also, appointments must be made by January 1, 2023 rather than January 1, 2022.

[SB 3120](#), **Bereavement Leave** passed out of the House Labor & Commerce Committee by a vote of 16-11-0. This bill amends the Child Bereavement Leave Act. Changes the name of the Act to the Family Bereavement Leave Act. Provides that all employees shall be entitled to use a maximum of 2 weeks (10 work days) of unpaid bereavement leave to be absent from work due to (i) a miscarriage; (ii) an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure; (iii) a failed adoption match or an adoption that is not finalized because it is contested by another party; (iv) a failed surrogacy agreement; (v) a diagnosis that negatively impacts pregnancy

or fertility; or (vi) a stillbirth. Provides that the employer may not require that the employee identify which category of event the leave pertains to as a condition of exercising rights under the Act.

**[SB 3146](#), One Day Rest in Seven** passed out of the House Labor & Commerce Committee by a vote of 17-11-0. This bill provides that an employee who works in excess of 7 1/2 continuous hours shall be entitled to an additional 20-minute meal period for every additional 4 1/2 continuous hours worked. Provides that every employer covered by the Act shall post and keep posted, in one or more conspicuous places on the premises of the employer where notices to employees are customarily posted, a notice, to be provided by the Director of Labor, summarizing the requirements of the Act and information pertaining to the filing of a complaint. Provides that the Director of Labor shall provide copies of summaries and rules to employers upon request without charge. Provides that an employer with employees who do not regularly report to a physical workplace, and instead work remotely or travel for work, shall also provide the notice by email to its employees or on a website, regularly used by the employer to communicate work-related information. Provides that any employer who violates specified provisions of the Act shall be subject to a civil penalty. Provides that for an employer with fewer than 25 employees, the civil penalty shall not exceed \$250 per offense, payable to the Department of Labor, and damages of up to \$250 per offense, payable to the employee or employees affected. Provides that for an employer with 25 or more employees, the civil penalty shall not exceed \$500 per offense, payable to the Department, and damages of up to \$500 per offense, payable to the employee or employees affected.

**[SB 3166](#), Hospitals** passed out of the House Health Care Licenses Committee by a vote of 8-0-0. This bill provides that hospitals, establishments, or facilities organized or licensed under the Acts shall ensure that specified employees of the hospital, establishment, or facility are made aware of employee assistance programs or other like programs available for the physical and mental well-being of the employees.

**[SB 3416](#), Occupational Safety and Health Act Violations** passed out of the House Labor & Commerce Committee by a vote of 17-11-0. This bill amends the Occupational Safety and Health Act. Provides that citations and notice of violations may be sent to an employer by email to an email address previously designated by the employer for purposes of receiving notice. Provides that a public employer that intentionally violates specified provisions may be assessed a civil penalty of not more than \$10,000 per violation (rather than \$10,000). Provides that a person may not discharge or in any way discriminate against an employee because the employee has reported potential violations of the Act to a member of management with authority to address the concerns.

[SB 3633](#), **Demolition** passed out of the House Energy & Environment Committee by a vote of 25-0-0. This bill provides that counties and municipalities must maintain documentation submitted from a contractor (rather than just maintain documentation) on the disposal of specified demolition debris, clean or general, or uncontaminated soil during the demolition, repair, or enclosure of a building for a period of 3 years identifying the hauler, generator, place of origin of the debris or soil, the weight or volume of the debris or soil, and the location, owner, and operator of the facility where the debris or soil was transferred, disposed, recycled, or treated.

[SB 3819](#), **Pediatric Palliative Care** passed out of the House Insurance Committee by a vote of 14-0-0. This bill provides that a group or individual policy of accident and health insurance or a managed care plan amended, delivered, issued, or renewed on or after January 1, 2024 (rather than after the effective date of the amendatory Act) shall provide coverage for community-based pediatric palliative care and hospice care and that the care shall be delivered to any qualifying child with a serious illness by a trained interdisciplinary team that allows a child to receive community-based pediatric palliative and hospice care while continuing to pursue curative treatment and disease-directed therapies for the qualifying illness.

[SB 3848](#), **RTA** passed out of the House Transportation: Regulation, Roads & Bridges Committee by a vote of 10-0-0. This bill states that by January 1, 2024, the Chicago Metropolitan Agency for Planning and its MPO Policy Committee, in coordination with the Authority, shall develop and submit a report of legislative recommendations to the Governor and General Assembly regarding changes to the recovery ratio, sales tax formula and distributions, governance structures, regional fare systems, and any other changes to State statute, Authority, or Service Board enabling legislation, policy, rules, or funding that will ensure the long-term financial viability of a comprehensive and coordinated regional public transportation system. The report shall also consider recommendations on how the Authority and Service Boards can better address racial equity, climate change, and economic development.

[SB 3905](#), **Wastewater Study** passed out of the Energy & Environment Committee by a vote of 28-0-0. This bill creates the Municipal Water and Wastewater Funding Study Committee.

[SB 3939](#), **Cybersecurity** passed out of the House Cybersecurity, Data Analytics & IT Committee by a vote of 14-0-0. This bill requires a local government official or employee to be chosen to act as the primary point of contact for local cybersecurity issues. Amends the Illinois Information Security Improvement Act. Requires the Secretary of Innovation and Technology to establish a cybersecurity liaison program to advise and assist units of local government concerning specified cybersecurity issues. Provides for

cybersecurity training for employees of counties, municipalities. Provides that State agencies are prohibited from purchasing any products that, due to cybersecurity risks, are prohibited for purchase by federal agencies pursuant to a United States Department of Homeland Security Binding Operational Directive.

**View the Chamber's full 102nd GA Key Bills List [here](#).**

## **Weekly GAP Call**

The Chamber will host a Government Affairs Professionals (GAP) call on **Monday, March 21st at 3:00 pm**. We will provide you the latest updates on what legislation we are watching. Additionally, we will highlight and discuss [HB 989](#), which is described above in detail. Call in information is provided below.

Please send any questions in advance to [ckaericher@ilchamber.org](mailto:ckaericher@ilchamber.org).

## **Microsoft Teams meeting**

**Join on your computer or mobile app**

[Click here to join the meeting](#)

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Phone Conference ID: 463 563 254#

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## **US Chamber: *America Works Initiative Survey***

In an effort to better quantify and understand the workforce challenges facing employers locally and across the nation, the Illinois Chamber is partnering with the U.S. Chamber of Commerce and other chambers of commerce to conduct a quick survey about labor force conditions across the country.

Please complete this brief survey by clicking [here](#). It should take less than 3 minutes to complete and will provide great insight. We thank you for your participation.

**Seminar: Avoiding the Wrong Buyers in Export -  
Understanding denied parties and Vetting your Importers**



Alex Sonifrank, Affinity and Partnerships Manager at the American World Trade Chamber of Commerce, has worked to vet registrations against their global trade platform for issuing trade documents and worked directly with US exporters experiencing challenges and risks in the global market. The AWTCC is focused on expanding US trade internationally.

**When:** Thursday, March 24, 2022 from 10:30 AM to 11:30 AM CDT

Registration for this online event can be found [here](#).

## Illinois Chamber Key Legislation

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*If you have questions about the Government Affairs Report, contact Clark Kaericher at [ckaericher@ilchamber.org](mailto:ckaericher@ilchamber.org). Do not reply to this email.*

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