



**INFRASTRUCTURE COUNCIL**

# *Newsletter*

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The Infrastructure Council is an initiative of the Illinois Chamber that brings together Chamber members with a focus on increasing infrastructure investments in a strategic and thoughtful way to boost the overall business climate in Illinois. Our focus is on the public and private systems that are essential to Illinois businesses.

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Happy New Year! Here's to a fun, healthy and exciting 2022.

I've been meeting with individual legislators and most expect a more predictable session year but if we have learned anything in the last two years it is to expect the unexpected.

## **Right to Repair**

The House Cybersecurity committee met yesterday afternoon for a subject matter hearing on [HB 3061](#) (Mussman). [HB 3061](#) creates the "Digital Fair Repair Act". The name is misleading as this would apply to every industry except for automobiles. Most colloquially refer to this issue as "Right to Repair". Right to Repair has been introduced in nearly every state and in Illinois numerous times but has yet to become law in any state. The Illinois Chamber has consistently opposed any so-called right to repair legislation.

The original plan was to have a subject matter hearing on the bill and then put the issue on the shelf for the remainder of the spring session. However, late on Wednesday the measure was reposted for committee on January 13th to allow a potential vote. I've reached out to committee staff and was told that a vote is possible but not guaranteed on that date. We will continue to work the committee on this issue and keep you informed.

To view our written testimony for more on our objections, please click [Here](#).

## **Committees Posted for Hearings**

The House Transportation: Vehicles & Safety Committee will meet at 10 am on January 12th. The lone bill is:

[HB 260 VEH CD-DIGITAL LICENSE STUDY](#)

Also of note next week is the House Energy & Environment Committee on January 11th at 4 pm. There are two bills of interest scheduled to be heard:

The first is [HB 3090](#) (Harper) which creates the Environmental Justice Act. Members of our Environmental Affairs Committee know more this bill but in short the bill requires the Illinois EPA to: (1) develop and implement a strategy prioritizing enforcement in neighborhoods with environmental justice populations; (2) compile an annual report detailing the number and types of enforcement actions in neighborhoods with environmental justice populations; (3) establish and maintain a supplemental environmental project bank with specified requirements; (4) publish a progress report on environmental justice no less often than every 5 years; and (5) work with the Department of Public Health to establish health risk assessment guidelines and develop an online mapping that identifies specified information. Further, provides that State agencies shall (1) designate an environmental justice coordinator for each State agency to perform specified actions and (2) develop a specific policy or strategy to promote environmental justice. Establishes the Interagency Environmental Justice Working Group to maximize State resources, research, and technical assistance to further the purposes of the Act and of environmental justice in the State.

The second bill is [HB 3125](#) (Gabel) which creates the Electric Vehicle Charging Act. Sets forth requirements for parking spaces that are electrical vehicle ready applicable to new or renovated residential or nonresidential buildings. Additionally outlines provisions concerning electric vehicle charging station policies for unit owners and renters. Creates the Electric Vehicle Access for All Program to maximize opportunities for carbon-free transportation across the State, particularly targeting environmental justice and low-income communities and to provide grants to pilot programs with the purpose of bridging public transportation gaps between residences and employment locations. Sets forth provisions concerning administrative review and authorized expenditure of State-controlled funds to accelerate electric vehicle adoption. Amends the Public Utilities Act to provide that no later than May 31, 2022, electric utilities serving greater than 500,000 customers in the State shall file a Beneficial Electrification Plan with the Illinois Commerce Commission. Provides for review of the plans by the Commission

and establishes a system for utilities to consider specified businesses, nonprofit organizations, or worker-owned cooperatives when awarding bids.

## **New Legislation of Note**

[SB 2981](#) (DeWitte) would allow for design-build infrastructure projects in Illinois. Illinois lags almost every other state in this area and the Chamber is very supportive of this bill.

In more detail, the bill creates the Innovations for Transportation Infrastructure Act. 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. This bill has an immediate effective date.

[SB 3051](#) (Fine) Creates the In-home Electric Vehicle Charging Infrastructure Act. Provides that if the construction of one or more new housing units or major renovations will include at least one garage, carport, or driveway for each housing unit, the builder or the builder's agent shall provide each buyer, prospective buyer, or homeowner with the option to include either an electric vehicle charging station capable of at least level 2 charging or equipment to support the later addition of a such a charging station in or on the garage, carport, or driveway. Requires a builder to give a buyer or homeowner notice of this requirement along with information on available rebate programs for installing an electric charging station. Requires the buyer or homeowner to provide notice of receipt. Provides a private right of action for persons aggrieved by a violation of the Act. Effective July 1, 2022.

Note that [SB 3051](#) is less aggressive than prior versions of the bill that mandated installation. This would just

require providing information. However, as a general matter any bill that creates a new private right of action as the enforcement tool is suspect.

## **Brandon Road Quarterly Update**

The January 2022 Quarterly Update for the Brandon Road Interbasin Project is now available [here](#).

The U.S. Army Corps of Engineers, Rock Island District, and its non-federal partners will be hosting a virtual webinar Jan. 12 at 1 p.m. CST for anyone interested in learning more about the project or who would like the opportunity to ask questions of the team. Participants can join the call from any mobile device using the following WebEx meeting link: <https://usace1.webex.com/meet/BrandonRdUpdate>. An audio-only option will also be available by calling 1-844-800-2712 and entering the meeting number: 199 338 6849. If asked to enter an attendee ID, enter #.

## **Articles of Interest**

[Deere leapfrogs rivals with plan for autonomous tractor in 2022](#)

[Sustainability Efforts Run Through Information Technology](#)

[State lawmakers approve remap of judicial subcircuits](#)

Until next time,

Clark

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