



Public Acts Report:
Legislation of Interest to Counties
Approved in 2020

August 6, 2020

Included within this report are new laws approved by both chambers in 2020 that either affect county operations or that may be of interest to county officials. County officials are encouraged to share this report with their staffs to facilitate awareness of the issues contained herein and to assist with adherence to new legal requirements. This report will be updated as the Governor takes action on each bill. Enacted bills have public act numbers. Please be aware of the effective dates for each bill enacted into law. The summaries are not intended to substitute for a review of the actual text of new laws affecting county operations.

HOUSE BILLS

HB 64 (P.A. 101-0638) (Rep. Hoffman; Sen. Harmon) – CAPITAL INFRASTRUCTURE APPROPRIATIONS

Appropriates specified amounts from the Capital Development Fund for infrastructure projects. Effective immediately, except for certain provisions that are effective July 1, 2020.

HB 357 (P.A. 101-0636) (Rep. Harris; Sen. Harmon) – SFY 2021 BUDGET IMPLEMENTATION ACT

Creates the FY2021 Budget Implementation Act. Provides that the purpose of the Act is to make the changes in State programs that are necessary to implement the Governor's FY2021 budget recommendations. Effective immediately.

HB 2096 (P.A. 101-0632) (Rep. Willis; Sen. Murphy) – TOWNSHIP ANNUAL MEETING

Amends the Township Code. Provides that, if the Governor declares a disaster under the Illinois Emergency Management Agency Act and the disaster declaration is effective during the dates designated for a township's annual meeting, a township board may postpone the annual meeting to the third Tuesday, of the month following the end of

the disaster declaration if circumstances related to the disaster declaration prevent a township from holding its annual meeting. Requires consultation with and receipt of written approval from the county health department to proceed with an annual meeting during the course of a subsequent disaster declaration. Includes other provisions. Effective immediately. Includes other provisions.

HB 2238 (P.A. 101-0641) (Rep. Burke; Sen. Morrison) – 2020 GENERALELECTION TRAILER BILL

If and only if Senate Bill 1863 of the 101st General Assembly becomes law in the form in which it passed the House of Representatives on May 21, 2020, then amends the Election Code. In provisions concerning changes for vote by mail official ballot mailing and processing for the 2020 general election, makes changes to the panels created by election authorities to compare the voter's signature on the certification envelope of the vote by mail ballot with the signature of the voter on file in the office of the election authority. Requires a vote of 3 of 3 election judges for a vote by mail ballot to be rejected because the signature on the certification envelope and the signature used by the election authority for verification purposes do not match or the certification envelope contains

a signature but not in the proper location. Requires a majority vote (rather than a vote of 3 of 3 judges) for other specified reasons. If election judges (rather than 3 of 3 election judges) determine the ballot should be rejected for any reasons stated in the provisions, requires the judges to mark across the face of the certification envelope the word "rejected" and the date and names of the judges voting to reject the ballot. Requires all collection sites for vote by mail ballots to be secured by locks that may be open only by election authority personnel and requires the State Board of Elections to establish additional guidelines for the security of collection sites. Effective upon becoming law or on the date Senate Bill 1863 of the 101st General Assembly takes effect, whichever is later.

HB 2455 (P.A. 101-0633) (Rep. Hoffman; Sen. Holmes) – WORKERS' COMPENSATION – COVID-19 REBUTTABLE PRESUMPTION

Amends the Workers' Occupational Diseases Act with respect to claims related to COVID-19. Provides that there is a rebuttable presumption that an employee's contraction of COVID-19 arises out of and in the course of the employee's first responder or front-line worker employment and that the injury or occupational disease shall be rebuttably presumed to be causally connected to the hazards or exposures of the employee's first responder or front-line worker employment. Defines terms. Makes changes in the maximum weekly benefit amount. Makes changes with respect to the state experience factor and applicable contribution rate surcharges. Amends the Unemployment Insurance Act. Authorizes the payment of extended benefits for weeks beginning on or after March 15, 2020, through the end of the fourth week prior to

the last week for which federal sharing is provided as authorized by Section 4105 of Public Law 116-127, or any amendments thereto. Provides that benefit limits do not include Federal Pandemic Unemployment Compensation amounts provided for in Section 2104 of Public Law 116-136. Provides for retroactive application. Effective immediately.

HB 2682 (P.A. 101-0631) (Rep. Zalewski; Sen. Feigenholtz) – SALE OF COCKTAILS FOR OFF-PREMISES CONSUMPTION

Amends the Liquor Control Act of 1934. Provides that a cocktail or mixed drink placed in a sealed container by a retail licensee at the retail licensee's location may be transferred and sold for off-premises consumption if specified requirements are met. Effective immediately.

SENATE BILLS

SB 264 (P.A. 101-0637) (Sen. Harmon; Rep. Harris) – SFY 2021 BUDGET APPROPRIATION BILL

This is the appropriation legislation for the SFY 2021 state budget. Some provisions are effective immediately; some provisions are effective July 1, 2020.

SB 471 (P.A. 101-0651) (Sen. Lightford; Rep. Hoffman) – PUBLIC EMPLOYEE DISABILITY ACT BENEFITS

Amends the Public Employee Disability Act. Provides that upon the occurrence of circumstances which would hinder the physical recovery from an injury of an eligible employee within the one-year period as required under the Act, the eligible employee shall be entitled to an extension of no longer than 60 days by which he or she

shall continue to be paid by the employing public entity on the same basis as he or she was paid before the injury.

SB 516 (P.A. 101-0648) (Sen. Cunningham; Rep. Rita) – GAMING BILL Amends the Illinois Gambling Act to make various changes to the gaming bill enacted in 2019. SB 516 extends the time that casino operators have to pay the reconciliation fee from 2 to 6 years. The bill also reduces the tax rates for the Chicago casino and makes a technical fix for the Danville casino. Due to the pandemic, the bill moves the due date for fees associated with gaming and sports betting license and positions from July 1, 2020, to July 1, 2021. Finally, the bill makes technical fixes to ensure video gaming can occur at the Illinois State Fairgrounds and DuQuoin State Fairgrounds. Effective immediately.

SB 531 (P.A. 101-0644) (Sen. Bertino-Tarrant; Rep. Walsh) – TOLL BRIDGE-TOLLRATE SCHEDULE Amends the Toll Bridge Act. Provides that the county board may enter into an agreement establishing a toll rate schedule for a period not to exceed 99 years. Provides that the amendatory Act is declarative of existing law and shall be given retroactive effect. Effective immediately.

SB 557 (P.A. 101-0634) (Sen. Bush; Rep. Cassidy) – SEXUAL ASSAULT SURVIVORS Amends the Sexual Assault Survivors Emergency Treatment Act. Provides that an approved federally qualified health center may provide medical forensic services to all sexual assault survivors 13 years old or older who present for medical forensic services in relation to injuries or trauma resulting from a sexual assault during the duration, and 90 days thereafter, of a proclamation issued by the Governor declaring a disaster, or a successive proclamation regarding the same

disaster, in all 102 counties due to a public health emergency. Provides that under specified circumstances a federally qualified health center's area-wide sexual assault treatment plan must include a procedure for ensuring a sexual assault survivor in need of such medical or surgical services receives the services at the treatment hospital. Requires an approved federally qualified health center to post specified signage at each public entrance to its facility if it is not open 24 hours a day, 7 days a week. Provides that the changes made by this amendatory Act are repealed on June 30, 2021 and that the unamended versions of the amended sections take effect on and after July 1, 2021. Makes other changes. Effective immediately.

SB 685 (P.A. 101-0635) (Sen. Koehler; Rep. Zalewski) – PROPERTY TAX PENALTY WAIVER

Amends the Property Tax Code. In a county with fewer than 3,000,000 inhabitants, provides for the permissive waiver of interest and penalties. Provides that, in counties with less than 3,000,000 inhabitants, the annual tax sale that would ordinarily be held in calendar year 2020 shall be held no earlier than (i) 120 days after the effective date of this amendatory Act or (2) until the first day of the first month during which there is no longer a statewide COVID-19 public health emergency, as evidenced by an effective disaster declaration of the Governor covering all counties in the State. In provisions concerning the homestead exemption for persons with disabilities, the homestead exemption for veterans with disabilities, and the senior citizens assessment freeze homestead exemption, provides that those exemptions may be granted without application for the 2020 taxable year if the property qualified for the exemption in the 2019 taxable year, subject

to certain limitations related to the COVID-19 pandemic. Provides that under no circumstance may a tax year be offered at a scavenger sale prior to the annual tax sale for that tax year. Effective immediately.

SB 1857 (P.A. 101-0645) (Sen. Martinez; Rep. Burke) – EXTEND REPEAL DATES

Extends the repeal of specified provisions in several state laws. Effective immediately

SB 1863 (P.A. 101-0642) (Sen. Morrison; Rep. Burke) – 2020 GENERAL ELECTION CHANGES

Amends the Election Code. Creates the Conduct of the 2020 General Election Article in the Code. For the 2020 general election, provides for changes to vote by mail, first time registrants and changes of address for registrants, the public dissemination of information for the 2020 general election, early voting and election day requirements, judges of election, electronic service of objections, additional duties of election authorities and the State Board of Elections, and 2020 county party conventions. Establishes November 3, 2020 as a State holiday to be known as 2020 General Election Day to be observed throughout the State. Provides that all government offices (with the exception of election authorities) shall be closed unless authorized to be used as a location for election day services or as a polling place. Makes other changes. Repeals the Article on January 1, 2021. Effective immediately.

SB 1864 (P.A. 101-0649) (Sen. Hunter; Rep. Harris) – HEALTH CARE AFFORDABILITY

Creates the Health Care Affordability Act. Requires the Department of Healthcare and Family Services, in consultation with the Department of Insurance, to oversee a feasibility study to explore options to make

health insurance more affordable for Illinois residents. Provides that the Departments shall develop and submit a proposal to the General Assembly and the Governor concerning the design, costs, benefits, and implementation of a State option for health care coverage that leverages existing State infrastructure. Effective immediately.

SB 2099 (P.A. 101-0630) (Sen. Harmon; Rep. Zalewski) – CURE BORROWING ACT

Creates the Coronavirus Urgent Remediation Emergency (CURE) Borrowing Act. Provides that the Governor, with the approval of the Comptroller and Treasurer, is authorized to borrow funds from the Federal Reserve Bank or its agent in accordance with the Municipal Liquidity Facility program established under the federal Coronavirus Aid, Relief, and Economic Stabilization Act (CARES) Act and the Federal Reserve Act, or in accordance with federal coronavirus financing legislation. Sets forth the purposes for which such funds can be used. Provides for the terms for borrowing, provides that the total amount borrowed may not exceed \$5,000,000,000 outstanding at any time, and provides for the repayment of funds borrowed. Provides a continuing appropriation for the repayment of funds borrowed. Effective immediately.

SB 2135 (P.A. 101-0640) (Sen. Sims; Rep. Burke) – OPEN MEETINGS ACT – REMOTE MEETING

Amends the Open Meetings Act. Provides for remote participation in meetings of public bodies. Contains other provisions. Effective immediately.

SB 2541 (P.A. 101-0650) (Sen. Steans; Rep. Harris) – HOSPITAL ASSESSMENTS

Renews the hospital assessment program in Illinois to enable the state to capture \$3.9 billion in federal funds for treating Medicaid

patients. This represents an increase of \$450 million over previous years. The assessment bill includes a Medicaid physician rate increase and prioritizes funding for critical access and safety net hospitals. Along with the state budget, enactment of this legislation is time sensitive and needed to be accomplished before June 30, 2020.