



State of Illinois
Illinois State Police

98th General Assembly 2014 Spring Session Legislative Update



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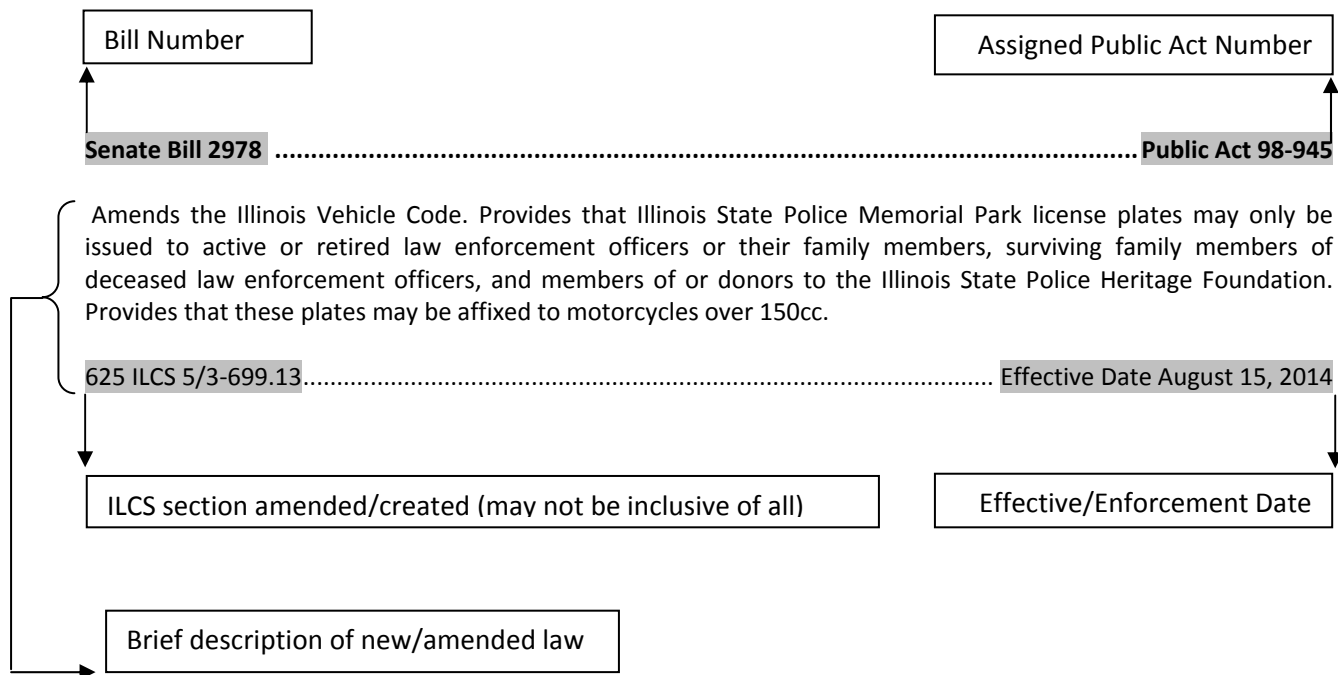
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The 98th General Assembly 2014 Spring Session Legislative Update is designed as a briefing concerning law enforcement and other state agency related legislation. **DO NOT take enforcement action based solely upon the description of any new laws or statutory change described herein.** Enforcement action should be based upon review and understanding of the actual statutory language contained in the public act or a revised statutory document containing the new laws (Vehicle Code or Criminal Code publication). You are encouraged to view the full public act and all current Compiled Statutes at <http://www.ilga.gov>

The legislation contained in this guide has been categorized based upon the Chapter of the Illinois Compiled Statutes (ILCS) most affected. Each entry should be read as follows:



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CHAPTER 5

GENERAL PROVISIONS

Senate Bill 2640 Public Act 98-756
Creates the First 2014 General Revisory Act. Combines multiple versions of Sections amended by more than one Public Act. Renumbers Sections of various Acts to eliminate duplication. Corrects obsolete cross-references and technical errors. Makes stylistic changes.
Numerous sections. Effective Date July 16, 2014

Senate Bill 1941 Public Act 98-1097
Creates the Uniform Electronic Legal Material Act to provide for the utilization of legal material in an electronic record. Applies to all legal material designated as official under the Act and published after its effective date. Defines legal material and other terms. Includes court reports, statutes, session laws, rules, and agency decisions. Provides for an official publisher for the material, including the Supreme Court and the Secretary of State. Provides for authentication of official electronic records and for their preservation. Establishes standards for implementing the Act.
5 ILCS 180/ (NEW ACT)..... Effective Date January 1, 2015

CHAPTER 10

ELECTIONS

House Bill 3199 Public Act 98-773
Amends the Election Code. Provides that school districts are encouraged to (i) close the school or (ii) hold a teachers institute on that day with students not in attendance. Provides that a government agency which makes a public building under its control available for use as a polling place shall (i) ensure the portion of the building to be used as the polling place is accessible to handicapped and elderly voters and (ii) allow the election authority to administer the election.
10 ILCS 5/11-4.1 Effective Date July 18, 2014

CHAPTER 20

EXECUTIVE BRANCH

House Bill 5793 Public Act 98-982
Creates the Uniform Racial Classification Act. Provides that whenever a State agency is required by law to compile or report statistical data using racial or ethnic classifications, sets forth the classifications that a State agency shall use whenever it is required to compile or report statistical data using racial or ethnic classifications.
20 ILCS 50 (NEW ACT). Effective Date August 18, 2014

Senate Bill 0798 Public Act 98-989
Amends the Illinois Act on Aging. Makes the following changes in provisions concerning the Long Term Care Ombudsman Program: (i) redefines "participant" to mean an older person aged 60 or over or an adult with a disability aged 18 through 59 who is eligible for specified services (rather than an older person or persons with disabilities who are eligible for specified services); (ii) redefines "resident" to mean an older person aged 60 or over or an adult with a disability aged 18 through 59 who resides in a long-term care facility (rather than an older individual who resides in a long-term care facility); (iii) in addition to other specified requirements, provides that a long term care facility, supportive living facility, assisted living establishment, and shared housing establishment must permit a representative of the Long Term Care Ombudsman Program to communicate privately and without restriction with any participant who consents to the communication regardless of the consent of, or withholding of consent by, a legal guardian or an agent named in a power of attorney executed by the participant; and (iv) provides that each Regional Ombudsman may, in accordance with rules promulgated by the Office of State Long Term Care Ombudsman, establish a multi-disciplinary team to act in an advisory role for the purpose of providing professional knowledge and expertise in handling complex abuse, neglect, and advocacy issues involving participants. Provides that the provisions of the Act concerning access to residents in a facility shall not limit the power of the State Long Term Care Ombudsman Program to enter and inspect a facility or communicate privately and without restriction with a resident who consents to the communication, regardless of the consent of, or withholding of consent by, a legal guardian or an agent named in a power of attorney executed by the resident.
20 ILCS 105/4.04 Effective Date January 1, 2015

House Bill 5853 Public Act 98-1084
Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. Requires each State agency to provide the Department of Central Management Services with contact information for the State agency, including at least one central telephone number and a link to the agency's website, for inclusion on the ITAP.
20 ILCS 405/405-335. Effective Date January 1, 2015

Senate Bill 2633 Public Act 98-820
Amends the Recreational Trails of Illinois Act. Provides that the fee for an Off-Highway Vehicle Usage Stamp for a vehicle with an engine capacity of over 75 cubic centimeters shall be \$15 annually. Provides that the fee for an Off-Highway Vehicle Usage Stamp for a vehicle with an engine capacity of 75 cubic centimeters and below shall be \$10 annually. Provides additional exemptions to the requirement of operators of an off-highway vehicle displaying an Off-Highway Vehicle Usage Stamp.
20 ILCS 862/26 and 34. Effective Date August 1, 2014

House Bill 5815 Public Act 98-635
Amends the Criminal Identification Act. Provides that sealing for orders of supervision and convictions, includes orders of supervision and convictions on municipal ordinance violations that are not otherwise excluded from sealing by the Act.
20 ILCS 2630/5.2. Effective Date January 1, 2015

House Bill 2378 Public Act 98-1009
Replaces everything after the enacting clause. Amends the Criminal Identification Act. Removes the prohibition on sealing of records of qualified probation on certain misdemeanor offenses. Removes the prohibition on sealing the records of arrests or charges not initiated by arrest which result in a conviction for a misdemeanor crime of violence as defined in the Crime Victims Compensation Act, except for domestic battery, battery of an unborn child, Section 125 of the Stalking No Contact Order Act, or Section 219 of the Civil No Contact Order Act.
20 ILCS 2630/5.2. Effective Date January 1, 2015

Senate Bill 978..... Public Act 98-637
Amends the State Records Act. Exempts from the provisions of the Act juvenile law enforcement records in the possession of the Department of State Police subject to automatic expungement under the Juvenile Court Act of 1987. Amends the Criminal Identification Act. Removes the ability to object to a petition for expungement of a conviction record if filed by a person who has been granted a pardon with authorization for expungement on the offense by the Governor. Amends the Juvenile Court Act of 1987. Provides that 180 days after the effective date of this amendatory Act, the Department of State Police shall automatically expunge, on or before January 1 of each year, a person's law enforcement records relating to incidents occurring before his or her 18th birthday in the Department's possession or control which pertain to the person when arrested as a minor if: (1) the minor was arrested for an eligible offense and no petition for delinquency was filed with the clerk of the circuit court; (2) the person attained the age of 18 years during the last calendar year; and (3) since the date of the minor's most recent arrest, at least 6 months have elapsed without an additional arrest, filing of a petition for delinquency whether related or not to a previous arrest, or filing of charges not initiated by arrest. Provides that nothing in the automatic expungement provisions precludes a person from filing a petition for expungement of records subject to automatic expungement. Provides that eligible offenses under the automatic expungement provisions are records relating to an arrest or incident occurring before the person's 18th birthday that if committed

by an adult is not an offense classified as a Class 2 felony or higher offense or sex offense. Also commencing on the effective date of this amendatory Act, a person whose law enforcement records are not subject to automatic expungement and who has attained the age of 18 years may use the Access and Review process, established in the Department of State Police, for verifying and expunging his or her law enforcement records relating to incidents occurring before his or her 18th birthday in the Department's possession or control which pertain to the person when arrested for an eligible offense as a minor, if the incident occurred no earlier than 30 years before the effective date of this amendatory Act. Establishes procedures. Provides that a petition for expungement may include multiple offenses on the same petition, if the petitioner is 18 years of age or older and when a minor was arrested and no delinquency petition filed or if filed was found not delinquent of the offense or supervision successfully completed, or the offense would be a Class B misdemeanor or lesser offense if committed by an adult. Provides the Department of State Police or any employee of the Department shall be immune from civil or criminal liability for failure to expunge any records of arrest that are subject to expungement under the new provisions because of inability to verify a record. Provides that nothing in the expungement provisions shall create Department of State Police liability or responsibility for the expungement of law enforcement records it does not possess. Automatic expungement of records applies to law enforcement records of minors arrested or taken into custody on or after January 1, 2015 and access and review expungement of records of an incident no earlier than 30 years before the effective date of the amendatory Act applies to law enforcement records of minors arrested or taken into custody before January 1, 2015. 5 ILCS 160/3, 20 ILCS 2630/5.2, and 705 ILCS 405/5-915. Effective Date January 1, 2015

Senate Bill 3411 Public Act 98-650
Amends the Counties Code and the Illinois Municipal Code. Provides that a county or municipality may not require a law enforcement officer to issue a specific number of citations within a designated period of time. Provides that a county or municipality may not, for purposes of evaluating a law enforcement officer's job performance, compare the number of citations issued by the law enforcement officer to the number of citations issued by any other law enforcement officer who has similar job duties. Provides that a municipality with its own independent inspector general and law enforcement review authority is not subject to the requirements of the amendatory Act. Provides that such prohibition shall not affect the receipt of federal or State grants or funds used to fund traffic enforcement programs. Limits home rule powers. Makes similar changes in the State Police Act and the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois. 20 ILCS 805/805-537 (NEW), 2610/24 (NEW), 55 ILCS 5/5-1136 (NEW), and 65 ILCS 5/11-1-12 (NEW) Effective Date January 1, 2015

House Bill 4417 Public Act 98-725
Amends the Peace Officer Firearm Training Act. Changes the name of the Act to the Peace Officer and Probation Officer Firearm Training Act. Defines "probation officer". Provides that the training requirements of the Act also apply to probation officers. Amends the Probation and Probation Officers Act. Provides that probation officers may only carry weapons while in the performance of their official duties, or while commuting between their homes, places of

employment, or specific locations that are part of their assigned duties, provided they have received the prior consent of the Chief Judge of the Circuit Court for which they are employed, and they have received weapons training according to requirements of the Peace Officer and Probation Officer Firearm Training Act. Amends various other Acts to make conforming changes.

20 ILCS 2910/1, 50 ILCS 705/10.4, 710/Act title, 710/1.01, 1, 2, 2.5, 3, 55 ILCS 5/3-6013, 5/5-37011, 60 ILCS 1/100-10, 65 ILCS 5/3.1-30-20, 70 ILCS 200/240-40, 70 ILCS 1325/1, 110 ILCS 1020/1, 510 ILCS 5/5, 720 ILCS 5/24-2 and 730 ILCS 110/17 (NEW) Effective Date January 1, 2015

House Bill 2747 Public Act 98-706
Creates the Grant Accountability and Transparency Act. Provides that the purpose of the Act is to establish uniform administrative requirements, cost principles, and audit requirements for State and federal pass-through awards to non-federal entities. Provides that on or before July 1, 2015, the Governor's Office of Management and Budget, with the advice and technical assistance of the Illinois Single Audit Commission, shall adopt rules which adopt the Uniform Guidance at 2 CFR 200. Provides for the following: (1) the adoption of federal rules applicable to grants; (2) conflicts of interest; (3) mandatory disclosures; (4) supplemental rules; (5) applicability of the Act; (6) State grant-making agency responsibilities; (7) responsibilities of the Grant Accountability and Transparency Unit; (8) audit requirements; (9) review date; (10) State agency implementation; (11) State program exceptions; and (12) an annual report that demonstrates the efficiencies, cost savings, and reduction in fraud, waste, and abuse as a result of the implementation of the Act. Repeals the Act 5 years after the effective date of the Act. Provides that on and after July 1, 2015, in the event of a conflict between the Grant Funds Recovery Act and the provisions of the Act, the Act shall prevail; makes a corresponding change in the Grant Funds Recovery Act. Further amends the Grant Funds Recovery Act and re-creates the Illinois Single Audit Commission with changes. Amends the Governor's Office of Management and Budget Act to create the Grant Accountability and Transparency Unit. 20 ILCS 3005/2, 2.8 (NEW), 2.9 (NEW), 2.10 (NEW), 705/15.1 (NEW), and 16 (NEW) Effective Date July 16, 2014

CHAPTER 30

STATE FINANCE ACT

Senate Bill 2803 Public Act 98-759
Amends the Illinois Procurement Code. Provides that the requirement that 25% of vehicles purchased with State funds be fueled by electricity, compressed natural gas, liquid petroleum gas, or liquid natural gas applies to Secretary of State mid-sized sedans.
30 ILCS 500/25-75 Effective Date July 16, 2014

House Bill 5491 Public Act 98-1076
Amends the Illinois Procurement Code. Provides that the term "subcontract" does not include purchases of goods or supplies that are incidental to the performance of the contract. Provides that a person may qualify as a bidder or offer or under this Code only if the person is a legal entity authorized to transact or conduct affairs (currently, "do business") in the State. Defines various terms, including: bid, bidder, calendar day, change order, chief procurement office, contract award, contractor, contracts let, offer, offer or, respondent, response, responsive offer or, and supplier. Provides that various provisions concerning contractors apply to "potential contractors". In a Section relating to the applicability of the Code to public institutions of higher education, extends the repeal date to December 31, 2016 (currently December 31, 2014). Makes changes concerning the maximum sales and receipts required to be considered a small business. Removes certain provisions concerning the Executive Procurement Officer. Provides that notices and reports under the Code may be by paper or electronic means. Provides that the chief procurement officers shall each have the sole authority to develop and distribute uniform documents for the solicitation, review, and acceptance of all bids, offers, and responses and the award of contracts. Provides that the Code does not apply to the process to procure contracts, or contracts entered into, by the State Board of Elections for hearing offers appointed pursuant to the Election Code. Provides that the Code does not apply to expenditures for placement of students in externships, practicums, field experiences, medical residencies and rotations. Requires the chief procurement officer for procurements other than construction-related procurements under the Capital Development Board or the Illinois Department of Transportation or procurements made by a public institution of higher education to prepare and deliver to the General Assembly a report on the impact of outsourcing services for State agencies subject to the jurisdiction of that chief procurement officer. Makes various other changes. Amends the Small Business Contracts Act. Makes changes concerning subcontracts. Provides that the chief procurement officers may provide presentations at which small businesses may learn about the contracting process and how to apply for contracts. Amends the Governmental Joint Purchasing Act. Replaces the term "selection" with "procurement" in several provisions. Makes changes concerning small purchases. Amends the Discriminatory Club Act. Makes a technical correction.
30 ILCS 500/ (Numerous sections)..... Effective Date January 1, 2015

CHAPTER 35

REVENUE

House Bill 2494 Public Act 98-1055
Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. Provides that the Department may refuse to reissue a certificate of registration, permit, or license if certain conditions are met. Amends the Cigarette Tax Act, the Cigarette Use Tax Act, and the Tobacco Products Tax Act of 1995. Requires retailers of cigarettes and tobacco products to

obtain a license from the Department of Revenue. Provides that the annual license fee payable to the Department is \$75. Contains provisions concerning returns and penalties. Provides that a sales invoice issued by a licensed distributor, secondary distributor, or manufacturer's representative to a retailer shall contain the distributor's or representative's license number. Amends the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act. Imposes penalties on individuals for the sale of cigarettes to minors if that person's employer has a training program that facilitates compliance with minimum-age tobacco laws. Imposes penalties on retailers that do not have a training program that facilitates compliance with minimum-age tobacco laws. Contains provisions concerning those training programs. Provides that it is not a violation of the Act for a person under 18 years of age to purchase or possess a cigar, cigarette, smokeless tobacco, or tobacco as part of a sting operation conducted by or on behalf of the Department of Revenue. Provides that the results of any sting operation or enforcement action, including the name of the clerk, shall be provided to the retail seller within 7 business days.

Numerous sections Effective Date January 1, 2015

CHAPTER 50

LOCAL GOVERNMENT

House Bill 4216 Public Act 98-1063
 Amends the Local Records Act. Provides that any person who knowingly, without lawful authority and with the intent to defraud any party, public officer, or entity, alters, destroys, defaces, removes, or conceals any public record commits a Class 4 felony.

50 ILCS 205/4 Effective Date January 1, 2015

Senate Bill 3225 Public Act 98-960
 Amends the Illinois Police Training Act. Provides that the Illinois Law Enforcement Training Standards Board may conduct or approve a training program in veterans' awareness for law enforcement officers of local government agencies. Provides that the purpose of the program shall be to identify issues relating to veterans and to provide guidelines for appropriate responses to such issues. Encourages each local government agency to designate an individual to respond to veterans' issues.

50 ILCS 705/10.16 (NEW)..... Effective Date January 1, 2015

House Bill 5688 Public Act 98-743
 Creates the Law Enforcement Officer Bulletproof Vest Act. Provides that if substantial funding for the purchase of bulletproof vests is provided to law enforcement agencies by the federal government and State government, the law enforcement agency shall comply with the provisions of the Act. Provides that the Act does not apply to a law enforcement agency if any one of the following is applicable: (1) substantial funding, as determined by the Illinois Law

Enforcement Training Standards Board, is not provided to that agency by the federal and State government; (2) the law enforcement agency collectively bargains with its officers or exclusive representative of the officers for uniform allowances, and bulletproof vests are considered to be a part of the uniform for which the allowance is given; or (3) the law enforcement agency collectively bargains with its officers or exclusive representative of the officers for the provision of bulletproof vests. Provides that all officer bulletproof vests shall be replaced before or at the expiration of the warranty period of the vest at the expense of the law enforcement agency. Deletes provision that all officer bulletproof vests shall be replaced by the law enforcement agency within a 4-year period after the effective date of the Act. Provides that the Illinois Law Enforcement Training Standards Board shall determine whether or not costs for the purchase of bulletproof vests are substantially funded by the federal and State government. Deletes references to one-half of the costs of purchasing bulletproof vests in relation to matching funds. Amends the Police Training Act. Provides that a portion of the Traffic and Criminal Conviction Surcharge Fund may be used by the Illinois Law Enforcement Training Standards Board, subject to appropriation, to administer grants to local law enforcement agencies for the purpose of purchasing bulletproof vests under the Law Enforcement Officer Bulletproof Vest Act.

50 ILCS 712/ (NEW ACT)..... Effective Date January 1, 2015

House Bill 2453 Public Act 98-634
Amends the Department of State Police Law. Creates a Division of the Statewide 9-1-1 Administrator to develop, implement, and oversee a uniform statewide 9-1-1 system for all areas of the State outside of municipalities having a population of more than 500,000. Amends the Emergency Telephone System Act. Permits the corporate authorities of a municipality with a population of 500,000 or more to impose a monthly surcharge until July 1, 2015, but not greater than the highest monthly surcharge imposed as of January 1, 2014 by a county or municipality. Amends the Wireless Emergency Telephone Safety Act. Sets forth surcharge collection amounts and distribution procedures. Requires the Illinois Commerce Commission to create uniform accounting procedures that any emergency telephone system board, qualified governmental entity, or unit of local government imposing a wireless carrier surcharge must follow. Contains forfeiture provisions if such accounting procedures are not followed. Allows the corporate authorities of a municipality with a population in excess of 500,000 to impose by ordinance a monthly surcharge per commercial mobile radio service (CMRS) connection or in-service telephone number until July 1, 2015 that does not exceed the highest monthly surcharge imposed as of January 1, 2014 by a county or municipality. Modifies the membership of the Services Advisory Board. Requires the Board to submit to the General Assembly a plan for a statewide shared 9-1-1 network for all areas of the state outside of municipalities having a population of more than 500,000 by April 1, 2015. Contains recommendations for what such a plan should address. Amends the Prepaid Wireless 9-1-1 Surcharge Act. Provides that from the effective date of the amendatory Act until July 1, 2015, a home rule municipality having a population in excess of 500,000 may impose a prepaid wireless 9-1-1 surcharge not to exceed 9% per retail transaction until July 1, 2015.

20 ILCS 2605/2605-25, 50 ILCS 750/15.3, 751/17,
751/27 (NEW), 35, 45, 70, 85, and 753/15. Effective Date June 6, 2014

House Bill 5864 Public Act 98-745
Amends the Illinois Public Safety Agency Network Act. Redefines membership for the board of directors. Provides that the board may purchase or lease real estate or personal property for corporate purposes. Expands the power of the board of directors concerning the securing of funding. Makes changes concerning finances and reporting requirements.
50 ILCS 752/15, 20, 30, and 35. Effective Date July 16, 2014

CHAPTER 55

COUNTIES

Senate Bill 0506 Public Act 98-812
Amends the Counties Code. Provides that a coroner who has an economic or personal interest that conflicts with his or her official duties as coroner shall disqualify himself or herself from acting at an investigation or inquest.
55 ILCS 5/3-3009. Effective Date August 1, 2014

CHAPTER 65

MUNICIPALITIES

Senate Bill 2826 Public Act 98-760
Amends the Illinois Municipal Code and the Fire Protection District Act. Provides that passage of the written examination for firefighter candidates means attaining the minimum score set by the commission or the Joint Labor and Management Committee (currently, attaining a score at or above the median score for all applicants participating in the examination), where applicable. Provides that the minimum score set by either the commission or the Joint Labor and Management Committee shall comply with all applicable state and federal laws. Sets forth requirements for candidate placement on initial and final eligibility registers.
65 ILCS 5/10-1-7.1, 7.2, 2.1-6.3, 6.4, 70 ILCS 705/16.06b, and c. Effective Date July 16, 2014

CHAPTER 105

SCHOOLS

Senate Bill 2747 Public Act 98-695
Amends the Freedom of Information Act and the School Code. Creates the School Security and Standards Task Force within the State Board of Education to study the security of schools in this State, make recommendations, and draft minimum standards for use by schools to make them more secure and to provide a safer learning environment for the children of this State. Sets forth provisions concerning the membership of the Task Force, meetings of the Task Force, State Board support for the Task Force, and the duties of the Task Force. Provides that, on or before January 1, 2015, the Task Force shall submit a report to the General Assembly and the Governor on specific recommendations for changes to the current law or other legislative measures. Provides that, on or before January 1, 2015, the Task Force shall submit a report to the State Board on specific recommendations for model security plan policies for schools to access and use as a guideline, which report is exempt from inspection and copying under the Freedom of Information Act. Provides that the Task Force is abolished and these provisions are repealed on July 1, 2015.

5/ILCS 140/7 and 105 ILCS 5/2-3.160 (NEW) Effective Date July 3, 2014

House Bill 5288 Public Act 98-918
Amends the School Code. Deletes existing provisions regarding school counseling services in public schools. Provides that school counseling services in public schools may be provided by school counselors, as defined under the Code, or by individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under the Code. Sets forth a list of school counseling services. Provides that school districts may employ a sufficient number of school counselors to maintain the national and State recommended student-counselor ratio of 250 to 1. Further provides that school districts may have counselors spend at least 80% of their work time in direct contact with students. Provides that none of the provisions added by the amendatory Act prohibits other qualified professionals, including other endorsed school support personnel, from providing the listed services.

105 ILCS 5/10-22.24b Effective Date August 15, 2014

House Bill 5892 Public Act 98-795
Amends the School Code. Provides that a school district, public school, or nonpublic school may authorize the provision of a student-specific or undesignated epinephrine auto-injector to a student or authorized personnel under a student's Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan or Treatment Authorization Form, or other plan under federal law. Requires the school district, public school, or nonpublic school to inform the parents or guardians of the pupil that the school district, public school, or nonpublic school and

its employees and agents, including a physician, physician assistant, or advanced practice nurse providing standing protocol, are exempt from liability or professional discipline from any injury arising from the administration (rather than self-administration) of asthma medication or an epinephrine auto-injector. Provides that a physician, a physician assistant who has been delegated prescriptive authority for asthma medication or epinephrine (rather than just prescriptive authority), or an advanced practice nurse who has been delegated prescriptive authority for asthma medication or epinephrine (rather than just prescriptive authority) may prescribe undesignated epinephrine auto-injectors. Provides that the school district, public school, or nonpublic school must maintain records related to the training curriculum and trained personnel. Defines "standing protocol". Makes other changes.

105 ILCS 5/22-30 Effective Date August 1, 2014

House Bill 5707 Public Act 98-669
Amends the School Code in provisions concerning bullying prevention. Sets forth definitions for "policy on bullying" and "restorative measures". Makes changes concerning the creation, maintenance, and implementation of a policy on bullying. Deletes the requirement that each school district, charter school, and non-public, non-sectarian elementary or secondary school must communicate its policy on bullying to its students and their parent or guardian on an annual basis. Provides that on an annual basis, school districts, charter schools, and non-public, non-sectarian schools are required to collect, maintain, analyze, and submit to the State Board of Education data relating to the prevalence of bullying within the school district or non-public, non-sectarian elementary or secondary school, as well as the climate of the school district or non-public, non-sectarian elementary or secondary school. Moves the provision concerning the right to exercise free expression or the free exercise of religion or religiously based views protected under the United States and Illinois Constitutions. Sets forth specific information regarding reports of bullying that each public elementary and secondary school, charter school, and non-public, non-sectarian elementary and secondary school must collect and maintain (rather than requiring each school district, charter school, and non-public, non-sectarian school to collect, maintain, analyze, and submit to the State Board of Education information relating to the prevalence of bullying within the school district or school, as well as the climate of the school district or school). Provides that the school district, charter school, or non-public, non-sectarian elementary or secondary school may use relevant data and information it already collects for other purposes in the policy evaluation. Provides that this information shall be made available on the Internet website of the school district, charter school, or non-public, non-sectarian elementary or secondary school. Further provides that if an Internet website is not available, the information must be provided to school administrators, school board members, school personnel, parents, guardians, and students.

105 ILCS 5/27-23.7 and 5/27A-5 Effective Date June 26, 2014

House Bill 4207 Public Act 98-801
Amends the School Code. In provisions concerning bullying prevention, prohibits a student from being subjected to bullying through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or

school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. Provides that the definition of bullying includes cyber-bullying; defines "cyber-bullying". Provides that a school district's or non-public, non-sectarian elementary or secondary school's policy or implementing procedure on bullying shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction and shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs.

105 ILCS 5/27-23.7 Effective Date January 1, 2015

House Bill 5716 Public Act 98-661
Amends the School Safety Drill Act. Provides that in updating a public school building's emergency and crisis response plans, the consideration may be given to making the emergency and crisis response plans available to first responders, administrators, and teachers for implementation and utilization through the use of electronic applications on electronic devices, including, but not limited to, smartphones, tablets, and laptop computers.

105 ILCS 128/25 Effective Date January 1, 2015

Senate Bill 2719 Public Act 98-663
Amends the School Safety Drill Act. Requires a private school to conduct a minimum of one annual meeting at which the school must review each school building's emergency and crisis response plans, protocols, and procedures and each building's compliance with the school safety drill programs of the school. Provides that the purpose of this annual review shall be to review and update the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the school. Requires the private school to invite representatives from all local first responder organizations to participate, advise, and consult in the review process. With respect to the review of a school building's emergency and crisis response plans, protocols, and procedures and the building's compliance with the school safety drill programs, provides that this review must be at no cost to the school district or private school.

105 ILCS 128/25 Effective Date June 23, 2014

CHAPTER 110

HIGHER EDUCATION

House Bill 3961 Public Act 98-979
The Smoke-Free Campus Act is amended in a section on prohibitions on smoking to allow smoking in certain vehicles parked on a campus (currently smoking is only allowed in certain vehicles while traveling through a campus).

110 ILCS 64/5 (NEW) Effective Date August 18, 2014

Senate Bill 2202 Public Act 98-985
Creates the Smoke-Free Campus Act. Sets forth the General Assembly's findings. Provides that beginning on July 1, 2014, smoking is prohibited on each campus of a State-supported institution of higher education. Provides that on or before December 31, 2013, each State-supported institution of higher education shall establish a community task force for the purpose of coordinating with community and campus leaders for the implementation of the Act. Provides that the governing board of each State-supported institution of higher education shall implement the Act and shall promulgate all policies and regulations necessary for this purpose, including, but not limited to, disciplinary action, fines, and an appeals process.
110 ILCS 64/5 (NEW ACT).....Effective Date August 18, 2014

CHAPTER 205

FINANCIAL REGULATION

House Bill 3681 Public Act 98-991
Amends the Transmitters of Money Act. Provides that an operator of a payment system is exempt from the licensing requirements of the Act to the extent that it provides processing, clearing, or settlement services to persons exempt under the Act in connection with certain transactions and transfers.
205 ILCS 657/15Effective Date August 8, 2014

CHAPTER 210

HEALTH FACILITIES

House Bill 5703 Public Act 98-988
Amends the Nursing Home Care Act and the ID/DD Community Care Act. Provides that a complaint regarding an alleged violation of the Nursing Home Care Act may be submitted by electronic means. Requires the Department of Public Health to make information available, though its website and upon request, regarding the oral and phone intake processes and the list of questions that will be asked of the complainant. Requires the Department to notify complainants that complaints with less information provided are far more difficult to respond to and investigate. Requires the Department to conduct an annual review and make a report concerning the complaint process. Requires the Department to provide its report to the Long-Term Care Advisory Board and the Illinois Long-Term Care Council. Provides that the Long-Term Care Advisory Board and the Illinois Long-Term Care Council shall review the report and suggest

to the Department any changes deemed necessary, including how to investigate and substantiate anonymous complaints. Makes similar changes in the ID/DD Community Care Act. 210 ILCS 45/3-702 and 47/3-702Effective Date August 18, 2014

Senate Bill 2968 Public Act 98-834
Amends the Nursing Home Care Act. Provides that if a facility is closing, the administrator (rather than owner) of the facility shall give 60 days (rather than 90 days) notice of the closing to the residents of the facility, to the resident's representative, and to other specified entities. Requires the administrator of the facility to provide notice of the closure to the Office of State Long Term Care Ombudsman. Provides that if the facility is closing because the Department of Public Health suspended, revoked, or denied renewal of the facility's license, then the administrator of the facility must provide notice no later than the date specified by the Department. Requires a facility to submit a closure plan to the Department for approval that addresses the safe and orderly transfer of residents. Provides that if a facility is closing in its entirety, then the facility shall not admit any new residents on or after the date notice is given to the Department. Provides that the notice of closure shall include the closure plan that has been approved by the Department of Public Health.
210 ILCS 45/3-423Effective Date August 1, 2014

CHAPTER 225

PROFESSIONS AND

OCCUPATIONS

House Bill 4525 Public Act 98-1041
Amends the Health Care Worker Background Check Act. Establishes the Voluntary FBI Fingerprint Demonstration Project (Demonstration Project), which shall be operated in accordance with certain provisions of the federal Affordable Care Act of 2010 that provide grant money for such a program. Provides that the Department of Public Health shall distribute the grant money in accordance with these federal provisions. Authorizes the Demonstration Project to operate for the period of January 1, 2014 through December 31, 2014 or until the long-term care facility terminates its participation in the Demonstration Project, whichever occurs sooner. Provides that any long-term care facility may voluntarily participate in the Demonstration Project and establishes certain application requirements. Defines "direct access employee" for the purposes of determining who shall be required to undergo a State and FBI fingerprint-based criminal history record check pursuant to the Demonstration Project.
225 ILCS 46/70Effective Date August 25, 2014

CHAPTER 230

GAMING

Senate Bill 3312 Public Act 98-644
Amends the Liquor Control Act of 1934. In a provision concerning the suspension and revocation of licenses, provides that when determining multiple violations for the sale of alcohol to a person under the age of 21, a second or subsequent violation for the sale of alcohol to a person under the age of 21 shall only be considered if the violation was committed within 5 years after the date when a prior violation for the sale of alcohol to a person under the age of 21 was committed. Provides that no agent of the Illinois Liquor Control Commission shall inspect private areas within the premises without reasonable suspicion or a warrant during an inspection. Provides that private areas include, but are not limited to, safes, personal property, and closed desks.
10 ILCS 5/9-7, 230 ILCS 15/0.01, 1, 2, 3, 4, 5, 6, 8, and
235 ILCS 5/6-2 Effective Date June 10, 2014

CHAPTER 235

LIQUOR

Senate Bill 728..... Public Act 98-941
Amends the Liquor Control Act of 1934. In a provision concerning the suspension and revocation of licenses, provides that when determining multiple violations for the sale of alcohol to a person under the age of 21, a second or subsequent violation for the sale of alcohol to a person under the age of 21 shall only be considered if the violation was committed within 5 years after the date when a prior violation for the sale of alcohol to a person under the age of 21 was committed. Provides that no agent of the Illinois Liquor Control Commission shall inspect private areas within the premises without reasonable suspicion or a warrant during an inspection. Provides that private areas include, but are not limited to, safes, personal property, and closed desks.
235 ILCS 5/3-12 Effective Date January 1, 2015

Senate Bill 727..... Public Act 98-1092
Amends the Liquor Control Act of 1934. Changes a specific exception to provisions concerning the sale of liquor within 100 feet of a church by providing that the premises are no more than 7,900 square feet (rather than 7,500 square feet). Adds provisions that authorize the sale of alcoholic liquor within 100 feet of a specific school, a specific club that leases space to a school,

and 4 specific churches located in the City of Chicago. Changes a specific exception to provisions concerning the sale of alcoholic liquor within 100 feet of a church, school, or hospital by providing that the shortest distance between the premises and the church or school is at least 66 feet (rather than 35 feet) apart and no greater than 81 feet (rather than 45 feet) apart. Further amends the Liquor Control Act of 1934 by providing that, subject to certain conditions, alcoholic liquors may be delivered to and sold at retail in any building owned by the Six Mile Regional Library District.

235 ILCS 5/6-11 and 15Effective Date August 26, 2014

House Bill 4745 Public Act 98-1017
Amends the Liquor Control Act of 1934. Reinserts the provisions of the engrossed bill with the following changes: (1) provides that it is unlawful for a parent or guardian to knowingly permit his or her residence, any other private property under his or her control, or any vehicle, watercraft, or conveyance to be used by an invitee of the parent's child or the guardian's ward (instead of only invitee) under the age of 21 in a manner that violates the prohibition against the possession and consumption of alcohol by a person under the age of 21 and removes a provision relating to requesting assistance from law enforcement; and (2) restores a provision that makes it a crime for any person to knowingly authorize or permit the residence that he or she occupies to be used by an invitee under the age of 21 if that person knows that the invitee possesses or is consuming alcohol and provides that if that residence has an owner and tenant or lessee, the trier of fact may infer that the residence is occupied only by the tenant or lessee.

235 ILCS 5/6-16 Effective Date January 1, 2015

CHAPTER 325

CHILDREN

House Bill 4916 Public Act 98-807
Amends the Abused and Neglected Child Reporting Act. In provisions concerning the classification of child abuse or neglect reports, provides that prior to classifying the report (rather than after the report is classified), the person making the classification shall determine whether the child named in the report is the subject of an action under Article II of the Juvenile Court Act of 1987. Provides that if the child is the subject of an action under Article II of the Juvenile Court Act and the Department of Children and Family Services intends to classify the report as indicated, the Department shall, within 45 days of classification of the report, transmit a copy of the report to the attorney or guardian ad litem appointed for the child under the Juvenile Court Act (rather than if the child is the subject of an action under Article II of the Juvenile Court Act, the Department shall within 45 days of classification of the report, transmit a copy of the report to the guardian ad litem appointed for the child under the Juvenile Court Act). Provides that if the child is the subject of an action under Article II of the Juvenile Court Act and the Department intends to classify the report as unfounded, the Department shall,

within 45 days of deciding its intent to classify the report as unfounded, transmit a copy of the report and written notice of the Department's intent to the attorney or guardian ad litem. In provisions concerning reviews of unfounded reports, provides that whenever the Department determines that a reported incident of child abuse or neglect will be "unfounded", the Department shall forward a copy of the report and written notice of the Department's intent to classify the report as unfounded to the minor's attorney or guardian ad litem. Provides that the minor's attorney or guardian ad litem may request a review of the investigation within 10 days of receipt of the report and written notice of the Department's intent to classify the report as unfounded, if the subject of the report is also the minor for whom the attorney or guardian ad litem has been appointed (rather than whenever the Department determines that a reported incident of child abuse or neglect is "unfounded", the minor's attorney or guardian ad litem appointed under the Juvenile Court Act of 1987 may request a review of the investigation within 10 days of the notification of the final finding and receipt of the report, if the subject of the report is also the minor for whom the attorney or guardian ad litem has been appointed). Provides that following the review, the Department shall inform the minor's attorney or guardian ad litem as to whether the report will be classified as indicated or unfounded and that the minor's attorney or guardian ad litem shall also receive a final finding notice from the State Central Register. Further amends provisions under the Abused and Neglected Child Reporting Act concerning the disclosure of information related to a report of suspected child abuse or neglect.

325 ILCS 5/7.8, 7.14, and 7.22 Effective Date August 1, 2014

House Bill 671 Public Act 98-707
Amends the Children's Privacy Protection and Parental Empowerment Act. Provides that the Act's prohibition against the sale or purchase of personal information concerning an individual known to be a child absent parental consent does not apply when the sale or purchase is made under a criminal or civil investigation that is otherwise lawful. Repeals a provision that (i) creates a presumption of parental consent to the sale or purchase of information concerning a child unless the parent withdraws consent; (ii) requires a person who brokers or facilitates the sale of personal information concerning children to, upon written request from a parent, provide the parent with procedures that the parent must follow in order to withdraw consent to use personal information relating to the child; and (iii) exempts certain government agencies, the National Center for Missing and Exploited Children, and certain educational institutions and not-for-profit entities from the withdrawal of consent requirements.

325 ILCS 17/10 Effective Date January 1, 2015

CHAPTER 405

MENTAL HEALTH

House Bill 4405 Public Act 98-724
Amends the Mental Health and Developmental Disabilities Code. Defines "clinical professional counselor".
405 ILCS 5/1-102.1 (NEW)..... Effective Date July 16, 2014

CHAPTER 410

PUBLIC HEALTH

Senate Bill 2636 Public Act 98-775
Amends the Compassionate Use of Medical Cannabis Pilot Program Act. Provides that the Department of Public Health may not issue a registry identification card to a qualifying patient who is under 18 years of age, unless that patient suffers from seizures, including those characteristic of epilepsy, or as provided by administrative rule. Provides that the Department of Public Health may adopt rules to allow other individuals under 18 years of age to become registered qualifying patients under the Compassionate Use of Medical Cannabis Pilot Program Act with the consent of a parent or legal guardian. Prohibits registered qualifying patients under 18 years of age from consuming forms of cannabis other than medical cannabis infused products and purchasing any usable cannabis.
410 ILCS 130/10 and 60 Effective Date January 1, 2015

House Bill 4501 Public Act 98-671
Amends the Consent by Minors to Medical Procedures Act. Provides that the consent to the performance of primary care services by a physician licensed to practice medicine in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes provision of services for minors, or a physician assistant who has been delegated authority to provide services for minors executed by a minor seeking care is not voidable because of such minority, and for such purpose, a minor seeking care is deemed to have the same legal capacity to act and has the same powers and obligations as has a person of legal age under certain circumstances. Provides that a health care professional rendering primary care services under the provision concerning consent by minors seeking care for primary care services shall not incur civil or criminal liability for failure to obtain valid consent or professional discipline for failure to obtain valid consent if he or she relied in good

faith on certain representations or information. Sets forth provisions concerning third parties, minors' powers, and definitions.

410 ILCS 210/1.5 (new) Effective Date October 10, 2014

CHAPTER 415

ENVIROMENTAL SAFETY

Senate Bill 2928 Public Act 98-857

Amends the Environmental Protection Act. Allows a law enforcement agency to collect, store, and transport controlled substances from residential sources to a site or facility permitted by the Illinois Environmental Protection Agency. Requires such collected controlled substances to be managed in accordance with the Environmental Protection Act, its corresponding rules and permits, and federal and State laws and regulations.

415 ILCS 5/17.9A. Effective Date August 4, 2014

Senate Bill 2727 Public Act 98-638

Amends the Environmental Protection Act. Provides that no person shall produce, manufacture, sell, or offer for sale any personal cosmetic product that contains intentionally-added microbeads. Provides that any violation of this provision is a business offense punishable by a fine not to exceed \$2,500 for each day during which the violation continues, and the person committing the violation may be enjoined from continuing the violation. Provides that, for a second or subsequent violation, the fine may not exceed \$5,000 for each day during which the violation continues. Provides that a home rule unit may not regulate the sale of products containing microbeads.

415 ILCS 5/42, and 52.5 (NEW). Effective Date January 1, 2015

CHAPTER 420

NUCLEAR SAFETY

House Bill 4687 Public Act 98-728

Amends the Illinois Nuclear Safety Preparedness Act. Provides that for truck shipments of less than 100 miles in Illinois that consist entirely of cobalt-60 or other medical isotopes or both, the \$2,500 per truck fee shall be reduced to \$1,500 for the first truck and \$750 for each additional truck in the same shipment.

420 ILCS 5/4 Effective Date January 1, 2015

CHAPTER 430

PUBLIC SAFETY

House Bill 5689 Public Act 98-1021
Amends the Illinois Poison Prevention Packaging Act. Provides that electronic cigarette liquids sold and marketed for the refilling of e-cigarettes may be sold only in special packaging. Provides that the Department of Public Health shall adopt rules establishing the standards for special packaging to be used for e-cigarette liquids.
430 ILCS 40/2, 2.10 (NEW), and 10 (NEW).....Effective Date January 1, 2015

Senate Bill 114..... Public Act 98-600
Amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Provides that the provisions of the Act regarding fingerprint vendors do not apply to any member of a local law enforcement agency, acting on behalf of the local law enforcement agency that is registered with the Department of State Police to provide fingerprinting services for non-criminal justice purposes, notwithstanding whether the local law enforcement agency charges a reasonable fee related to the cost of offering fingerprinting services. Amends the Firearm Owners Identification Card Act. Provides that if a person is determined to pose a clear and present danger to himself, herself, or to others by a law enforcement official or school administrator, then the law enforcement official or school administrator shall, within 24 hours of making the determination, notify the Department of State Police (rather than the Department of Human Services) that the person poses a clear and present danger. Amends the Firearm Concealed Carry Act. Provides that the Concealed Carry Licensing Review Board may require that the applicant submit electronic fingerprints to the Department for an updated background check where the Board determines it lacks sufficient information to determine eligibility. Provides that a person who has qualified to carry a firearm as an active law enforcement or corrections officer, who has successfully completed firearms training as required by his or her law enforcement agency and is authorized by his or her agency to carry a firearm (rather than a person who has qualified to carry a firearm as an active law enforcement officer) is exempt from the firearms training requirements. Provides that the Department of State Police and certified firearms instructors shall recognize up to 8 hours of training already completed toward the 16 hour training requirement if the training course is submitted to and approved by the Department and was completed in connection with the applicant's previous employment as a law enforcement or corrections officer. Provides that any remaining hours that the applicant completes must at least cover the classroom subject matter of all applicable State and federal laws relating to the ownership, storage, carry, and transportation of a firearm, and the range qualification. Provides that a non-resident's eligibility to carry a firearm in public under the laws of his or her state or territory of residence may be evidenced by the possession of a concealed carry license or permit issued by his or her state of residence, if applicable. Establishes procedures for stop of non-resident concealed carry

licensees. Provides that a former law enforcement or corrections officer seeking up to 8 hours credit shall provide evidence that he or she separated from employment in good standing from each law enforcement agency where he or she was employed. Provides that an applicant who was discharged from a law enforcement agency for misconduct or disciplinary reasons is not eligible for credit.

225 ILCS 447/31-5, 430 ILCS 65/8.1, 10, 15, 20, 40, 75, and 80. Effective Date December 6, 2013

House Bill 4290 Public Act 98-899
Amends the Firearm Concealed Carry Act. Provides that a certified firearms instructor who knowingly provides or offers to provide a false certification that an applicant has completed firearms training as required under the Act is guilty of a Class A misdemeanor. Provides that a person guilty of this violation is not eligible for court supervision. Provides that the Department of State Police shall permanently revoke the firearms instructor certification of a person convicted of this violation. Amends the Unified Code of Corrections to make a conforming change.

430 ILCS 66/70 and 730 ILCS 5/5-6-1.....Effective Date August 15, 2014

Senate Bill 3125 Public Act 98-769
Amends the Carnival and Amusement Rides Safety Act. Changes the Act's short title to "Amusement Ride and Attraction Safety Act". Changes the name of the Carnival-Amusement Safety Board to the Amusement Ride and Attraction Safety Board. Adds references to "amusement enterprise" and "amusement enterprise worker" alongside "carnival" and "carnival worker".

430 ILCS 85/2-1, 2-2, 2-3, 2-10, 2-15, 2-17, and 2-20.....Effective Date January 1, 2015

Senate Bill 3176 Public Act 98-959
Amends the Illinois Manufactured Housing and Mobile Home Safety Act. Changes the title of the Act to the Illinois Modular Dwelling and Mobile Structure Safety Act. Removes the definition of "manufactured home" and "mobile home". Provides that nothing in the Act prohibits a city, town, village, township, or county from adopting construction standards for mobile structures or modular dwellings under local ordinances, provided such ordinances incorporate the rules adopted under the Act and are approved by the Department of Public Health. Provides that the Department may impose an administrative penalty against any person who violates the Act or any rule adopted under the Act, or who violates any determination or order of the Department under the Act. Provides that the Department shall establish violations and penalties by rule, with each day's violation constituting a separate offense. Provides for civil and criminal penalties for violations of specified federal regulations. Provides that the Director of the Department of Public Health, after notice and opportunity for hearing to an applicant or seal holder, may deny, suspend, or revoke a seal, or assess civil penalties in conformance with the provisions of the Act, in any case in which he or she finds that there has been a substantial failure to comply with the provisions of the Act or the standards, rules, and regulations under the Act. Provides that all fees and penalties collected under the Act shall be deposited into the Facility Licensing Fund. Repeals a provision concerning the advisory council on mobile homes and manufactured housing.

CHAPTER 510

ANIMALS

Senate Bill 3049 Public Act 98-1033
Amends the Wildlife Code. Provides that an owner or tenant whose person or property is in imminent danger from a gray wolf, American black bear, or cougar may take the animal without restriction. Provides that an owner or tenant whose property is threatened, but not imminently threatened, by a gray wolf, American black bear, or cougar may apply to the Department of Natural Resources for a nuisance permit that shall allow the owner, tenant, or their designated agent to take the animal. Provides that the Department shall adopt rules to implement this Section. Adds the Gray wolf, American black bear, and Cougar to the list of protected species under the Act.

520 ICSL 5/2.2.....Effective Date January 1, 2015

CHAPTER 515

FISH

Senate Bill 3333 Public Act 98-771
Amends the Fish and Aquatic Life Code. Changes the definition of "aquatic life". Provides that "aquatic life" means all fish, reptiles, amphibians, mollusks, crustaceans, algae, aquatic plants, aquatic invertebrates, and any other aquatic animals or plants that the Department identifies in rules adopted after consultation with biologists, zoologists, or other wildlife experts.

515 ILCS 5/1-20.....Effective Date January 1, 2015

House Bill 5082 Public Act 98-915
Amends the Fish and Aquatic Life Code. Provides that casting nets shall not be larger than 24 feet in diameter or of a mesh larger than 1 inch bar measurement, rather than 8 feet in diameter or larger than 3/8 inch bar measurement. Allows bighead carp, black carp, grass carp, and silver carp to be taken with a casting net or shad scoop and used as bait on the body of water where collected, if killed immediately, by a person with a valid sport fishing license. Allows mooneye, goldeye, skipjack herring, carp (other than bighead carp, black carp, grass carp, and silver carp), buffalo, suckers, gar, bowfin, shad, and drum to be taken with a casting net or shad scoop and used for live or dead bait where collected, by a person with a valid sport fishing license.

515 ILCS 5/10-45 and 10-47 (NEW).....Effective Date January 1, 2015

House Bill 5869 Public Act 98-1044
Amends the Fish and Aquatic Life Code. Provides that releasing any aquatic life into the wild in this State without first securing permission of the Department of Natural Resources shall be a Class B misdemeanor.
515 ILCS 5/11-100.....Effective Date January 1, 2015

House Bill 4277 Public Act 98-898
Amends the Fish and Aquatic Life Code. Provides that blind or disabled residents may fish with commercial fishing devices without holding a sports fishing license. Provides that veterans who, according to the determination of the federal Veterans' Administration as certified by the Department of Veterans' Affairs, are at least 10% disabled with service-related disabilities or in receipt of total disability pensions may fish with commercial fishing devices without holding a sports fishing license during those periods of the year that it is lawful to fish with commercial fishing devices, if the respective disabilities do not prevent them from fishing in a manner that is safe to themselves and others.
515 ILCS 5/15-5.....Effective Date January 1, 2015

House Bill 4329 Public Act 98-800
Amends the Fish and Aquatic Life. Provides that the fee for all sport fishing licenses shall be \$1 for residents, salmon stamps, and inland trout stamps shall be waived for residents over 75 years old. Amends the Wildlife Code. Provides that the fee for a hunting license shall be \$1 for residents to hunt all species, State Migratory Waterfowl Stamps, State Habitat Stamps, State Pheasant Stamps, and State Furbearer Stamps shall be waived for residents over 75 years old.
515 ILCS 5/20-45, 50, 51, and 5/3.2.....Effective Date August 1, 2014

CHAPTER 520

WILDLIFE CODE

House Bill 5514 Public Act 98-924
Amends the Wildlife Code. Provides that it shall be unlawful to take beaver, river otter, weasel, mink, or muskrat except during the open season set annually by the Director, and then, only with traps, except that a firearm, pistol, or airgun of a caliber not larger than a .22 long rifle may be used to remove the animal from the trap.
520 ILCS 5/2.30Effective Date August 15, 2014

House Bill 5080 Public Act 98-914
Amends the Wildlife Code. Repeals provisions concerning permits for the commercial hunting of migratory waterfowl, hunting blind requirements, and reporting by permit holders of duck and geese taken. Includes waterfowl in a provision concerning deer and wild turkey outfitter permits. Makes a corresponding change to firearm discharge prohibitions. Provides that

providing or offering to provide, for compensation, outfitting services for deer, waterfowl, or wild turkey hunting without a permit shall be a Class B misdemeanor.

520 ILCS 5/2.33 Effective Date January 1, 2015

House Bill 5911 Public Act 98-1045

Amends the Wildlife Code. Provides that if an individual is authorized by the Department of Natural Resources to trap a wild bird or wild mammal that is known to be destroying property or causing a risk to human health or safety upon his or her land, then the location of the traps or snares shall be exempt from the provisions of the Freedom of Information Act. Makes a corresponding change in the Freedom of Information Act.

5 ILCS 140/7.5 and 520 ILCS 5/2.37 Effective Date August 25, 2014

Senate Bill 0853 Public Act 98-620

Amends the Wildlife Code. Establishes a Youth Hunting License that extends limited hunting privileges to youth, age 16 and under, who will be hunting under the direct supervision of a parent, grandparent, or guardian who is 21 years of age or older and has a valid Illinois hunting license. Provides that any resident youth may apply to the Department of Natural Resources for a Youth Hunting License, and that the Youth Hunting License shall be a renewable license that shall expire on the March 31 following the date of issuance. Provides that the youth shall not hunt or carry a hunting device unless the youth is accompanied by and under the close personal supervision of a parent, grandparent, or guardian. Provides that at age 17 years or when the youth chooses to hunt by themselves, they are required to successfully complete a hunter safety course approved by the Department prior to being able to obtain their own full hunting license and subsequently hunt by themselves. Provides that in order to be approved for the Youth Hunting License, the applicant must request a Youth Hunting License from the Department and submit a \$7 fee, which shall be separate from and additional to any other stamp, permit, tag, or license fee that may be required for hunting. Permits the Department to adopt rules to administer the Youth Hunting License program.

520 ILCS 5/3.1-9 Effective Date January 7, 2014

House Bill 5079 Public Act 98-913

Amends the Wildlife Code. Provides that beginning January 1, 2015 no trapping license shall be issued to any person born on or after January 1, 2015 or who has not previously held a valid trapping license within the 3 years immediately preceding the application unless he or she presents to the person authorized to issue the license evidence that he or she has a certificate of competency provided for in the Code.

520 ILCS 5/3.3 Effective Date January 1, 2015

CHAPTER 605

ROADS & BRIDGES

House Bill 5504 Public Act 98-877
Amends the Illinois Highway Code. Repeals the provision allowing the Director of State Police to request the Department of Transportation to designate segments of highways in honor of Illinois State Troopers killed in the line of duty.
605 ILCS 5/4-105 rep.....Effective Date August 11, 2014

CHAPTER 610

RAILROADS

Senate Bill 2791 Public Act 98-791
Amends the Railroad Police Act. Provides that members of railroad police forces may issue administrative citations in accordance with the provisions of local law. Provides that passengers may be removed from a train or boat for conduct or language that annoys or vexes employees. Provides that this removal, if not done at the location of the offending conduct, may be done at an available public station or dock. Provides that for the purposes of removing an offending passenger, the conductor or captain may only command the assistance of passengers that are willing and able to render assistance. Provides before removing the passenger the conductor or captain must refund the passenger's fare minus the portion attributable to distance already travelled. Provides that no operating rule, bulletin, directive, or other order of a carrier shall contradict or limit this authority. Provides that the captain or master, or employees of a boat, rather than only steamboats, may arrest a passenger that has committed a crime or misdemeanor and take him or her before a judge of the circuit court in any county through which the boat passes on its trip, filing an affidavit with the judge of the circuit court charging the passenger with that crime or misdemeanor.
610 ILCS 80/2, 3, and 4 Effective Date July 25, 2014

CHAPTER 625

VEHICLE CODE

Senate Bill 3130 Public Act 98-777
Amends the Illinois Vehicle Code. Defines "autocycle". Provides for the registration of autocycles as well as the issuance and display of license plates for autocycles. Provides that operation of an autocycle requires a Class D driver's license. Provides that when presented with an application for vehicle registration, if the Secretary of State is not satisfied as to the ownership of the vehicle the Secretary may register the vehicle but, rather than issue a certificate of title, issue a provisional title. Provides that provisional titles are non-transferable and are valid for 3 years. Provides that at the end of the 3-year provisional title period, the provisional title holder must apply for a transferable title in the owner's name. Provides that if ownership of the vehicle is challenged during this 3-year provisional title period, the provisional title holder shall apply for a bond equal to 1.5 times the value of the vehicle to indemnify any owner or security interest holder against the cost of recovering their interest in the vehicle, including legal fees, for the remainder of the provisional title period. Provides that a provisional title holder whose ownership of the vehicle has been challenged or the person challenging ownership may petition a circuit court of competent jurisdiction to determine the ownership of the vehicle. Provides that a provisional title shall not be available to individuals or entities that rebuild, repair, store, or tow vehicles or have a claim against the vehicle under the Labor and Storage Lien Act or the Labor and Storage Lien (Small Amount) Act.

625 ILCS 5/ 1-104.2 (New), 1-147, 3-109, 3-412, 3-413, 3-600,
3-806, 3-806.1, 3-806.5, and 6-104 Effective Date January 1, 2015

House Bill 4075 Governor Vetoes
Amends the Illinois Vehicle Code. Provides that the Secretary of State shall issue distinctive registration plates for vehicles used in commercial ridesharing arrangements. Provides that vehicles used in commercial ridesharing arrangements must have proof of financial responsibility. Amends the Ridesharing Arrangements Act. Changes the title to the Ridesharing Arrangements and Consumer Protection Act. Defines a "commercial ridesharing arrangement" as the transportation in a vehicle owned or leased for personal use, of not more than six persons (including the driver), prearranged through a dispatcher, and for which a fee is charged, but that is not provided in accordance with the limitations on for-profit ridesharing arrangements. Defines "dispatch" as connecting passengers and drivers for a commercial ridesharing arrangement through telephone, Internet, smartphone, or any electronic application. Provides that units of local government, including home rule units, may not regulate commercial ridesharing arrangements in a manner less restrictive than this Act. Provides that drivers wishing to provide transportation under a commercial ridesharing arrangement must obtain a chauffeur's license from the unit of local government in which their vehicles are registered or operated, unless no unit of local government in which their vehicles

are registered or operated offer a chauffeur's license. Provides that dispatchers must secure a commercial ridesharing dispatcher's license from the Department of Financial and Professional Regulation. Requires dispatchers to submit evidence of insurance that will provide coverage in the event that the insurance coverage of a driver they dispatch does not provide coverage. Requires dispatchers to make this insurance information available to the drivers and owners of vehicles used in commercial ridesharing arrangements. Provides a duty on the part of dispatchers to keep the owner and insurer of a vehicle used in commercial ridesharing arrangements notified of information involving the use of the vehicle, including its involvement in accidents. Prevents local units of government from adopting regulations inconsistent with the hours requirement or the requirement that dispatchers negotiate the fare prior to dispatch. Provides that penalties for a violation of these requirements shall be set by administrative rule by the Department of Financial and Professional Regulation. Provides that a person whose person or property has been damaged or is in imminent danger due to a violation of these requirements may file suit in a circuit court having jurisdiction for damages or injunctive relief. Provides that dispatchers assume liability, including liability for legal defense costs, for any claims that arise out of the involvement of a driver or vehicle that is available for dispatch or in use in a commercial ridesharing arrangement. Provides that the insurer of a motor vehicle used in a commercial ridesharing arrangement may deny coverage during the time the vehicle is made available for dispatch or used in a commercial ridesharing arrangement. Requires dispatchers to submit evidence of insurance that will provide coverage for the driver and the vehicle. Provides that any person, other than a passenger, who participates in a commercial ridesharing arrangement in violation of these requirements is guilty of a violation of this Act. Provides that vehicles used for commercial ridesharing arrangements must have distinctive registration plates issued by the Secretary of State, must indicate on the exterior of the vehicle that the vehicle is used for commercial ridesharing arrangements, must display the dispatcher's phone number in the interior of the vehicle and be less than 4 years from the date of manufacture. Provides that vehicles used in commercial ridesharing arrangements are required to undergo the same safety tests that a unit of local government requires for other vehicles used in transporting passengers for-hire unless the unit of local government does not require safety tests, in which case vehicles used in commercial ridesharing arrangements are subject to safety tests under the Illinois Vehicle Code. Provides that commercial rideshare arrangements may only be arranged through a dispatcher and not through driver solicitation. Requires commercial ridesharing arrangements obey local government restrictions on location. Prohibits pricing in excess of the highest per-mile rate charged by taxi cabs within the unit of local government where the commercial ridesharing arrangement is conducted. Provides that the license, registration, and display requirements for drivers and vehicles in a commercial ridesharing arrangement only apply to drivers or vehicles that participate in commercial ridesharing arrangements for more than 18 hours per week. Provides that where a unit of local government has requirements for licensed chauffeurs to provide service in under-served areas, drivers participating in commercial ridesharing arrangements are subject to the same requirements. Requires drivers of vehicles used in rideshares meet the requirements of the local unit of government for chauffeurs regarding access.

625 ILCS 5/1-122.7, 1-176.1, 3-412, 8-101, 13-101, 18c-6102,
30/1, 30/2, 30/5, and 30/7 Governor Amendatory Veto Message August 25, 2014

House Bill 5938 Public Act 98-749
Creates the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. Provides that manufactured homes are deemed to be real property. Sets forth certain conditions that must be met to convey or voluntarily encumber a manufactured home as real property. Contains provisions concerning affidavits of affixation and affidavits of severance. Contains provisions concerning security interests and liens. Amends the Use Tax Act and the Retailers' Occupation Tax Act. Amends the Property Tax Code and the Mobile Home Local Services Tax Act. Makes changes concerning the taxation of mobile homes and manufactured homes located outside of mobile home parks. Amends various Acts to define and include "manufactured homes" and to make changes to provisions concerning registration of manufactured homes and security interests in or liens on manufactured homes. Amends the Illinois Vehicle Code. Provides that a manufactured home is considered "affixed to a permanent foundation" if the wheels, axles, and towing hitch are removed, and it is anchored to real property by attachment to a permanent foundation and connected to residential utilities. Provides that the certification of a certified residential real estate appraiser, a certified general real estate appraiser, a licensed manufactured home installer, or a licensed professional engineer that the home is affixed to a permanent foundation shall establish conclusively that the home is affixed to a permanent foundation, and requires that those certifications be attached to the Affidavit of Affixation. Provides that the method of converting a manufactured home to real property set forth the Act is exclusive and supplants the common law of fixtures as it relates to manufactured homes. Amends the Uniform Commercial Code to provide that the term "manufactured home" does not include campers and recreational vehicles. Contains other provisions.

625 ILCS 5/1-144.03 (NEW), 3-116.1 (NEW), 3-116.2 (NEW),
3-116.3 (NEW), and numerous other sections. Effective Date July 16, 2014

Senate Bill 2802 Public Act 98-1103
Amends the Illinois Vehicle Code. Provides that a person may operate a motor vehicle that has been registered but does not display a current and valid Illinois registration sticker provided that he or she has proof, in the form of a printed receipt from the Secretary, that he or she has registered the vehicle before the previous registration's expiration but has not yet received a new registration sticker from the Secretary. Provides that this printed proof of registration is only valid for 30 days from the expiration of the previous registration sticker's date. Further amends the Illinois Vehicle Code. Makes corresponding changes to the provision governing the display of registration plates.

625 ILCS 5/3-413 and 701 Effective Date January 1, 2015

House Bill 4491 Public Act 98-902
Amends the Illinois Vehicle Code. Provides that a person eligible to be issued Purple Heart plates may display the plates on one vehicle without the payment of any registration or registration renewal fee. Provides that for a person who has been issued Purple Heart plates for an additional vehicle and who has been approved for benefits under the Senior Citizens and

Disabled Persons Property Tax Relief Act, the annual fee for the registration of the vehicle shall be \$24.

625 ILCS 5/3-623 Effective Date January 1, 2015

House Bill 5475 Public Act 98-869
Amends the Illinois Vehicle Code. Provides that the Secretary of State may issue Gold Star license plates to the surviving daughter or son of a Gold Star recipient.

625 ILCS 5/3-664 Effective Date January 1, 2015

Senate Bill 2978 Public Act 98-945
Amends the Illinois Vehicle Code. Provides that Illinois State Police Memorial Park license plates may only be issued to active or retired law enforcement officers or their family members, surviving family members of deceased law enforcement officers, and members of or donors to the Illinois State Police Heritage Foundation. Provides that these plates may be affixed to motorcycles over 150cc.

625 ILCS 5/3-669.13 Effective Date August 15, 2014

Senate Bill 3402 Public Act 98-971
Amends the Illinois Vehicle Code. Provides that dealer plates issued by another state shall exempt a vehicle from the registration requirements of the Illinois Vehicle Code for the limited purpose of transport to a repair facility within this State as evidenced by a work order or contract with the repair facility that is displayed to a law enforcement officer upon request.

625 ILCS 5/3-701 Effective Date January 1, 2015

Senate Bill 2583 Public Act 98-870
Amends the Illinois Vehicle Code. Creates a new Section governing the procedures for all traffic violations. Provides that for a traffic violation that is a petty offense as defined by the Unified Code of Corrections, no bond shall be required and personal recognizance shall be acceptable unless prohibited by law, this does not apply to business offenses or to violations of the wheel and axle load limits of the Illinois Vehicle Code. Provides that the procedure for traffic violations that aren't petty offenses shall be governed by Supreme Court Rules. Provides that if a person fails to appear for a court date, the court the court may continue the case to notify the person of his or her new court date and notify the person at their address of record with the Secretary of State. Provides that if, on the second court date, the person has not appeared, paid in full the amount necessary to satisfy the citation, or satisfied the court that their appearance, through no fault of their own, is impossible, the court shall order the person's license suspended. Provides that this suspension shall be entered by the Secretary of State as a Failure to Appear suspension, and that this suspension may not be lifted, nor any other permit issued to the person, until the satisfaction of the judgment against the person. Amends the Unified Code of Corrections. Provides that the Supreme Court may prescribe a uniform schedule of bail amounts in all but felony offenses. Provides that bail shall not be required for petty offenses.

625 ILCS 5/3-711, 6-308 (NEW), 6-601, 6-803, and
725 ILCS 5/110-15 Effective Date January 1, 2015

House Bill 5326 Public Act 98-1074
Amends the Illinois Vehicle Code. Provides that permanent vehicle registration plates shall be issued for a one-time fee of \$8 to vehicles owned by counties, townships, or municipal corporations used for the purpose of community workplace commuting as defined by rule by the Secretary of State. Provides that the Secretary has discretion over the design and color of these plates and may adopt rules to implement these provisions.
625 ILCS 5/3-808.1 Effective Date January 1, 2015

Senate Bill 3398 Public Act 98-882
Amends the Illinois Vehicle Code. Defines "covered farm vehicle" under the Illinois Motor Carrier Safety Law. Requires proof of registration as a covered farm vehicle to be kept in the cab of the motor vehicle. Provides that covered farm vehicles may not be used in for-hire operations; however, provides that for-hire operations do not include the operation of a motor vehicle by a tenant under a crop share agreement to transport the landlord's portion of the crops. Provides travel restrictions on covered farm vehicles based upon weight. Provides that beginning January 1, 2015, a \$10 surcharge shall be collected in addition to standard registration fees for motor vehicles of the second division weighing 12,000 pounds or less at the request of the vehicle owner wishing to have his or her vehicle classified as a covered farm vehicle. Provides that for purposes of collecting this surcharge, motor vehicles of the second division weighing 12,000 pounds or less are considered covered farm vehicles.
625 ILCS 5/3-815 and 18b-101 Effective Date August 13, 2014

House Bill 3685 Public Act 98-884
Amends the Illinois Vehicle Code. Provides that for a lapse in license renewal of 30 days or less, the applicant shall be eligible without a waiver from the Secretary of State. Provides that a waiver is only required for a lapse in excess of 30 days. Extends this grace period and application waiver to religious organization bus drivers, senior citizen transportation drivers, and for-profit ridesharing arrangement drivers.
625 ILCS 5/6-106.2, 106.3, and 106.4 Effective Date January 1, 2015

House Bill 5895 Public Act 98-746
Amends the Illinois Vehicle Code. Provides that persons using vision aid arrangements other than standard eyeglasses or contact lenses may apply for a special restricted training permit that will permit them to operate a motor vehicle between sunset and 10:00 p.m. for 6 months, provided they are accompanied by a person holding a valid driver's license without nighttime operation restrictions. Provides that persons applying for this permit must, at a minimum, (1) possess a valid driver's license and have operated a motor vehicle during daylight hours for a period of 6 months using vision aid arrangements other than standard eyeglasses or contact lenses and (2) have a driving record that does not include any traffic accidents that occurred regardless of the time of day, for which the person has not been found to be at fault during the 6 months prior to application. Provides that the Secretary may adopt rules defining additional terms and conditions for the issuance and renewal of these permits.
625 ILCS 5/6-113 Effective Date January 1, 2015

House Bill 4561 Public Act 98-876
Amends the Illinois Vehicle Code. Provides that in order to qualify for certification to provide adult driver education, an applicant must authorize a background investigation including the use of his or her fingerprints to determine if the applicant has ever been convicted of a crime and if so the disposition of those convictions. Authorizes the Secretary of State to work with federal, State, and local government officials in performing this investigation. Provides that the applicant shall pay any other fingerprint-related fees. Provides that information received by the Secretary in the course of this investigation shall be provided to the applicant, and any criminal conviction information shall be confidential, except that this information may be used in an administrative hearing relating to the denial, cancellation, suspension, or revocation of certification. Provides that an employee of the Secretary of State that makes an unauthorized disclosure of this information is guilty of a Class A misdemeanor.
625 ILCS 5/6-107.5 Effective Date January 1, 2015

House Bill 5897 Public Act 98-747
Amends the Illinois Vehicle Code. Provides that special restricted licenses issued allowing individuals that use vision aid arrangements other than standard eyeglasses or contact lenses to operate a motor vehicle during nighttime hours shall be valid for a period of 48 months instead of 12. Provides that this license shall be cancelled if the license holder does not submit an annual vision specialist report from an ophthalmologist or optometrist that his or her vision has not changed.
625 ILCS 5/6-113 and 6-201 Effective Date January 1, 2015

House Bill 4422 Public Act 98-726
Amends the Illinois Identification Card Act. Expands the definition of disability to include oncological impairments. Amends the Illinois Vehicle Code. Provides that the Secretary of State may suspend or revoke the driving privileges of a person that has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States in another state for a traffic related offense that would be sufficient to merit suspension or revocation of driving privileges under the Illinois Vehicle Code. Removes the ability and requirement of the Secretary State to adopt rules for restricted commercial driver's licenses limited to operation of a school bus, which was replaced by the School Bus Driver's Permit.15 ILCS 335/4A, 625 ILCS 5/6-206, and 6-521 Effective Date January 1, 2015

House Bill 4304 Public Act 98-1015
Amends the Illinois Vehicle Code. Provides that individuals that injure themselves but not another person as a result of driving under the influence are still eligible to receive a monitoring device driving permit. Limits statutory suspensions of a driver's license (rather than revocation of the driver's license) for refusing or failing a test to determine the concentration of alcohol, drug, or intoxicating compound to situations where the driver was not involved in an accident that caused injury or death to another person. Makes other changes necessary to resolve a statutory split in Section 6-208.1 of the Illinois Vehicle Code.
625 ILCS 5/6-206.1 and 208.1 Effective Date August 22, 2014

House Bill 4386 Public Act 98-722
 Amends the Illinois Vehicle Code. Provides that the definition of "medical examiner" shall be changed to mean an individual certified by the Federal Motor Carrier Safety Administration and listed on the National Registry of Certified Medical Examiners in accordance with Federal Motor Carrier Safety Regulations. Defines "foreign commercial driver" as a person licensed to operate a commercial motor vehicle by an authority outside the United States, or a citizen of a foreign country that operates a commercial motor vehicle in the United States. Expands the definition of "imminent hazard" to include any condition of a vehicle, employee, or commercial motor vehicle operations that substantially increases the likelihood of serious injury or death. Provides that an employer or commercial motor vehicle owner shall not allow or require an employee to drive a commercial motor vehicle if he or she knows or should reasonably know (rather than just knowingly) that the employee has (1) had their license suspended, revoked, or cancelled by any state; (2) has lost the privilege to operate a commercial motor vehicle in any state; (3) has been disqualified from driving a commercial motor vehicle; (4) has more than one driver's license except as provided by the Uniform Commercial Driver's License Act; or (5) is subject to or in violation of an "out-of-service" order. Provides that foreign commercial drivers are subject to disqualification. Provides that the Secretary of State shall report convictions of traffic violations by a foreign driver's license holder to that driver's licensing authority.
 625 ILCS 5/6-500, 6-506, 6-514, and 6-518 Effective Date July 16, 2014

Senate Bill 3096 Public Act 98-1028
 Amends the Illinois Vehicle Code. Provides that a judgment creditor or his or her attorney, in addition to the clerk of a court or the judge of a court which has no clerk, shall forward a certified report of any judgment for damages, the rendering and nonpayment of which required the suspension of the driver's license and registration, to the Secretary of State. Provides that calibration of automated speed enforcement systems shall be conducted on an annual basis. Requires radar or lidar equipment to undergo an internal validation test every week, but removes the requirement that a qualified technician perform the test. Provides that radar equipment shall be checked with internal frequency generators and internal circuit tests, but removes the diode display test requirement. Provides that the requirement that training on speed enforcement equipment be equivalent to the Speed Measuring Device Operator Program developed by the National Highway Traffic Safety Administration is optional. Provides that calibration test records shall be kept by the vendor or technician that performs the tests.
 625 ILCS 5/7-307 and 11-208.3 Effective Date August 22, 2014

House Bill 4743 Public Act 98-734
 Amends the Illinois Vehicle Code. Provides that counties in addition to municipalities may adopt administrative procedures for the release of impounded vehicles. Provides that counties and municipalities that do not wish to set up an administrative review of the hearing officer's decisions shall direct appeals to the circuit court having jurisdiction over the county or municipality.
 625 ILCS 5/11-208.7 Effective Date January 1, 2015

House Bill 4442 Public Act 98-686
Amends the Illinois Vehicle Code. Replaces the removal of the July 1, 2015 repeal date for the Section requiring a traffic stop statistical study with a 4 year extension of the repeal date.
625 ILCS 5/11-212 Effective Date June 30, 2014

Senate Bill 1381 Public Act 98-798
Amends the Vehicle Code to allow a vehicle or pedestrian to enter an intersection under direction of a flashing yellow traffic-control signal, but yield to pedestrians and other vehicles already lawfully within the intersection. Provides that pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow indication is first displayed.
625 ILCS 5/11-306 Effective Date July 31, 2014

Senate Bill 0930 Governor Amendatory Veto
Amends the Illinois Vehicle Code. Provides that in the counties of Cook, DuPage, Kane, Lake, McHenry, and Will, unless some lesser speed restriction is established under the Illinois Vehicle Code, the maximum speed limit outside an urban district for a second division vehicle designed or used for the carrying of a gross weight of 8,001 pounds or more (including the weight of the vehicle and maximum load) is 55 miles per hour on all highways, roads, and streets that are not interstate highways.
625 ILCS 5/11-601 Governor Amendatory Veto Message August 11, 2014

House Bill 5664 Public Act 98-871
Amends the Illinois Vehicle Code. Makes permanent the bus on shoulder pilot program.
625 ILCS 5/11-709.2 and 709.3 Effective Date August 11, 2014

Senate Bill 3255 Public Act 98-879
Amends the Illinois Vehicle Code. Provides that person with disabilities parking placards or decals that are issued to veterans with a permanent disability shall not require evidence of disability for renewal. Provides that the Secretary of State shall verify that permanently disabled veterans issued a parking decal still reside in Illinois upon renewal. Provides that the Secretary may require additional documentation or a visit to a Secretary of State facility, among methods of verification. Requires the Secretary to determine persons eligible for the disabled veterans parking decal by comparing the names of individuals issued a decal with the names of persons issued a disabled veteran registration plate.
625 ILCS 5/11-1301.2 Effective Date January 1, 2015

Senate Bill 0927 Public Act 98-873
Amends the Illinois Vehicle Code. Provides that vehicles of the Illinois State Toll Highway Authority identified as Highway Emergency Lane Patrol are authorized emergency vehicles and may use red or white oscillating, rotating, or flashing lights when responding to an emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the emergency. Provides that vehicles of the Illinois Toll Highway Authority may use amber oscillating, rotating, or flashing lights when engaged in maintenance or construction operations.

625 ILCS 5/1-105 and 12-215..... Effective Date January 1, 2015

House Bill 5468 Public Act 98-737

Amends the Illinois Vehicle Code. Provides that persons with medical certificates allowing tinted windows only need to renew their medical certificate every 4 years, rather than annually.

625 ILCS 5/12-503 Effective Date January 1, 2015

Senate Bill 2620 Public Act 98-942

Amends the Illinois Vehicle Code. Provides that the weight limitation for a 3 or 4 axle vehicle (including when laden) operated or hired by a municipality within Cook, Lake, McHenry, Kane, DuPage, or Will county being operated for the purpose of performing emergency sewer repair that would normally be subject to a weight limitation less than 66,000 pounds shall have a weight limitation of 66,000 pounds or the vehicle's gross vehicle weight rating, whichever is less. Provides that this exception to the standard weight formula does not apply on the National System of Interstate and Defense Highways, bridges, or other elevated structures constituting a part of a highway.

625 ILCS 5/15-111 Effective Date January 1, 2015

Senate Bill 3139 Public Act 98-956

Amends the Illinois Vehicle Code. Provides that upon and during a declaration by the Governor of an emergency propane supply disaster: (1) a truck not in combination, equipped with a cargo tank, used exclusively for the transportation of propane or liquefied petroleum gas may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 40,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle; (2) a truck when in combination with a trailer equipped with a cargo tank used exclusively for the transportation of propane or liquefied petroleum gas may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 90,000 pounds gross weight on a 5 or 6-axle vehicle. Provides that these vehicles, when operating under this declaration, are not subject to the bridge formula.

625 ILCS 5/15-111 Effective Date January 1, 2015

Senate Bill 3574 Public Act 98-1029

Amends the Illinois Vehicle Code. Provides that vehicles or a combination of vehicles fueled by natural gas or propane gas may exceed the weight limits of the Illinois Vehicle Code by 2,000 pounds except when on an interstate highway and so long as they do not exceed any posted weight limits.

625 ILCS 5/15-111 Effective Date January 1, 2015

House Bill 4462 Public Act 98-658
Amends the Illinois Vehicle Code. Provides that the \$35 additional fee for serious traffic violations shall not become inoperative until January 1, 2020 (rather than October 13, 2014). Makes corresponding changes to the Clerks of Courts Act and the Unified Code of Corrections. 625 ILCS 5/16-104(d), 705 ILCS 102/27.5, 105/27.6, and 730 ILCS 5/5-6-1 Effective Date June 23, 2014

House Bill 5692 Public Act 98-787
Creates the Uninsured Motorist Verification Advisory Committee Act. Provides that the Secretary of State shall establish and appoint an Uninsured Motorist Verification Advisory Committee consisting of representatives of the Department of Insurance and the insurance industry for the purpose of designing an electronic motor vehicle liability insurance verification program, including methods of funding, implementing, and operating the program. Provides that the program must: (1) require insurance companies to make relevant insurance information available to the Secretary; (2) provide a means of electronically verifying motor vehicle liability insurance policies; (3) require the Secretary to verify the existence of a liability insurance policy for every motor vehicle registered in Illinois once every 12 months; (4) allow the Secretary to request information from motor vehicle owners whose liability insurance cannot be verified; (5) suspend the registration of any motor vehicle owner that fails to respond or whose response shows the motor vehicle is not covered; (6) require insurance companies to assist the Secretary in verifying insurance information submitted in response to an information request; (7) authorize the Secretary to perform additional insurance verifications. Provides that this proposed legislation must not give the Secretary regulatory authority over insurance companies. Requires the Secretary to adopt rules for the electronic motor vehicle liability insurance verification system by January 1, 2016, subject to appropriation. Repeals the Act on July 1, 2016. Amends the Illinois Vehicle Code. Removes the requirement that applicants for vehicle registration provide insurance information for the vehicle for which registration issuance or renewal is being sought. Removes the provision that submission of false insurance information with a vehicle registration application is a Class C misdemeanor. Repeals the Section requiring remittance agents remitting vehicle registration applications to ask customers for the vehicle's insurance information. Provides that current procedures for insurance verification is repealed on December 31, 2015. 625 ILCS 28/ (New), 5/3-405, 3-415, and 7-604 Effective Date July 25, 2014

Senate Bill 2731 Public Act 98-697
Amends the Boat Registration and Safety Act. Requires operators of a watercraft towing a person or persons to display red or orange flags on their watercraft. Provides that flags must be orange, not red or orange. Provides that the flag must be displayed at the highest point of the area surrounding the boat's helm so as to be visible from all directions rather than at any point on the boat so as to be visible from all directions. 625 ILCS 45/5-14 Effective Date January 1, 2015

Senate Bill 3433 Public Act 98-698
 Amends the Boat Registration and Safety Act. Provides that beginning January 1, 2016 no person born on or after January 1, 1998 shall operate a motorboat with over 10 horse power without a Boating Safety Certificate. Beginning January 1, 2016, requires persons between 10 and 12 operating a motorboat with over 10 horse power to be under the direct on-board supervision of a parent, guardian, or designee over 18 that possesses a Boating Safety Certificate. Beginning January 1, 2016, requires persons between 12 and 18 operating a motorboat with over 10 horse power to have a Boating Safety Certificate or be under the supervision of a parent, guardian, or designee over 18 with a Boating Safety Certificate. Beginning January 1, 2016, provides that the owner of a motorboat with over 10 horse power shall not allow it to be operated by anyone without a Boating Safety Certificate. Provides that a person operating a motorboat with over 10 horse power must provide their Boating Safety Certificate to law enforcement upon request. Provides that boat liveries may offer an abbreviated safety course that allows persons renting motorboats from the livery to operate those rentals without a Boating Safety Certificate. Provides that providing false information in an application for a Boating Safety Certificate or displaying a false certificate is a Class A misdemeanor. Provides exceptions to the certificate requirement. Provides that a Boating Safety Certificate is not required by a person that has assumed operation of a motorboat for the purpose of completing a watercraft safety course approved by the Department of Natural Resources, the U.S. Coast Guard, the National Association of State Boating Law Administrators, or by a person who is an Illinois resident who has met the applicable boating safety standards of another state or possesses a Canadian Pleasure Craft Operator's Card, a person using only an electric motor to propel the motorboat, or a person operating a motorboat on private property. Provides that the Department of Natural Resources must adopt rules to implement the issuance of Boating Safety Certificates, and shall consult and coordinate with the public, professional boating organizations, and the boating business community in adopting these rules.
 625 ILCS 45/5-18 Effective Date January 1, 2015

CHAPTER 705

COURTS

House Bill 4534 Public Act 98-1016
 Amends the Clerks of Courts Act. Provides that a fee imposed upon certain defendants shall equal the fee collected to defray expenses related to an automated record keeping system, but shall not be more than \$15.
 705 ILCS 105/27.3a Effective Date August 22, 2014

House Bill 4495 Public Act 98-803
Amends the Children and Family Services Act and the Juvenile Court Act of 1987. Provides that a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department of Children and Family Services by any court, except on and after the effective date of the amendatory Act and before January 1, 2017, a minor less than 16 (rather than 15) years of age and committed to the Department of Children and Family Services under the sentencing order provisions of the Delinquency Article of the Juvenile Court Act of 1987 or a minor for whom an independent basis of abuse, neglect, or dependency exists. Provides that a delinquent minor may be placed in the custody of the Department of Children and Family Services on and after the effective date of the amendatory Act and before January 1, 2017, if the delinquent minor is under 16 (rather than 15) years of age and the court finds that reasonable efforts have been made to prevent or eliminate the need for removal and that continuance in the home of the parent or guardian would be contrary to the minor's welfare. Provides that a delinquent minor may be placed in the custody of the Department of Children and Family Services under the Abused, Neglected, or Dependent Minors Article of the Juvenile Court Act of 1987.
20 ILCS 505/5, 705 ILCS 405/2-10, 2-27, and 5-710..... Effective Date January 1, 2015

House Bill 4083 Public Act 98-685
Amends the Juvenile Court Act of 1987. Provides that county juvenile detention standards shall be adopted by the Department of Juvenile Justice (rather than the Department of Corrections). Amends the Unified Code of Corrections. Provides that when Department or Director is used in the Code, the terms apply both to the Department of Corrections and the Department of Juvenile Justice and both to the Director of Corrections and the Director of Juvenile Justice, unless the context is specific to either the Department of Corrections or the Department of Juvenile Justice or the Director of Corrections or Director of Juvenile Justice. Provides that the Department of Juvenile Justice shall establish criteria that the youth must meet before an identification card is issued upon the release of a youth on aftercare or who has been wrongfully imprisoned. Provides that it is the sole responsibility of the youth requesting the identification card issued by the Department to meet the established criteria. Provides that the youth's failure to meet the criteria is sufficient reason to deny the youth the identification card. Provides that an identification card issued by the Department shall be valid for a period of time not to exceed 30 calendar days from the date the card is issued. Provides that the Department shall not be held civilly or criminally liable to anyone because of any act of any person utilizing a card issued by the Department.
705 ILCS 405/5-105, 410, 501, 730 ILCS 5/3-1-2,
730 ILCS 5/3-2.5-75, 5/3-15-2, and 5/3-15-3..... Effective Date January 1, 2015

House Bill 4082 Public Act 98-892
Amends the Juvenile Court Act of 1987. Provides that if the minor fails to comply with terms of the non-judicial probation adjustment, the matter shall be referred to the State's Attorney for determination of whether a delinquency petition shall be filed. Provides that a court services or probation department has the power to confer in a preliminary conference with a view to adjusting suitable cases without the filing of a petition for an adjudicatory hearing under the

Abused, Neglected, or Dependent Minors Article or the Delinquent Minors Article of the Act. Provides that a court services or probation department may, when authorized or directed by the court, and with the consent of the party respondents and the State's Attorney, confer in a pre-adjudicatory conference, with a view to adjusting suitable cases.

705 ILCS 405/5-305 and 6-1 Effective Date January 1, 2015

CHAPTER 720

CRIMINAL CODE

Senate Bill 3558 Public Act 98-1013
Amends the Criminal Code of 2012. Provides that solicitation of a sexual act does not apply to a person under the age of 18 engaged in prostitution. Directs a portion of a fee for an impounded vehicle to the Specialized Services for Survivors of Human Trafficking Fund. Amends the Code of Criminal Procedure of 1963. Makes changes concerning forfeiture for individuals convicted of keeping a place of prostitution. Modifies the allocation percentages of moneys and sale proceeds forfeited by individuals convicted of involuntary servitude and trafficking of persons. Amends the Unified Code of Corrections. Creates the Specialized Services for Survivors of Human Trafficking Fund. Provides that portions of fines imposed for various human trafficking offenses are to be deposited into the fund. Amends the State Finance Act. Creates the Specialized Services for Survivors of Human Trafficking Fund.

30 ILCS 105/5.855 (NEW), 705 ILCS 105/27.6, 720 ILCS 11-14.1,

720 ILCS 5/36.5-5, 725 ILCS 5/124B-300, 305, 500, and

730 ILCS 5/5-9-1.21 (NEW) Effective Date January 1, 2015

Senate Bill 2956 Public Act 98-761
Amends the Criminal Code of 2012. Provides that the prosecuting State's Attorney shall seek an order from the court to compel the accused to be tested for any sexually transmissible disease, including a test for infection with human immunodeficiency virus (HIV), within 48 hours: (1) after a finding at a preliminary hearing that there is probable cause to believe that an accused has committed criminal sexual assault, aggravated criminal sexual assault, or predatory criminal sexual assault of a child, or (2) after an indictment is returned charging an accused with criminal sexual assault, aggravated criminal sexual assault, or predatory criminal sexual assault of a child, or (3) after a finding that a defendant charged with criminal sexual assault, aggravated criminal sexual assault, or predatory criminal sexual assault of a child is unfit to stand trial where the finding is made prior to the preliminary hearing, or (4) after the request of the victim of criminal sexual assault, aggravated criminal sexual assault, or predatory criminal sexual assault of a child.

720 ILCS 5/11-1.10 Effective Date July 16, 2014

House Bill 4516 Public Act 98-903
Amends the Criminal Code of 2012 concerning predatory criminal sexual assault of a child. Provides that for the purpose of criminal liability the act of contact, however slight, between the sex organ or anus of one person and the part of the body of another, must be for the purpose of sexual gratification or arousal of the victim or the accused.

720 ILCS 5/11-1.40 Effective Date August 15, 2014

House Bill 5290 Public Act 98-919
Amends the Criminal Code of 2012. In the statute concerning grooming, includes that the offense also consists of knowingly using a computer on-line service, Internet service, local bulletin board service, or any other device capable of electronic data storage or transmission to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by the person to be a child or a child's guardian, to distribute photographs depicting the sex organs of the child. Increases the penalty for grooming from a Class 4 felony to a Class 2 felony.

720 ILCS 5/11-25 Effective Date January 1, 2015

House Bill 4653 Public Act 98-994
Amends the Criminal Code of 2012. Provides that the enhanced penalties for domestic battery if a person has had prior convictions for certain offense apply to prior convictions under the law of another jurisdiction for any offense which is substantially similar.

720 ILCS 5/12-3.2 Effective Date January 1, 2015

House Bill 5858 Public Act 98-936
Amends the Criminal Code of 2012. Provides that the prohibitions of the statute concerning tattooing the body of a minor do not apply to the removal of a tattoo from a person under 18 years of age, who is a victim of trafficking in persons, involuntary sexual servitude of a minor, or involuntary servitude or who is or has been a streetgang member as defined in the Illinois Streetgang Terrorism Omnibus Prevention Act, if the removal of the tattoo is performed in an establishment or multi-type establishment which has received a certificate of registration from the Department of Public Health or its agent under the Tattoo and Body Piercing Establishment Registration Act and the removal of the tattoo is performed by the operator or an authorized employee of the operator of the establishment or multi-type establishment.

720 ILCS 5/12C-35 Effective Date August 15, 2014

House Bill 0802 Public Act 98-1014
Amends the Criminal Code of 2012. Exempts from the eavesdropping offense electronic recordings, including but not limited to, motion picture, videotape, digital, or other visual or audio recording, made of a lineup procedure. Amends the Code of Criminal Procedure of 1963. Requires all lineups to be conducted by: (1) an independent administrator (one who does not know the identity of a suspected perpetrator); (2) an automated computer program or other device photo lineup; (3) a random folder photo lineup method; or (4) any other procedure that does not allow the lineup administrator to know the identity of the suspect or see or know the photographs being presented to the eyewitness. Provides that in conducting the lineup, the

suspected perpetrator shall not be substantially different in appearance from the fillers based on the eyewitness's previous description of the perpetrator or based on other factors that would draw attention to the suspected perpetrator. Provides that the lineup administrator shall obtain and document any and all statements made by the eyewitness during the lineup as to the perpetrator's identity. Also allows any identification procedure approved by the Illinois Supreme Court as sufficiently established as a reliable method and that provides more accurate results than simultaneous or sequential lineups. Allows a lineup of persons or a photo spread lineup to be presented to witnesses sequentially, with each person or photo presented separately and then removed before the next person or photo is viewed or presented to witnesses simultaneously. Requires each law enforcement agency that conducts lineups, to establish written guidelines on when an officer should present persons or photographs to an eyewitness simultaneously or sequentially. Prohibits the presence during a lineup of any person who knows the suspected perpetrator's identity, except the eyewitness and defense counsel. Provides instructions to the eyewitness to whom the identification procedure is presented. Establishes procedures for conducting lineup identification procedures. Provides remedies for failure to comply with lineup identification procedures. Requires a lineup to be video recorded, if practical, unless the eyewitness refuses to consent to the recording. If not practical or the eyewitness refuses to allow the recording, a report stating the reasons video recording was not done and an audio recording shall be made. If an audio recording is not practical, a report stating the reasons video recording was not done and an audio recording shall be made. Requires the photographs, recordings, and written record of the lineup to be disclosed to the legal counsel for the accused during discovery. Requires photographs of suspects used in a photo lineup to be disclosed to the legal counsel for the accused during discovery. Repeals current lineup and photo spread procedures. Repeals an expired pilot study on sequential lineup procedures.

720 ILCS 5/14-3, 725 ILCS 5/107A-0.1 (NEW), and 0.2 (NEW)..... Effective Date January 1, 2015

Senate Bill 3538 Public Act 98-1125
 Amends the Criminal Code of 2012. Provides that a person also commits a false personation if he or she knowingly and falsely represents himself or herself to be the legal guardian, including any representative of a State or public guardian, of a disabled person appointed under the Guardians for Disabled Adults Article of the Probate Act of 1975. Provides that a violation is a Class C misdemeanor.

720 ILCS 5/17-2 Effective Date January 1, 2015

House Bill 4269 Public Act 98-897
 Amends the Criminal Code of 2012 concerning criminal fortification of a residence or building. Includes in the definition of "fortified condition" preventing or impeding entry through the use of video surveillance, motion sensing devices, or booby traps. Requires the storage of the drug in the fortified residence or building to be with the intent to deliver or manufacture the drug. Requires the drug in the fortified residence or building to be an unlawful drug as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act. Defines "booby traps" for purposes of the offense.

720 ILCS 5/19-5 Effective Date January 1, 2015

House Bill 5922 Public Act 98-748
Amends the Criminal Code Act. Provides that a person commits criminal trespass to State supported land when he or she enters upon a right of way, including facilities and improvements thereon, owned, leased, or otherwise used by a public body or district organized under the Metropolitan Transit Authority Act, the Local Mass Transit District Act, or the Regional Transportation Authority Act, after receiving, prior to the entry, notice from the public body or district, or its representative, that the entry is forbidden, or the person remains upon the land after receiving notice from the public body or district, or its representative, to depart, with the intent to compromise public safety by causing a delay in transit service lasting more than 15 minutes or destroying property. Defines “right of way”. Provides that a violation is a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation.
720 ILCS 5/21-5 Effective Date January 1, 2015

Senate Bill 3332 Public Act 98-770
Amends the Criminal Code of 2012. Provides that a person in the custody of (rather than committed to) the Department of Human Services under the provisions of the Sexually Violent Persons Commitment Act under a detention order, commitment order, conditional release order, or other court order who intentionally escapes from any secure facility or from a Department employee or any of its agents (rather than a person committed to the Department of Human Services under the provisions of the Sexually Violent Persons Commitment Act or in detention with the Department of Human Services awaiting such a commitment) who intentionally escapes from any secure residential facility or from a Department employee or any of its agents (rather than the custody of an employee of that facility) commits a Class 2 felony.
720 ILCS 5/31-6 Effective Date January 1, 2015

Senate Bill 2695 Public Act 98-867
Amends the Criminal Code of 2012 concerning official misconduct. Provides that an employee of a law enforcement agency commits misconduct when he or she knowingly uses or communicates, directly or indirectly, information acquired in the course of employment, which obstructs, impedes, or prevents the investigation, apprehension, or prosecution of any criminal offense or person. Provides that an employee who violates this provision is guilty of a Class 3 felony and shall forfeit his or her office or employment. Provides that an element of the offense requires that the defendant intends to obstruct, impede, or prevent the investigation, apprehension, or prosecution of the criminal offense or person. Adds that nothing in the new offense shall be construed to impose liability for communicating to a confidential resource, who is participating or aiding law enforcement, in an ongoing investigation.
720 ILCS 5/33-3 Effective Date January 1, 2015

Senate Bill 3434 Public Act 98-699
Amends the Criminal Code of 2012. Provides for the seizure and forfeiture of a watercraft used with the knowledge and consent of the owner in the commission of specified offenses. Provides

for the seizure and forfeiture of a watercraft when a person operating the watercraft was (1) under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof under the Boat Registration and Safety Act during a period in which his or her privileges to operate a watercraft are revoked or suspended and the revocation or suspension was for operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof; (2) operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof and has been previously convicted of reckless homicide or a similar provision of a law in another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof as an element of the offense or the person has previously been convicted of committing a violation of operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof and was involved in an accident that resulted in death, great bodily harm, or permanent disability or disfigurement to another, when the violation was a proximate cause of the death or injuries; or (3) the person committed a violation of operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof under the Boat Registration and Safety Act or a similar provision for the third or subsequent time.

720 ILCS 5/36-1, 36-1a, 36-2, 36-3, and 36-4 Effective Date January 1, 2015

House Bill 5523 Public Act 98-1020
Amends the Criminal Code of 2012. Adds various offenses to the list for which a vessel, vehicle, or aircraft used with the knowledge and consent of the owner in the commission of, or in the attempt to commit, the offense may be seized and forfeited. Provides that the vessel, vehicle, or aircraft may be seized and impounded by law enforcement agency.

720 ILCS 5/36-1, 1.5, 2, and 5 Effective Date August 22, 2014

House Bill 5085 Public Act 98-1072
Amends the Cannabis Control Act. Provides that an institution of higher education or the Department of Agriculture may grow or cultivate industrial hemp if (1) the industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research, (2) the pilot program studies the growth, cultivation, or marketing of industrial hemp, and (3) any site used for the growing or cultivating of industrial hemp is certified by, and registered with, the Department of Agriculture. Provides that if an institution of higher education decides to conduct research, then, prior to conducting the research, the institution of higher education shall notify the Department of Agriculture and any local law enforcement agency in writing. Provides that the institution of higher education shall provide quarterly reports and an annual report to the Department of Agriculture on the research and the research program shall be subject to random inspection by the Department of Agriculture, the Department of State Police, or local law enforcement agencies. Provides that the Department of Agriculture may adopt rules to implement these provisions. Provides that upon receipt of a request from an institution of higher education for permission to grow or cultivate industrial hemp for research purposes, the Department of Agriculture may use

emergency rule making powers to authorize and regulate the institution's growth and cultivation of industrial hemp. Defines "institution of higher education" and "industrial hemp".
720 ILCS 550/8 and 15.2 (NEW) Effective Date January 1, 2015

Senate Bill 3109 Public Act 98-1111
Amends the Illinois Optometric Practice Act of 1987. Permits a licensed optometrist to prescribe Dihydrocodeinone (Hydrocodone) with one or more active, non-narcotic ingredients only in a quantity sufficient to provide treatment for up to 72 hours, and only if such formulations are reclassified as Schedule II by federal regulation. Amends the Illinois Controlled Substances Act. Makes a change to the definition of "prescription". Provides that "prescription" means a written, facsimile, or oral order, or an electronic order that complies with applicable federal requirements, of an optometrist for a Schedule II, III, IV, or V controlled substance (rather than only a Schedule III, IV, or V controlled substance) in accordance with certain provisions of the Illinois Optometric Practice Act of 1987.
225 ILCS 80/15.1 and 720 ILCS 570/102 Effective Date August 26, 2014

Senate Bill 3275 Public Act 98-987
Amends the Illinois Controlled Substances Act. Adds 25I-NBOMe and 25B-NBOMe to the list of Schedule I controlled substances.
720 ILCS 570/204 Effective Date January 1, 2015

House Bill 5526 Public Act 98-981
Creates the Kratom Control Act. Provides that a minor under 18 years of age shall not knowingly purchase or possess any product containing any quantity of Kratom. Provides that a minor under 18 years of age shall not knowingly purchase or possess any product containing any quantity of Kratom. Provides that a minor under 18 years of age in the furtherance or facilitation of obtaining any product containing Kratom shall not knowingly display or use a false or forged identification card or transfer, alter, or deface an identification card. Provides that a person shall not knowingly sell, buy for, distribute samples of, or furnish any product containing any quantity of Kratom to any minor under 18 years of age. Provides that a violation is a Class B misdemeanor. Provides that if the violation involves selling, buying for, or distributing samples of, or furnishing any product containing any quantity of Kratom to any minor under 18 years of age, the offender shall pay a minimum fine of \$500.
720 ILCS 642 (NEW ACT) Effective Date January 1, 2015

House Bill 4093 Public Act 98-980
Amends the Methamphetamine Control and Community Protection Act. Includes in the offense of aggravated participation in the manufacture of methamphetamine, methamphetamine manufacturing that occurs within 1,000 feet of the real property comprising any school.
720 ILCS 646/15 Effective Date January 1, 2015

House Bill 5868 Public Act 98-983
Amends the Display of Tobacco Products Act. Provides that alternative nicotine products must be sold from behind the counter or in an age restricted area or in a sealed display case.
720 ILCS 677/5, 10 Effective Date January 1, 2015

CHAPTER 725

CRIMINAL PROCEDURES

Senate Bill 2801 Public Act 98-1025
Amends the Code of Criminal Procedure of 1963 and the Unified Code of Corrections. If a defendant found unfit to stand trial or acquitted by reason of insanity is placed in the custody of the Department of Human Services, removes the ability of the court to order placement in a non-secure setting within the Department if compelling reasons exist. Any defendant sent to the Department shall be held in a secure setting. For an unfit defendant charged with a misdemeanor, changes the period of time in which the defendant, with treatment, may be expected to attain fitness for purposes of fitness determinations from one year to no longer than the length of sentence if convicted of the most serious offense. If an unfit defendant refuses psychotropic medication, allows the medication to be administered over the defendant's objections as provided in the Mental Health and Developmental Disabilities Code. Allows any unfit defendant in the Department of Human Services custody (rather than only those ordered into a secure setting by the court) to be transported to court hearings or other necessary appointments off facility grounds by personnel of the Department, placed in security devices or otherwise secured during the period of transportation to assure secure transport of the defendant and the safety of Department of Human Services personnel and others. Further amends the Code of Criminal Procedure of 1963. Provides that a person appointed or retained by the State or the defense to conduct a fitness examination shall, upon written request, make his or her notes, other evaluations reviewed or relied upon by the testifying witness, and any videotaped interviews available to another examiner of the defendant. Requires a forensic interview to be videotaped, unless impractical. If the interview is not videotaped, the examiner may still testify and the court may only consider the lack of compliance in according the weight and not the admissibility of the expert testimony. Allows an examiner to use these materials as part of a diagnosis or explanation. Prohibits disclosure of the examination's contents except as otherwise provided in the Code. These changes are effective January 1, 2015, and the rest of the bill is effective immediately.

725 ILCS 5/104-17, 18, 20, 21, 23, 31, and 730 ILCS 5/5-2-4.....Effective Date August 22, 2014

Senate Bill 2852 Public Act 98-829
Amends the Code of Criminal Procedure of 1963. Allows a search warrant upon written complaint to be issued by use of electronic mail in addition to by facsimile transmission machine.

725 ILCS 5/108.....Effective Date August 1, 2014

House Bill 4594 Public Act 98-905
Amends the Code of Criminal Procedure of 1963. When a search warrant is sought and the request is made by electronic means that has a simultaneous video and audio transmission between the requestor and a judge, the judge may issue a search warrant based upon sworn testimony communicated in the transmission. Establishes procedures concerning the application, issuance, contents, and execution of these warrants. Requires the Chief Judge of the circuit court or presiding judge in the issuing jurisdiction to, by local rule, create a standard practice for the filing or other retention of documents or recordings produced in the process of issuing search warrants.

725 ILCS 5/108-4.....Effective Date January 1, 2015

House Bill 3744 Public Act 98-1012
Amends the Code of Criminal Procedure of 1963. Provides that when a person is charged with domestic battery, aggravated domestic battery, kidnapping, aggravated kidnaping, unlawful restraint, aggravated unlawful restraint, stalking, aggravated stalking, cyberstalking, harassment by telephone, harassment through electronic communications, or an attempt to commit first degree murder regardless whether an order of protection has been issued against the person, the court may, in its discretion, order the respondent to undergo a risk assessment evaluation conducted by an Illinois Department of Human Services approved partner abuse intervention program provider, pretrial service, probation, or parole agency. Provides that based on the information collected from specified factors to be considered at a bail hearing for these offenses, the results of any risk evaluation conducted and the other circumstances of the violation, the court may order that the person, as a condition of bail, be placed under electronic surveillance as provided in the Unified Code of Corrections. Provides that upon making a determination whether or not to order the respondent to undergo a risk assessment evaluation or to be placed under electronic surveillance, the court shall document in the record the court's reasons for making those determinations. Provides that the cost of the electronic surveillance shall be paid shall be paid by, or on behalf, of the defendant. Provides that the risk assessment evaluation shall use a recognized evidence-based instrument. Provides that the cost of the risk assessment shall be paid by, or on behalf, of the defendant.

725 ILCS 5/110-5.....Effective Date January 1, 2015

Senate Bill 2995 Public Act 98-948
Amends the Code of Criminal Procedure of 1963 concerning a defendant's motion for fingerprint, Integrated Ballistic Identification System, or forensic testing not available at trial or guilty plea regarding actual innocence. Provides that the motion may be made if the defendant pleads guilty. Provides that the trial court shall allow the testing under reasonable conditions

designed to protect the State's interests in the integrity of the evidence and the testing process upon a determination that the result of the testing has the scientific potential to produce new, noncumulative evidence that would raise a reasonable probability that the defendant would have been acquitted if the results of the evidence to be tested had been available prior to the defendant's guilty plea and the petitioner had proceeded to trial instead of pleading guilty, even though the results may not completely exonerate the defendant. Provides that in the court's order to allow testing, the court shall order the investigating authority to prepare an inventory of the evidence related to the case and issue a copy of the inventory to the prosecution, the petitioner, and the court. Provides that when a motion is filed to vacate based on favorable post-conviction testing results, the State may, upon request, reactivate victim services for the victim of the crime during the pendency of the proceedings, and, as determined by the court after consultation with the victim or victim advocate, or both, following final adjudication of the case.

725 ILCS 5/116-3 Effective Date August 15, 2014

Senate Bill 2650 Public Act 98-943
Amends the Code of Criminal Procedure of 1963. Provides that a defendant convicted in a criminal prosecution whose conviction is reversed on factual innocence in a collateral proceeding such as habeas corpus or post-conviction relief under Article 122 of this Code is not liable for any costs or fees of the court or circuit clerk's office, or for any charge of subsistence while detained in custody. Provides that if the defendant has paid any costs, fine, or fees, in the case, the clerk or judge shall give him or her a certificate of the payment of those costs, fine, or fees with the items of those expenses, which, when audited and approved according to law, shall be refunded to the defendant.

725 ILCS 5/124A-15(NEW) Effective Date January 1, 2015

House Bill 4266 Public Act 98-717
Amends the Rights of Crime Victims and Witnesses Act. Provides that the Attorney General shall not release the names, addresses, phone numbers, personal identification numbers, or email addresses of any person registered to receive notifications to any other person except State or local officials using the notification system to satisfy the official's obligation to provide the information. Provides that the Attorney General may grant limited access to the Automated Victim Notification system (AVN) to law enforcement, prosecution, and other agencies that provide service to victims of violent crime to assist victims in enrolling and utilizing the AVN system. Amends the Unified Code of Corrections. Provides that the Prisoner Review Board shall not release the names or addresses of any person on its victim registry to any other person except the victim, a law enforcement agency, or other victim notification system.

725 ILCS 20/8.5 and 730 ILCS 5/3-3-4 Effective Date January 1, 2015

Senate Bill 2937 Public Act 98-831
Amends the Freedom from Drone Surveillance Act. Provides that except as provided in the Act, a law enforcement agency may not acquire information from or direct the acquisition of information through the use of a drone owned by a private third party. Provides that in the event that law enforcement acquires information from or directs the acquisition of information

through the use of a privately owned drone under the Act, any information so acquired is subject to the retention and disclosure requirements of the Act. Provides that nothing in the Act prohibits private third parties from voluntarily submitting information acquired by a privately owned drone to law enforcement. Provides that in the event that law enforcement acquires information from the voluntary submission of that information whether under a request or on a private drone owner's initiative, the information is subject to the retention and disclosure requirements of the Act. Allows use of a drone without a search warrant, if a law enforcement agency is using a drone during a disaster or public health emergency. The use of a drone does not require an official declaration of a disaster or public health emergency prior to use. The drone may be used to obtain information necessary for the determination of whether or not a disaster or public health emergency should be declared, to monitor weather or emergency conditions, to survey damage, or to otherwise coordinate response and recovery efforts. The use of a drone is permissible during the disaster or public health emergency and during subsequent response and recovery efforts. Disaster and public health emergency have the meaning as defined by the Illinois Emergency Management Agency Act.

725 ILCS 167/15 and 167/40 (New).....Effective Date January 1, 2015

Senate Bill 2808 Public Act 98-1104
Creates the Freedom From Location Surveillance Act. Reinserts the provisions of the bill. Adds a definition of "basic subscriber information". Changes the exception from the court order or arrest warrant requirement for current or future location information to an exception for "seeking to obtain" the information (rather than an exception for "obtaining" the information). Provides that a law enforcement agency may seek to obtain current or future location information generated by an electronic device used as a condition of release from a penal institution, as a condition of pre-trial release, probation, conditional discharge, parole, mandatory supervised release, or other sentencing order, or to monitor an individual released under the Sexually Violent Persons Commitment Act or the Sexually Dangerous Persons Act. Provides that a law enforcement agency may seek to obtain current or future location information relating to an electronic device used to track a vehicle or an effect which is owned or leased by that law enforcement agency. Provides that nothing in the Act shall be construed to require a person to provide current or future location information to a law enforcement agency under the law enforcement exceptions to the Act. Provides that the Act does not apply to a law enforcement agency obtaining basic subscriber information from a service provider under a valid subpoena, court order, or search warrant. Provides that the Act does not prohibit a law enforcement agency from seeking to obtain current or future location information with the lawful consent of the owner of the electronic device.

725 ILCS 168/ (NEW ACT).....Effective Date August 26, 2014

CHAPTER 730

CORRECTIONS

Senate Bill 2352 Public Act 98-1032
Amends the Unified Code of Corrections. Creates the Department of Juvenile Justice Independent Juvenile Ombudsman Law. Provides that the Governor shall appoint the Independent Juvenile Ombudsman with the advice and consent of the Senate for a term of 4 years, with the first term expiring February 1, 2017. Provides that a person appointed as Ombudsman may be reappointed to one or more subsequent terms. Provides that a vacancy shall occur upon resignation, death, or removal. Provides that the Ombudsman may only be removed by the Governor for incompetency, malfeasance, neglect of duty, or conviction of a felony. Provides that the Independent Juvenile Ombudsman shall function independently within the Department of Juvenile Justice with respect to the operations of the Office in performance of his or her duties and shall report to the Governor. The Ombudsman shall establish rules and standards as may be necessary or desirable to carry out his or her duties. Funding for the Office shall be designated separately within Department funds. The Department shall provide necessary administrative services and facilities to the Office of the Independent Juvenile Ombudsman. Provides that the Independent Juvenile Ombudsman shall provide to the General Assembly and the Governor, no later than January 1 of each year, a summary of activities done in furtherance of the purpose of the Office for the prior fiscal year.
730 ILCS 5/3-2.7 (NEW ACT) Effective Date August 25, 2014

Senate Bill 2668 Public Act 98-757
Amends the Unified Code of Corrections. Provides that all samples used for the purpose of drug testing of Department of Corrections employees shall be collected by persons who have at least 15 (rather than 40) hours of initial training in the proper collection procedures and at least 8 hours of annual follow-up training. Provides that the training of persons who perform the drug testing must include guidelines and procedures on maintaining the integrity of the collection process, ensuring the privacy of employees being tested, ensuring the security of the specimen, and avoiding conduct or statements that could be viewed as offensive or inappropriate (rather than guidelines and procedures used for the collection process and training on the appropriate interpersonal skills required during the collection process). Provides that proficiency in the proper collection process must be demonstrated prior to certification.
730 ILCS 5/3-7-2.5 Effective Date July 16, 2014

House Bill 5950 Public Act 98-940
Amends the Unified Code of Corrections concerning restitution payments by persons on probation, conditional discharge, or supervision. Provides that if payment of restitution as ordered has not been made, the victim shall file a petition notifying the sentencing court, any other person to whom restitution is owed, and the State's Attorney of the status of the ordered

restitution payments unpaid at least 90 days before the probation, conditional discharge, or supervision expiration date. Provides that if payment as ordered has not been made, the court shall hold a review hearing prior to the expiration date, unless the hearing is voluntarily waived by the defendant with the knowledge that waiver may result in an extension of the probation, conditional discharge, or supervision period or in a revocation of probation, conditional discharge, or supervision. Provides that if the court does not extend probation, conditional discharge, or supervision, it shall issue a judgment for the unpaid restitution and direct the clerk of circuit court to file and enter the judgment in the judgment and lien docket, without fee, unless it finds that the victim has already recovered a judgment against the defendant for the amount covered by the restitution order. Provides that if the court issues a judgment for the unpaid restitution, the court shall send to the defendant at his or her last known address written notification that a civil judgment has been issued for the unpaid restitution.

730 ILCS 5/5-6-2 and 5/5-6-3.1 Effective Date January 1, 2015

Senate Bill 3267 Public Act 98-1114
Amends the Unified Code of Corrections. Allows a time credit toward completion of an offender's probation or conditional discharge of 90 days for obtaining a high school diploma or GED; 120 days for obtaining an associate's degree, career certificate, or vocational technical certification; and 180 days for obtaining a bachelor's degree. Does not require the education to be a condition of probation or conditional discharge. Defines "violent offense

730 ILCS 5/5-6-2 Effective Date August 26, 2014

House Bill 5415 Public Act 98-921
Amends the Sex Offender Community Notification Law. Provides that the Department of State Police Internet page concerning missing sex offenders shall include information that that rewards may be (rather than are) available to persons who inform the Department of State Police or a local law enforcement agency of the whereabouts of a missing sex offender.

730 ILCS 152/116 Effective Date August 15, 2014

Senate Bill 1007 Public Act 98-621
Amends the Mental Health Court Treatment Act. Provides that mental health court programs may include specialized service programs specifically designed to address the trauma associated with prostitution and human trafficking (rather than limited to defendants charged with prostitution), and may offer those specialized services to defendants admitted to the mental health court program.

730 ILCS 168/20 Effective Date January 7, 2014

House Bill 4113 Public Act 98-1061
Amends the Alternative Sentencing Job Training Act. Changes the short title of the Act to the Neighborhood Restoration and Alternative Sentencing Job Training Act. Provides that county sheriffs may enter into joint contracts with county, units of local government and non-profit housing development corporations to develop job training programs to rehabilitate houses. Provides that rehabilitated houses may be used as transitional housing for the mentally ill. Provides that a county sheriff may authorize persons serving county impact incarceration

supervised release periods and persons participating in county jail based outpatient or custodial treatment programs to participate in a job training program to rehabilitate houses.
730 ILCS 170/1, 5, 10, and 15 Effective Date January 1, 2015

CHAPTER 735

CIVIL PROCEDURE

Senate Bill 3110 Public Act 98-954
Amends the Code of Civil Procedure. In the list of circumstances under which a physician or surgeon is permitted to disclose information acquired in attending a patient in a professional character, provides that the physician or surgeon is permitted to disclose the information upon the issuance of a grand jury subpoena. Provides that upon disclosure pursuant to a grand jury subpoena, in any criminal action where the charge is domestic battery, aggravated domestic battery, or an offense under the Sex Offenses Article of the Criminal Code of 2012 or where the patient is under the age of 18 years or upon the request of the patient, the State's Attorney shall petition the court for a protective order.
735 ILCS 5/8-802 Effective Date August 15, 2014

CHAPTER 740

CIVIL LIABILITIES

House Bill 4694 Public Act 98-908
Amends the Mental Health and Developmental Disabilities Confidentiality Act. Provides that records and communications of a deceased recipient shall (instead of "may") be disclosed to a coroner conducting a preliminary investigation into the recipient's death. Deletes language providing that records and communications of the deceased recipient disclosed to a coroner in an investigation shall be limited solely to the deceased recipient's records and communications relating to the factual circumstances of the incident being investigated in a mental health facility.
740 ILCS 110/10 Effective Date January 1, 2015

CHAPTER 750

FAMILIES

Senate Bill 3231 Public Act 98-961
Amends provisions of the Illinois Marriage and Dissolution of Marriage Act concerning maintenance. Adds language providing that the court shall first determine whether a maintenance award is appropriate, using factors already in the statute. Provides that, if a court determines that a maintenance award is appropriate, the court shall order maintenance either: in accordance with guidelines involving the income of the parties and the length of the marriage; or after the court's consideration of relevant factors already in the statute. Provides that, in a case involving the issue of maintenance, the court shall make specific findings of fact stating the reasoning for awarding or not awarding maintenance, including references to factors already in the statute, and, if the court deviates from otherwise applicable guidelines, stating the amount of maintenance (if determinable) or duration that would have been required under the guidelines and the reasoning for any variance from the guidelines. Defines "gross income", for purposes of calculating maintenance obligations, as "all income from all sources", as that phrase is used in calculating net income for purposes of calculating child support. Provides that, unless the parties otherwise agree, the court may not order unallocated maintenance and child support in a dissolution judgment or a post-dissolution order, but the court may order unallocated maintenance and child support in a pre-dissolution temporary order. Adds headings to existing subsections. In provisions of the Act concerning the determination of child support, provides that obligations pursuant to a court order for maintenance in the pending proceeding actually paid or payable to the same party to whom child support is to be payable shall be deducted from net income.
750 ILCS 5/504 and 505 Effective Date January 1, 2015

CHAPTER 755

ESTATES

Senate Bill 2955 Public Act 98-833
Amends the Probate Act of 1975. Changes the definition of "financial exploitation" to mean any offense or act described or defined in specified provisions of the Criminal Code of 2012, and, in the context of civil proceedings, the taking, use, or other misappropriation of the assets or resources of an elderly person or a person with a disability contrary to law, including, but not limited to, misappropriation of assets or resources by undue influence, breach of a fiduciary relationship, fraud, deception, extortion, and conversion. Provides that provisions barring

specified persons from receiving any property, benefit, or other interest by reason of the death of an elderly person or person with a disability apply also to persons who have been found by a preponderance of the evidence to be civilly liable for financial exploitation. Provides that a civil action against a person for financial exploitation may be brought by an interested person after the death of the victim or during the lifetime of the victim if the victim is adjudicated disabled. Provides that a guardian is under no duty to bring a civil action for financial exploitation during the ward's lifetime, but may do so if the guardian believes it is in the best interests of the ward. Provides that the court may, in its discretion, consider such facts and circumstances as it deems appropriate to allow the person found civilly liable for financial exploitation to receive a reduction in interest or benefit rather than no interest or benefit.

755 ILCS 5/2-6.2 and 6.6 Effective Date August 1, 2014

House Bill 0008 Public Act 98-1050
Amends the Illinois Human Rights Act. Provides that with respect to employment, it is a civil rights violation for an employer to refuse to provide reasonable accommodations for an employee for conditions related to medical or common conditions related to pregnancy or childbirth, or related medical conditions, if she so requests, with the advice of her health care provider. Provides that the term "reasonable accommodations" means actions which would permit such an employee to perform in a reasonable manner the activities involved in the job or occupation including an accessible worksite, acquisition or modification of equipment, job restructuring, and modified work schedule. Provides that the reasonable accommodations shall be undertaken provided that those actions do not impose an undue hardship on the business, program, or enterprise of the entity from which the actions are requested. For purposes of the Act, defines "pregnancy" as pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth. For purposes of the Article concerning employment, provides that "employer" includes any person employing one or more employees when a complainant alleges civil rights violation due to unlawful discrimination based upon pregnancy. Deletes provisions of a subsection concerning pregnancy of peace officers and fire fighters. Provides that the subsection concerning pregnancy is applicable regardless of the source of the employee's inability to work or employment classification or status, including part-time, full-time, or probationary. Provides that it is a civil rights violation for an employer, with respect to pregnancy, childbirth, or a related condition: (1) not to make reasonable accommodations, if so requested, unless the employer can demonstrate that the accommodation would impose an undue hardship on the ordinary operation of the business of the employer; (2) to deny employment opportunities or benefits to or take adverse action against an otherwise qualified job applicant or employee; (3) to require a job applicant or employee to accept an accommodation that the applicant or employee chooses not to accept; or (4) to require an employee to take leave under any leave law or policy of the employer if another reasonable accommodation can be provided. Defines "reasonable accommodations" and "undue hardship". Provides that it is a civil rights violation for an employer to fail to post, keep posted, or fail to include in any employee handbook information concerning an employee's rights under the Act, a notice, to be prepared or approved by the Department of Human Rights, summarizing the requirements of the Act and information pertaining to the filing of a charge, including the right to be free from unlawful discrimination and the right to certain reasonable

accommodations. Provides that the Department shall furnish copies of summaries and rules to employers upon request without charge. Provides that it is a civil rights violation to retaliate against a person because he or she has requested, attempted to request, used, or attempted to use a reasonable accommodation. Makes other changes.

775 ILCS 1-102, 103, 2-101, 102, and 6-101 Effective Date January 1, 2015

CHAPTER 815

BUSINESS TRANSACTIONS

Senate Bill 3443 Public Act 98-692
Amends the Recyclable Metal Purchase Registration Law. Repeals the mandate on the Department of State Police to prepare the forms provided for in the Recyclable Metal Registry and to make an electronic copy of the form available to the public on its website.

815 ILCS 325/6 Effective Date July 1, 2014

Senate Bill 1778 Public Act 98-1096
Creates the Resale Dealers Act. Defines "appropriate law enforcement official", "precious metals", "recyclable metal", and "resale dealer". Establishes certain exemptions under the Act. Requires that a resale dealer maintain a standard record book that has been approved by local law enforcement. Provides that the resale dealer shall record a detailed account of each transaction in the record book and establishes additional requirements concerning record books. Further provides that every resale dealer shall require that identification be shown by each person selling any goods, articles, or other things to the resale dealer and establishes additional requirements concerning acceptable forms of identification. Provides that a county or municipality, including home rule units, may regulate resale dealers in a manner that is not less restrictive than the regulation by the State. Requires that every resale dealer deliver to local law enforcement each day, a legible and exact copy from the resale dealer's record book that lists all personal property and any other valuable items purchased during the preceding day, including the exact time when the personal property or valuable items were received or purchased and a description of the person or persons that sold or left the property or items in pledge. Establishes certain purchases that a resale dealer is prohibited from making. Defines "hold order" and provides that law enforcement may place a hold order on property in the possession of a resale dealer under certain circumstances and that the resale dealer shall be required to turn such property over to law enforcement. Establishes criminal offenses that a person may be charged with for violating the Act. Amends the Pawnbroker Regulation Act. Repeals provisions concerning requirements for unregistered buyers conducting business at temporary buying locations.

815 ILCS 398/ (NEW ACT)..... Effective Date January 1, 2015

CHAPTER 820

EMPLOYMENT

Senate Bill 3038 Public Act 98-766
Amends the Victims' Economic Security and Safety Act to include within that Act's prohibited discriminatory acts certain actions by employers against an individual because the individual involved is an employee whose employer is subject to certain provisions of the Workplace Violence Prevention Act. Amends the Workplace Violence Prevention Act. Changes the type of remedy available under the Act to a "workplace protection restraining order". Changes the definition of "credible threat of violence" and defines "petitioner", "respondent", and "workplace". Makes changes in Sections concerning the employer's right to a workplace protection restraining order and remedies. Adds Sections concerning: affidavit requirements; employee notification; actions for a workplace protection restraining order; subject matter jurisdiction; jurisdiction over persons; venue; process; hearing notice; hearings; continuances; emergency orders; plenary orders; employee testimony; duration and extension of orders; contents of orders; notice of orders; modification; enforcement; employment discrimination; effect on other laws and employment benefits; exemptions; and confidentiality and privacy. Provides that the Act applies to entities with at least 15, rather than 5, employees, and to require notice to an employee when the employer is seeking a workplace protection restraining order in relation to certain violations of the Criminal Code of 2012. Removes requirement that a work place protection restraining order may not prohibit or interfere with lawful labor actions. Deletes provisions of Sections concerning irreparable harm; jurisdiction; venue; procedure; enforcement; and law enforcement responsibilities. Provides an exemption related to specified labor activities and to free speech.
820 ILCS 180/30, 275/10, 15, 20, 21 (NEW), 25, 30, 35, 45 (NEW),
50 (NEW), 55 (NEW), 60 (NEW), 65 (NEW), 70 (NEW), 75 (NEW),
80 (NEW), 85 (NEW), 90 (NEW), 95 (NEW), 100 (NEW), 105 (NEW),
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