



State of Illinois  
Illinois State Police  
Leo P. Schmitz

# 100th General Assembly 2017 Spring Session Legislative Update



Illinois State Police



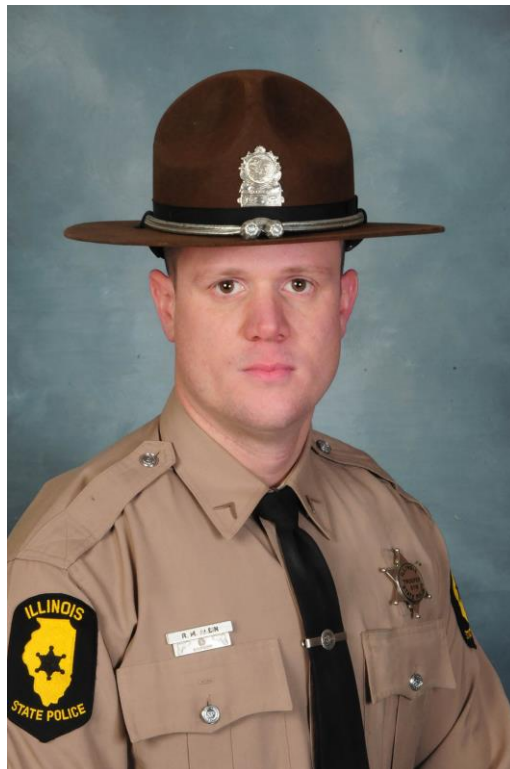


# 100th General Assembly 2017 Spring Session Legislative Update

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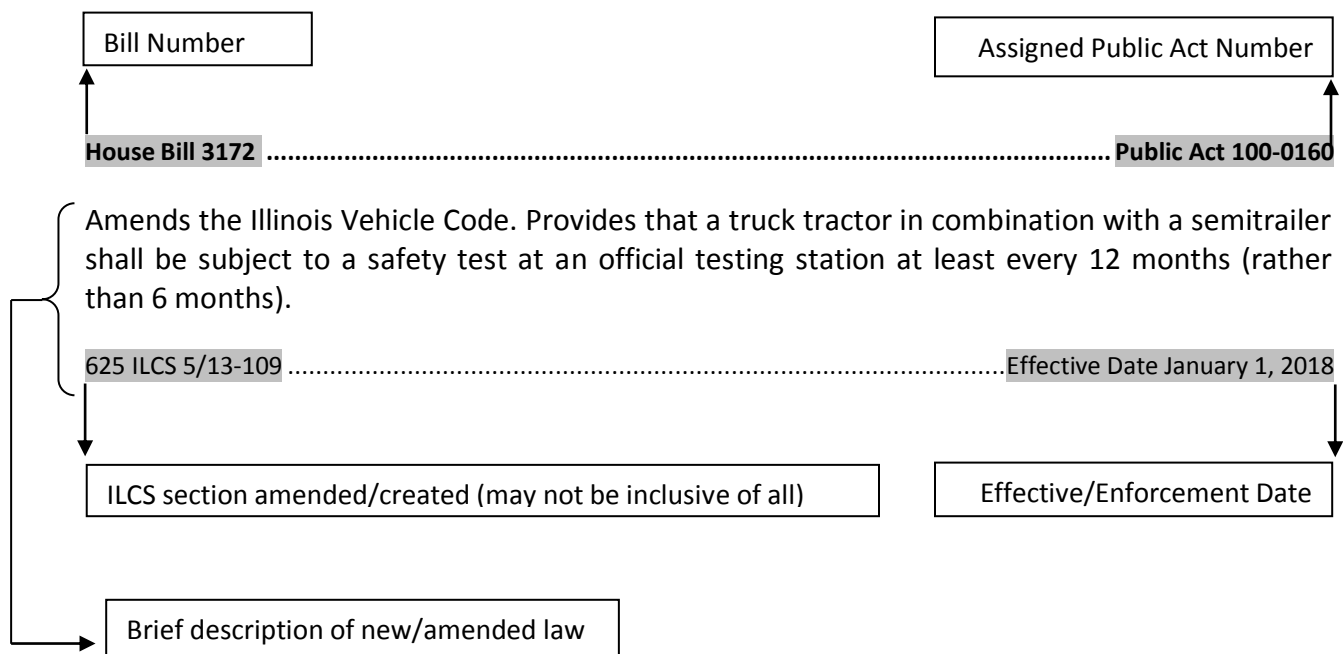
**Trooper Ryan Albin #5718**  
**EOW June 28, 2017**



The 100th General Assembly 2017 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***

House Bill 3855 ..... Public Act 100-0201  
Creates the First 2017 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.

First 2017 General Revisory .....Effective Date August 18, 2017

House Bill 0619 ..... Public Act 100-0026  
Amends the Freedom of Information Act. Exempts from inspection and copying the following: records requested by a person committed to the Department of Corrections or a county jail, the disclosure of which would result in the risk of harm to any person or the risk of an escape from a jail or correctional institution or facility; records requested by a person in a county jail or committed to the Department of Corrections containing personal information pertaining to the person's victim or the victim's family, including, but not limited to, a victim's home address, home telephone number, work or school address, work telephone number, social security number, or any other identifying information, except as may be relevant to a requester's current or potential case or claim; and law enforcement records of other persons requested by a person committed to the Department of Corrections or a county jail, including, but not limited to, arrest and booking records, mug shots, and crime scene photographs, except as these records may be relevant to the requester's current or potential case or claim.

5 ILCS 140/7 .....Effective Date August 4, 2017

Senate Bill 1459 ..... Public Act 100-0440  
Amends the Illinois Notary Public Act. Creates the Notarization Task Force on Best Practices and Verification Standards to Implement Electronic Notarization to review and report on national standards on best practices in relation to electronic notarization, including security concerns and fraud prevention. Sets forth items to be included in the Task Force's report and requirements concerning meetings of the Task Force, membership, and the chairperson. Requires the Task Force to submit its report to the Governor and General Assembly no later than June 30, 2020. Requires the Office of the Secretary of State to provide the Task Force with administrative and other support. Repeals the provisions July 1, 2020.

5 ILCS 312/1-105 (New) .....Effective Date August 25 2017

Senate Bill 0265 ..... Public Act 100-0081  
Amends the Illinois Notary Public Act. Modifies a Section concerning the notary public official seal and signature to remove references to ineffective language concerning the signature. Provides references to the use of "electronic communication" in a Section concerning notice and advertisement of notary public services. Provides that at the time of a notarial act, a notary

public shall officially sign every notary certificate and affix the rubber stamp seal clearly and legibly using black ink, so that it is capable of photographic reproduction. Provides that the illegibility of certain required specified information does not affect the validity of a transaction. Modifies a Section concerning prohibited acts by notaries public.

5 ILCS 312/3-101, 3-103, 6-103, and 6-104 ..... Effective Date January 1, 2018

House Bill 0769 ..... Public Act 100-0300

Amends the State Commemorative Dates Act. Provides that April 1st of each year is designated as Illinois State Trooper Day, a day to honor the dedicated men and women of the Illinois State Police. Provides that Illinois State Trooper Day shall be observed throughout the State by the citizens of Illinois with civic remembrances of the sacrifices made on their behalf by Illinois' finest, the Illinois State Troopers, especially the ultimate sacrifice given by those State Police Officers who lost their lives in the line of duty.

5 ILCS 490/147 (New).....Effective Date August 24, 2017

Senate Bill 0031 ..... Public Act 100-0463

Creates the Illinois TRUST Act. Prohibits law enforcement agencies and officials from detaining or continuing to detain an individual solely on the basis of an immigration detainer or non-judicial immigration warrant or from otherwise complying with an immigration detainer or non-judicial immigration warrant. Provides for law enforcement training on compliance with the Illinois TRUST Act. Defines terms.

5 ILCS 805/ (New).....Effective Date August 28, 2017

House Bill 0303 ..... Public Act 100-0512

Creates the Seizure and Forfeiture Reporting Act. Provides that various forfeiture statutes are subject to reporting by law enforcement agencies concerning the name of the law enforcement agency that seized the property, the date of the seizure, the type of property seized, including a building, vehicle, boat, cash, negotiable security, or firearm, except reporting is not required for seizures of contraband including alcohol, gambling devices, drug paraphernalia, and controlled substances, a description of the property seized and the estimated value of the property and if the property is a conveyance, the description shall include the make, model, year, and vehicle identification number or serial number, and the location where the seizure occurred. Provides that the Department of State Police shall establish and maintain on its official website a public database that includes annual aggregate data for each law enforcement agency that reports seizures of property that receives distributions of forfeiture proceeds subject to reporting under the Act, or reports expenditures. Provides that the aggregate data shall include, for each law enforcement agency: (1) the total number of asset seizures reported by each agency during the calendar year; (2) the monetary value of all currency or its equivalent seized by the agency during the calendar year; (3) the number of conveyances seized by the agency during the calendar year, and the aggregate estimated value; (4) the aggregate estimated value of all other property seized by the agency during the calendar year; (5) the monetary value of distributions by the Department of State Police of forfeited currency or auction proceeds from forfeited property to the agency during the calendar year; (6) the total amount of the law enforcement

agency's expenditures of forfeiture proceeds during the calendar year. Makes other changes. Makes conforming changes to various Acts.

5 ILCS 810/ (New).....Effective Date August 18, 2017

House Bill 0270 ..... Public Act 100-0515  
Creates the Law Enforcement Sexual Assault Investigation Act. Provides that no investigator of an officer-involved criminal sexual assault may be employed by the law enforcement agency that employs the officer involved in the criminal sexual assault, unless the investigator is employed by the Department of State Police or a municipality with a population over 1,000,000 and is not assigned to the same division or unit as the officer involved in the criminal sexual assault. Provides that upon receipt of an allegation or complaint of an officer-involved criminal sexual assault, a municipality with a population over 1,000,000 shall promptly notify an independent agency, created by ordinance of the municipality, tasked with investigating incidents of police misconduct.

5 ILCS 815/ (New)..... Effective Date January 1, 2018

## ***CHAPTER 15***

# ***EXECUTIVE OFFICERS***

House Bill 0395 ..... Public Act 100-0248  
Amends the Illinois Identification Card Act. Provides that the Secretary of State shall refuse to issue a REAL ID compliant identification card to any person who has been issued a REAL ID compliant driver's license under the Illinois Vehicle Code. Provides that any person may surrender a REAL ID compliant driver's license in order to become eligible to obtain a REAL ID compliant identification card. Provides that the Secretary may issue both REAL ID compliant identification cards and non-compliant identification cards, and may permit applicants to designate which type of identification card they wish to receive. Provides that all provisions applicable to non-compliant identification cards shall also apply to REAL ID compliant identification cards, except where the provisions are inconsistent with the REAL ID Act and implementing regulations. Requires the Secretary to establish by rule the date on which issuance of REAL ID compliant identification cards will begin. Provides for the issuance of confidential identification cards as either REAL ID compliant identification cards or non-compliant identification cards. Provides that every identification card or Illinois Person with a Disability Identification Card issued to an applicant who is not a United States citizen or permanent resident shall be marked "Limited Term" and shall expire, if the earliest among other potential expiration dates, one year from the date of issuance of a Limited Term REAL ID compliant identification card. Provides that non-compliant identification cards and driver's

licenses shall be marked "Not for Federal Identification". Amends the Illinois Vehicle Code to make similar changes concerning issuance of driver's licenses. Defines terms. Makes conforming changes.

Numerous Sections Amended .....Effective Date August 22, 2017

## ***CHAPTER 20***

### ***EXECUTIVE BRANCH***

House Bill 2987 ..... Public Act 100-0141  
Creates the State Agency Student Worker Opportunity Act. Provides that, whenever a State agency has a job opening for an intern or a student worker, that State agency shall notify the Department of Human Services, the Department of Juvenile Justice, and the Department of Children and Family Services. Requires the Department of Human Services, the Department of Juvenile Justice, and the Department of Children and Family Services to take steps to notify qualified applicants of the job opening. Provides that the term "qualified applicant" means an individual who: (1) is 21 years of age or younger; (2) is qualified for the internship or student worker position; and (3) is or has been a dependent child in foster care, a homeless youth, or a formerly incarcerated youth.

20 ILCS 55/ (New Act)..... Effective Date January 1, 2018

House Bill 2371 ..... Public Act 100-0040  
Amends the Data Security on State Computers Act. Requires State employees to annually undergo training by the Department of Innovation and Technology concerning cybersecurity. Allows the Department to make the training an online course. Requires the training to include detecting phishing scams, preventing spyware infections and identity theft, and preventing and responding to data breaches. Allows the Department to adopt rules to implement the program.

20 ILCS 450/25 (New)..... Effective Date January 1, 2018

Senate Bill 1085 ..... Public Act 100-0230  
Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Provides that licensees or applicants applying for expedited licensure through an interstate compact signed into law by the General Assembly who have designated Illinois as the principal state of licensure shall have their fingerprints submitted to the Department of State Police. Provides that fingerprints shall be checked against Department of State Police and Federal Bureau of Investigation criminal history record databases. Provides for fees and alternative manner of submission. Provides that communication between the Department of Financial and Professional Regulation and an interstate compact governing body may not

include information received from the Federal Bureau of Investigation relating to a State and federal criminal history records check.

20 ILCS 2105/2105-20 (New) .....Effective Date August 18, 2017

Senate Bill 2185 ..... Public Act 100-0537

Amends the Illinois Police Training Act and the Civil Administrative Code of Illinois Department of State Police Law. Provides that both the Illinois Law Enforcement Training Standards Board and Department of State Police shall adopt a policy and provide training to State Police officers concerning response and care for persons under the influence of alcohol or drugs. Provides that the policy shall be consistent with the Alcoholism and Other Drug Abuse and Dependency Act and shall provide guidance for the arrest of persons under the influence of alcohol or drugs, proper medical attention if warranted, and care and release of those persons from custody. Provides that the policy shall provide guidance concerning the release of persons arrested under the influence of alcohol or drugs who are under the age of 21 years of age which shall include, but not be limited to, language requiring the arresting officer to make a reasonable attempt to contact a responsible adult who is willing to take custody of the person who is under the influence of alcohol or drugs. Amends the Illinois Vehicle Code. Provides that whenever a peace officer reasonably believes that a person under arrest for a violation of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof or a similar provision of a local ordinance is likely, upon release, to commit a subsequent violation, or a similar provision of a local ordinance, the arresting officer shall have the vehicle which the person was operating at the time of the arrest impounded for a period of 12 hours after the time of arrest (rather than for not more than 12 hours).

20 ILCS 2605/2605-54 (New), 50 ILCS 705/10.17-5 (New), and

625 ILCS 5/4-203 ..... Effective Date June 1, 2018

House Bill 1849 ..... Public Act 100-0049

Amends the State Police Act. Deletes the rank classifications of Special Agent Sergeant, Special Agent Master Sergeant, Special Agent Lieutenant, Special Agent Captain, and Special Agent Major from the classification of ranks that may be appointed by the Director of State Police as a State Police officer.

20 ILCS 2610/8 ..... Effective Date January 1, 2018

House Bill 3095 ..... Public Act 100-0011

Amends the State Police Act. Provides that a person may have 3 years of full active and continuous military duty and received an honorable discharge before hiring in order to meet the collegiate educational of the Department of State Police.

20 ILCS 2610/9 .....Effective Date July 1, 2017



House Bill 0514 ..... Public Act 100-0282  
Amends the Criminal Identification Act. Provides that records of charges that result in an acquittal or dismissal with prejudice, except for minor traffic offenses, may be immediately sealed after the final disposition of the case. Provides that upon entry of judgment, the defendant shall be informed of this right and the proper procedures to follow to have records that are eligible be immediately sealed. Provides that the petition may be filed on behalf of the defendant by his or her attorney at the final disposition hearing, or by the defendant at any time. Provides that the State's Attorney may not object to an immediate sealing petition and the presiding trial judge shall enter an order granting or denying the petition during the hearing in which the petition is filed. Makes other changes.

20 ILCS 2630/5.2 ..... Effective Date January 1, 2018

House Bill 2373 ..... Public Act 100-0284  
Amends the Criminal Identification Act. Provides that the court may order the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision or a conviction for a misdemeanor violation of public indecency. Provides that the court may not order the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision or a conviction for Class A misdemeanors or felony offenses under the Humane Care for Animals Act. Provides that various records identified as eligible for sealing 3 years after the termination of the petitioner's last sentence may not be sealed until the petitioner is no longer required to register under the Arsonist Registration Act, Sex Offender Registration Act, or the Murderer and Violent Offender Against Youth Registration Act. Eliminates multiple offenses and circumstances of the charge where records may currently be sealed.

20 ILCS 2630/5.2 ..... Effective Date August 24, 2017

Senate Bill 1781 ..... Public Act 100-0287  
Amends the Criminal Identification Act. Extends the inoperative clause date for a pilot program in Cook County waiving the fee to be paid for a petition to expunge or seal records of arrests resulting in release without charging or arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated. Extends inoperative date to on and after January 1, 2019 (rather than on and after January 1, 2018).

20 ILCS 2630/5.2 ..... Effective Date August 24, 2017

House Bill 3879 ..... Public Act 100-0307  
Amends the Illinois Criminal Justice Act. Provides that the Illinois Criminal Justice Information Authority may conduct an inventory of law enforcement agencies, county sheriff's offices, clerks of the circuit court, or circuit clerks in this State that operate using a predominately paper system.

20 ILCS 3930/7.4 ..... Effective Date January 1, 2018

House Bill 2641 ..... Public Act 100-0481  
 Creates the Protection of Individuals with Disabilities in the Criminal Justice System Task Force consisting of up to 25 members appointed by the Attorney General. Provides that the members shall reflect the racial, ethnic, and geographic diversity of the State. Specifies the categories of individuals to serve on the Task Force. Provides that the members of the Task Force shall serve without compensation. Provides that the Guardianship and Advocacy Commission shall provide administrative and other support to the Task Force. Provides that the Task Force shall consider issues that affect adults and juveniles with disabilities with respect to their involvement with the police, detention and confinement in corrections facilities, representation by counsel, participation in the criminal justice system, communications with their families, awareness and accommodations for their disabilities, and concerns for the safety of the general public and individuals working in the criminal justice system. Provides that the Task Force shall make recommendations to the Governor and to the General Assembly regarding policies, procedures, legislation, and other actions that can be taken to protect the public safety and the well-being and rights of individuals with disabilities in the criminal justice system. Provides that the Task Force shall submit a report with its findings and recommendations to the Governor, the Attorney General, and the General Assembly on or before March 31, 2018. Repeals the Act on June 30, 2018.  
 20 ILCS 5115/ (New)..... Effective Date September 8, 2017

Senate Bill 1722 ..... Public Act 100-0003  
 Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Director of the Department of State Police may establish a statewide multi-jurisdictional Violent Crime Intelligence Task Force led by the Department of State Police dedicated to combating gun violence, gun-trafficking, and other violent crime with the primary mission of preservation of life and reducing the occurrence and the fear of crime. Provides that the objective of the Task Force shall include, but not be limited to, reducing and preventing illegal possession and use of firearms, firearm-related homicides, and other violent crimes. Further amends the Unified Code of Corrections. Provides that the sentencing guidelines for unlawful use of weapons and aggravated unlawful use of a weapon apply only to offenses committed within 5 years after the effective date of the amendatory Act. Provides that for an offense committed on or after the effective date of this amendatory Act of the 100th General Assembly and before January 1, 2023, whenever any person who has not previously been convicted of, or placed on probation or conditional discharge for, any felony offense under the laws of this State, the laws of any other state, or the laws of the United States, or prior successful completion of the First Time Weapon Offender Program, and pleads guilty to an unlawful use of weapons offense or aggravated unlawful use of a weapon offense, which is punishable as a Class 4 felony or lower, the court, with the consent of the defendant and the State's Attorney, may, without entering a judgment, sentence the defendant to complete the First Time Weapon Offender Program. Provides that when a defendant is placed the Program, the court shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of the Program. Provides that upon violation of a term or condition of the Program the court may enter a judgment on its original finding of guilt and proceed as otherwise provided by law. Upon fulfillment of the terms

and conditions the Program, the court shall discharge the person and dismiss the proceedings against the person. Establishes conditions of the Program. Provides that there may be only one discharge and dismissal under this Section. If a person is convicted of any offense which occurred within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section shall be admissible in the sentencing proceeding for that conviction as evidence in aggravation. Sunsets the Program 5 years after its effective date. Amends the Criminal Identification Act. Provides that the sentencing information furnished to the Department of State Police shall include statutory citations to the relevant sentencing provision. Amends the Cannabis Control Act, the Illinois Controlled Substances Act, and the Methamphetamine Control and Community Protection Act. Eliminates the enhanced penalties for illegal drug deliveries in public housing facilities or on the grounds of those facilities. Reduces from within 1,000 feet to within 500 feet, the enhanced penalties for delivering illegal drugs in protected places. Provides that the enhanced penalties for delivering illegal drugs in schools only apply if the violation occurs at the time of the violation persons under the age of 18 are present, the offense is committed during school hours, or the offense is committed at times when persons under the age of 18 are reasonably expected to be present in the school, in the conveyance, or on the real property, such as when after-school activities are occurring. Amends the Unified Code of Corrections. Provides that on or after the effective date of the amendatory Act, when a person is convicted of unlawful use or possession of a weapon by a felon, when the weapon is a firearm, or aggravated unlawful use of a weapon, when the weapon is a firearm, after being previously convicted of a qualifying predicate offense the person shall be subject to certain sentencing guidelines. Defines "qualifying predicate offense". Provides that when a person is convicted of unlawful use or possession of a weapon by a felon, when the weapon is a firearm, and that person has been previously convicted of a qualifying predicate offense, the person shall be sentenced to a term of imprisonment within the sentencing range of not less than 7 years and not more than 14 years, unless the court finds that a departure from the sentencing guidelines is warranted. Provides that when a person is convicted of aggravated unlawful use of a weapon, when the weapon is a firearm, and that person has been previously convicted of a qualifying predicate offense, the person shall be sentenced to a term of imprisonment within the sentencing range of not less than 6 years and not more than 7 years, unless the court finds that a departure from the sentencing guidelines is warranted. Provides that in deciding whether to depart from the sentencing guideline ranges, the court shall consider certain specified factors. Provides that when departing from the sentencing guidelines, the court shall specify on the record, the particular evidence, information, factor or factors, or other reasons that led to the departure from the sentencing guidelines. Provides that the sentencing order shall be filed with the clerk of the court and shall be a public record. Makes changes in eligibility for program credits. Provides that the Illinois Sentencing Policy Advisory Council shall study and conduct a thorough analysis of the new sentencing provisions. Provides that the Sentencing Policy Advisory Council shall provide annual reports to the Governor and General Assembly, including the total number of persons sentenced under the new provisions, the total number of departures from sentences under the provisions, and an analysis of trends in sentencing and sentencing departures. Provides that on or before December 31, 2022, the Sentencing Policy Advisory Council shall provide a report to the Governor and General Assembly on the effectiveness of sentencing under the new

provisions, including recommendations on whether the new sentencing provisions should be adjusted or continued. Amends the Criminal Code of 2012 to make conforming changes and changes the penalties for burglary.

Numerous changes ..... Effective Date January 1, 2018

House Bill 2610 ..... Public Act 100-0373  
Amends the Illinois Vehicle Code. Provides that the Secretary of State may implement an electronic motor vehicle liability insurance policy verification program to verify insurance coverage of motor vehicles required to be operated with liability insurance under the Code. Provides for information that an insurance company authorized to sell motor vehicle liability insurance in this State shall make available upon request to the Secretary. Provides that if the Secretary implements the program, he or she shall verify insurance coverage at least twice per calendar year and, if unable to verify coverage, shall provide the vehicle owner written notice allowing the owner 30 calendar days to provide proof of insurance on the date of the attempted verification or proof that the vehicle is inoperable. If the vehicle owner provides proof of insurance, the Secretary may verify the proof with the vehicle owner's insurance company. If the vehicle owner fails to respond to the notice or is unable to provide proof of coverage or proof that the vehicle is inoperable, the Secretary shall suspend the vehicle's registration. Amends the Freedom of Information Act. Makes conforming changes. Amends the Illinois Motor Vehicle Theft Prevention Act. Changes the title of the Act to the Illinois Motor Vehicle Theft Prevention and Insurance Verification Act. Provides that the Secretary of State shall appoint members of the Council (rather than the Governor) and the Director of the Secretary of State Department of Police shall be the Chairman of the Council. Provides that the Secretary of State (rather than the Director of State Police) shall employ administrative, professional, clerical, and other personnel to effectuate the purposes of the Act. Provides that on or before January 1, 2019 (rather than April 1, 1992), the Council shall report annually to the Governor, General Assembly, and, upon request, to members of the general public on the Council's activities in the preceding year. Provides that the Motor Vehicle Theft Prevention and Insurance Verification Trust Fund shall be administered by the Secretary (rather than the Director of State Police) at the direction of the Council. Provides that money in the Trust Fund shall be used, amongst other purposes, to pay the Secretary's costs to administer the Council and the Trust Fund and to provide funding to the Secretary's Vehicle Services Department for the creation, implementation, and maintenance of an electronic motor vehicle liability insurance policy verification program by allocating no more than 75% of each dollar collected for the first calendar year after the effective date of the bill and no more than 50% of each dollar collected for every other year after the first calendar year. Provides that the Secretary shall distribute the funds to the Vehicle Services Department at the beginning of each calendar year. Further amends the Illinois Vehicle Code. Provides that the development and implementation of an electronic motor vehicle liability insurance policy verification program shall be consistent with the standards and procedures of a nationwide organization whose primary membership consists of individual insurance companies and insurance trade associations. Provides that the program shall include a requirement that the Secretary may consult with members of the insurance industry during the implementation of the program, including, but not limited to, during the drafting process for adopting any rules that may be

necessary to implement or manage the program and a requirement that commercial lines of automobile insurance are excluded from the program, but may voluntarily report insurance coverage to the State. Provides that an insurer identified by an electronic motor vehicle liability insurance policy program as insuring less than 1,000 vehicles per year shall be exempt from the reporting requirements of the program. Provides that the Council shall provide funding to the Secretary for the creation, implementation, and maintenance of an electronic motor vehicle liability insurance policy verification program, and make grants to deter and investigate recyclable metal theft and to law enforcement agencies to assist in the prosecution of recyclable metal theft. Makes conforming changes. Amends the State Finance Act to make conforming changes.

Numerous changes ..... Effective Date January 1, 2018

## ***CHAPTER 30***

### ***FINANCE***

House Bill 0243 ..... Public Act 100-0331  
Amends the School Code. Creates the police training academy job training program. Requires any school district with 175,000 or more inhabitants with a high school to establish one or more partnership with a local police department, county sheriff, or police training academy to establish a jobs training program for high school students. Provides that the program shall be open to all students regardless of academic history, but that school districts may impose requirements to maintain successful participation in the program. Requires the State Board of Education to track students participating in the programs. Amends the Higher Education Student Assistance Act. Creates the police training academy job training scholarship program. Provides that the Illinois Student Assistance Commission shall receive applications for scholarships from any applicant that has successfully completed the police training academy job training program and been accepted to any public institution of higher learning in the State. Provides that applicants who are determined to be eligible for the scholarship shall receive, subject to appropriation, a renewable scholarship to be applied to tuition and mandatory fees and paid directly to the public institution of higher learning at which the applicant is enrolled. Allows the Commission to establish by rule academic requirements to maintain access to the scholarship. Grants students who have received a scholarship access to any needed noncredit remedial courses in order to ensure academic success, as well as access to a student retention program offered by the public institution, including, but not limited to, CHANCE programs. Allows the Commission to make all necessary and proper rules needed for the program. Amends the State Finance Act to create the Police Training Academy Job Training Program and Scholarship Fund as a special fund in the State treasury to provide support for the police training academy job training and scholarship programs. Makes conforming changes.



30 ILCS 105/5.878 (New), 6z-102 (New), 105 ILCS 5/22-83 (New), and  
110 ILCS 947/65.95 (New) ..... Effective Date January 1, 2018

Senate Bill 2046 ..... Public Act 100-0329  
Amends the Illinois Income Tax Act. Creates an income tax State Police Memorial checkoff for the Criminal Justice Information Projects Fund. Provides that moneys deposited into the Fund shall be distributed equally, as soon as practical but at least on a monthly basis, to the Chicago Police Memorial Foundation Fund, the Police Memorial Committee Fund, and the Illinois State Police Memorial Fund. Provides that moneys transferred to the funds shall be used to fund grants for building and maintaining memorials and parks; holding annual memorial commemorations; giving scholarships to children of officers killed or catastrophically injured in the line of duty, or those interested in pursuing a career in law enforcement; and providing financial assistance to police officers and their families when a police officer is killed or injured in the line of duty.

30 ILCS 105/5.878 (New), 6z-102 (New), and  
35 ILCS 5/507HHH (New).....Effective Date August 24, 2017

House Bill 3658 ..... Public Act 100-0193  
Amends the State Property Control Act. In provisions concerning the permanent record a responsible officer must maintain of items of State property, sets the definition of "nominal value", below which a responsible officer need not maintain a permanent record of the items, as \$1,000 or less. Allows the administrator to set a higher limit by rule. Provides that nothing in the provisions shall be construed as relieving responsible officers of the duty to reasonably ensure that State property is not subject to theft. Provides that physical inventory checks only need to be made for property not of nominal value. Provides that the value of the item shall reflect its depreciated value, as determined by the administrator.

30 ILCS 605/6.02 and 6.04 ..... Effective Date January 1, 2018

## ***CHAPTER 40***

## ***PENSIONS***

House Bill 0418 ..... Public Act 100-0281  
Amends the Downstate Police Article of the Illinois Pension Code. Prohibits a police chief from electing to participate in the Illinois Municipal Retirement Fund (IMRF) instead of a downstate police pension fund, unless that police chief became a participating employee under the IMRF Article before January 1, 2019. Requires each municipality to establish a defined contribution plan for certain police officers. Requires the plan to meet certain requirements, including the immediate vesting of contributions. Provides that if a police officer is receiving pension

payments and returns to active service with any municipality that has established a downstate police pension fund, he or she may continue to receive those pension payments, but must participate only in the municipality's defined contribution plan. Provides that if a police officer who has more than 10 years of creditable service in a fund enters active service with a different municipality, he or she may elect to participate in the defined contribution plan in lieu of participating in the defined benefit plan. Authorizes a police officer to rescind his or her election to participate in the defined contribution plan. Amends the State Mandates Act to require implementation without reimbursement.

30 ILCS 805/8.41 (New), 40 ILCS 5/3-109.4 (New), and 7-109 ..... Effective Date August 24, 2017

House Bill 0815 ..... Public Act 100-0354  
Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. Provides that certain police officers and firefighters who participate in IMRF may be granted Sheriff's Law Enforcement Employee (SLEP) status with the approval of the employing municipality. The approval resolution must specify that SLEP status shall be applied to employment occurring on or after the adoption of the resolution. Provides that the resolution is irrevocable, but shall automatically terminate upon the establishment of an Article 3 or 4 fund by the municipality.

40 ILCS 5/7-109.3 ..... Effective Date August 25, 2017

## ***CHAPTER 50***

# ***LOCAL GOVERNMENT***

House Bill 1811 ..... Public Act 100-0020  
Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Department of State Police shall make grants to 9-1-1 authorities to defray the costs associated with 9-1-1 system consolidation required under the Emergency Telephone System Act. Reenacts and makes changes to the Emergency Telephone System Act. Provides that on or after the effective date of the amendatory Act, any new intergovernmental agreements entered into to establish or join a Joint Emergency Telephone System Board shall provide for the appointment of a PSAP representative to the Emergency Telephone System Board. Provides that no county or 9-1-1 Authority may avoid the consolidation requirements of the Act by converting primary PSAPs to secondary or virtual answering points. Provides that any county or 9-1-1 Authority not in compliance with the consolidation requirements of the Act shall be ineligible to receive consolidation grant funds issued or monthly disbursements otherwise due until the county or 9-1-1 Authority is in compliance. Provides that within one year after the effective date of the amendatory Act, any corporate authorities of a county or municipality, other than a municipality with a population of more than 500,000, operating a 9-1-1 system

without an Emergency Telephone System Board or Joint Emergency Telephone System Board shall create or join a Joint Emergency Telephone System Board. Extends the repeal date of the Act until December 31, 2020. Reenacts and makes changes to the Cable and Video Competition Law of 2007 and Universal Telephone Service Protection Law of 1985 Articles of the Public Utilities Act. Adds provisions to the Telecommunications Article concerning the transition of Large Electing Providers to Internet Protocol-based networks and service. Provides that the Universal Telephone Service Assistance Program shall provide for a reduction of access line charges, a reduction of connection charges, or any other alternative assistance or program to increase accessibility to telephone service and broadband Internet access service. Provides that the amounts collected and remitted through customer funding of the program may be used for funding an additional program to be administered by the entity designated by the Illinois Commerce Commission as administrator of the Universal Telephone Service Assistance Program for educating and assisting low-income residential customers with a transition to Internet protocol-based networks and services. Extends the repeal date of the Cable and Video Competition Law of 2007 and the Universal Telephone Service Protection Law of 1985 until December 31, 2020. Makes other changes.

9-1-1 Reenactment .....Effective Date July 1, 2017

House Bill 1895 ..... Public Act 100-0121  
Amends the Illinois Police Training Act. Provides that the curriculum for probationary police officers which shall be offered by all certified schools shall include training in effective recognition of and responses to stress, trauma, and post-traumatic stress experienced by police officers.

50 ILCS 705/7 ..... Effective Date January 1, 2018

House Bill 0375 ..... Public Act 100-0247  
Amends the Illinois Police Training Act. Provides that the curriculum for probationary officers and in-service training requirements shall include mental health awareness and response. Provides that the Illinois Law Enforcement Training Standards Board shall create an introductory course incorporating adult learning models that provides law enforcement officers with an awareness of mental health issues including a history of the mental health system, types of mental health illness including signs and symptoms of mental illness and common treatments and medications, and the potential interactions law enforcement officers may have on a regular basis with these individuals, their families, and service providers including de-escalating a potential crisis. Provides that this course, in addition to other traditional learning settings, may be made available in an electronic format. Deletes language in the introduced bill providing that beginning January 1, 2018, all probationary officers employed by law enforcement agencies located in counties of more than 3,000,000 inhabitants, including probationary part-time officers and university police officers, shall be required to complete Crisis Intervention Team training as part of initial minimum basic training requirements. Makes other technical changes.

50 ILCS 705/7 and 10.17 ..... Effective Date January 1, 2018

Senate Bill 1843 ..... Public Act 100-0319  
Amends the Uniform Peace Officers' Disciplinary Act. Creates the Commission on Police Professionalism. Provides that the Commission shall meet regularly to review the current training and certification process for law enforcement officers, review the duties of the various types of law enforcement officers, including auxiliary officers, review the standards for the issuance of badges, shields, and other police and agency identification, review officer-involved shooting investigation policies, review policies and practices concerning the use of force and misconduct by law enforcement officers, and examine whether law enforcement officers should be licensed. Provides that the Commission shall submit a report of its findings and legislative recommendations to the General Assembly and Governor on or before September 30, 2018. Provides for the repeal of the Section on December 31, 2018. Makes other changes.  
50 ILCS 725/7.5 (New) and 725 ILCS 210/4.01 .....Effective Date August 24, 2017

Senate Bill 0058 ..... Public Act 100-0389  
Amends the Police and Community Relations Improvement Act. Provides that each law enforcement agency shall adopt a written policy regarding drug and alcohol testing following an officer-involved shooting. Provides that the written policy adopted by the law enforcement agency must include the following requirements: (1) each law enforcement officer who is involved in an officer-involved shooting must submit to drug and alcohol testing; and (2) the drug and alcohol testing must be completed as soon as practicable after the officer-involved shooting but no later than the end of the involved officer's shift or tour of duty. Defines "officer-involved shooting" as any instance when a law enforcement officer discharges his or her firearm, causing injury or death to a person or persons, during the performance of his or her official duties or in the line of duty.  
50 ILCS 725/1-25 (New).....Effective Date August 25, 2017

Senate Bill 1895 ..... Public Act 100-0324  
Amends the Volunteer Emergency Worker Job Protection Act. Provides that any person who serves as either emergency medical services worker on a volunteer basis may not be disciplined or terminated by his or her employer for responding to an emergency call or emergency text message during work hours that requests the individual's volunteer emergency medical services or volunteer firefighter services. Provides that written policies governing the use of cell phones shall prevail and control.  
50 ILCS 748/5 ..... Effective Date January 1, 2018

# **CHAPTER 55**

## **COUNTIES**

House Bill 0535 ..... Public Act 100-0251  
Amends the Counties Code and Illinois Municipal Code. Provides that the Illinois Commerce Commission (currently, a court of competent jurisdiction) will determine whether the installation, maintenance, repair, or removal of a community antenna would create a dangerous condition or interrupt service. Amends the Crossing of Railroad Right-of-way Act. Adds providers of broadband service to the definition of "utility". Amends the Illinois Vehicle Code. Provides that cable operators, holders of State authorizations, and broadband service providers shall not be prevented by a railroad from entering onto railroad real estate or right of way for purposes of construction or installation of system or facilities if they have followed the procedures to enter the property as required by statute. Provides that a community antenna television company shall not cross (currently, just shall not enter upon) any real estate or rights-of-way in the possession or control of specified entities without prior written notice of intent to enter, install, maintain, cross, or remove. Defines "crossing" or "cross". Provides that the written notice shall also include: (i) detailed design and construction plans for installation, maintenance, repair, crossing, or removal; and (ii) a statement, based upon information available to the community antenna television company, confirming that the proposed installation, maintenance, repair, crossing, or removal does not create a dangerous condition or threaten public safety and will not adversely impact railroad operations or disrupt vital transportation services. Provides that within 30 days (currently, 15 business days) of receipt of a written prior notice of entry, the public utility, railroad, or pipeline owner or operator shall investigate and determine whether or not the proposed entry would create a dangerous condition. Provides that, upon application of the community antenna company, the Illinois Commerce Commission Transportation Division (rather than just the Illinois Commerce Commission) shall determine in accordance with the Commission's Rail Safety Program whether the proposed installation, maintenance, repair, crossing, or removal creates a dangerous condition. Removes provisions preventing a railroad from prohibiting a cable operator, holder of State authorization, or broadband service providers from entering onto railroad real estate or right-of-way for purposes of construction or installation of system or facilities under specified circumstances. Provides that a community antenna television company franchised by a municipality or county (rather than a community antenna television company, holder of state authorization, cable operation, or provider of broadband service) shall not enter upon or cross any real estate or rights-of-way in the possession or control of any railroad under specified circumstances. Defines "community antenna television company." Provides that beginning on the effective date the amendatory Act, the Transportation Division of the Illinois Commerce Commission shall include in its annual Crossing Safety Improvement Program report a brief description of the number of cases decided by the Illinois Commerce Commission and the



number of cases that remain pending before the Illinois Commerce Commission for the period covered by the report.

55 ILCS 5/5-1096, and 65 ILCS 5/11-42-11.1, 220 ILCS 70/5, and

625 ILCS 5/18c-7401.....Effective Date August 22, 2017

## ***CHAPTER 65***

# ***MUNICIPAL CODE***

House Bill 0305 ..... Public Act 100-0467

Amends the Illinois Municipal Code. Provides that the requirement that a police applicant possess an associate's degree may also be waived if the applicant has successfully received credit for a minimum of 60 credit hours toward a bachelor's degree from an accredited college or university (currently, this requirement may be waived only if the applicant has served for 24 months of active duty or 180 days combat duty in the United States Armed Forces).

65 ILCS 5/10-2.1-6 ..... Effective Date September 8, 2017

## ***CHAPTER 105***

# ***SCHOOLS***

House Bill 3903 ..... Public Act 100-0204

Amends the School Code. Provides that there shall be no student booking station established or maintained on the grounds of any school. Provides that the prohibition shall be applied to student booking stations only, and does not prohibit or affect the establishment or maintenance of any place operated by or under the control of law enforcement personnel, school resource officers, or other security personnel that does not also qualify as a student booking station. Provides that the prohibition does not affect or limit the powers afforded law enforcement officers to perform their duties within schools as otherwise prescribed by law. Allows the use of temporary detention spaces under certain circumstances. Defines "student booking station".

105 ILCS 5/10-20.60 (New) and 34-18.53 .....Effective Date August 18, 2017

House Bill 3507 ..... Public Act 100-0185  
 Amends the Compulsory Attendance Article of the School Code. Allows a child to be absent from school on a particular day or days or at a particular time of day for the reason that his or her parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings. Provides that such a student shall be granted 5 days of excused absences in any school year and, at the discretion of the school board, additional excused absences to visit the student's parent or legal guardian relative to such leave or deployment of the parent or legal guardian. Requires the student and parent or legal guardian to obtain assignments from the student's teacher prior to any period of excused absence and for ensuring that such assignments are completed by the student prior to his or her return to school from such period of excused absence.  
 105 ILCS 5/26-1 .....Effective Date August 18, 2017

## ***CHAPTER 210***

## ***HEALTH FACILITIES***

House Bill 2661 ..... Public Act 100-0108  
 Amends the Emergency Medical Services (EMS) Systems Act. Provides that an EMR, EMT, EMT-I, A-EMT, or Paramedic may transport a police dog injured in the line of duty to a veterinary clinic or similar facility if there are no persons requiring medical attention or transport at that time. Defines "police dog".  
 210 ILCS 50/3.55 ..... Effective Date January 1, 2018

House Bill 1952 ..... Public Act 100-0255  
 Amends the Emergency Medical Services (EMS) Systems Act. Adds provisions concerning ambulance assistance vehicle provider upgrades. Provides that an ambulance assistance vehicle provider may submit a proposal to the EMS Medical Director requesting approval of specified ambulance assistance vehicle provider in-field service level upgrades. Provides that if the EMS Medical Director approves a proposal for an ambulance assistance vehicle provider's in-field service level upgrade under these provisions, he or she shall submit the proposal to the Department of Public Health along with a statement of approval signed by him or her. Provides that once the Department has approved the proposal, the ambulance assistance vehicle provider shall be authorized to function at the highest level of EMT license or Pre-Hospital RN certification held by any person staffing the provider's ambulance assistance vehicle. Provides that nothing in these provisions shall allow for the approval of a request to downgrade the

service level licensure for an ambulance assistance vehicle provider. Defines "ambulance assistance vehicle" and "ambulance assistance vehicle provider".

210 ILCS 50/3.88 .....Effective Date August 22, 2017

House Bill 0524 ..... Public Act 100-0250  
Amends the Safe Pharmaceutical Disposal Act. Provides that notwithstanding any provision of law, any county or municipality (currently, city, village, or municipality) may authorize the use of its city hall, police department, or any other facility under the county's or municipality's control (currently, city hall or police department) to display a container suitable for use as a receptacle for used, expired, or unwanted pharmaceuticals. Provides that the county or municipality shall provide continuous or regular notice to the public regarding the availability of the receptacle. Provides that, to the extent allowed under federal law, pharmaceuticals collected under specified provisions may be disposed of in a drug destruction device, as defined in the Environmental Protection Act. Amends the Environmental Protection Act to make corresponding changes.

210 ILCS 150/17 and 415 ILCS 5/22.58 .....Effective Date August 22, 2017

## ***CHAPTER 225***

# ***PROFESSIONS, OCCUPATIONS, AND BUSINESS OPERATIONS***

House Bill 1772 ..... Public Act 100-0044  
Amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Provides that the requirement for licensure that an applicant must submit certification issued by the Department of State Police that the applicant's fingerprinting equipment and software meets all specifications required by the Department of State Police applies to fingerprint vendor agencies (rather than fingerprint vendors), and that the requirement is a continuing requirement for licensure. Adds as a qualification for licensure as a fingerprint vendor that an applicant provides proof of compliance with the Department fingerprinting equipment and software specifications if the applicant is not required to obtain a fingerprint vendor agency license under the Act.

225 ILCS 447/31-10 and 31-15.....Effective Date August 11, 2017

# ***CHAPTER 235***

## ***LIQUOR***

Senate Bill 0941 ..... Public Act 100-0017  
Amends the Liquor Control Act of 1934. Defines "third-party provider". Establishes additional reporting and record keeping requirements for third-party providers. Provides that if the Department of Revenue or the State Commission requests a statement of certain information, the third-party provider must provide that statement no later than 30 days after the request is made. Provides that a violation of certain reporting requirements is a Class C misdemeanor.  
235 ILCS 5/1-3.17.1 and 5/5-1 ..... Effective Date June 30, 2017

# ***CHAPTER 325***

## ***CHILDREN***

House Bill 3615 ..... Public Act 100-0191  
Amends the Abused and Neglected Child Reporting Act. Provides that in an investigation in which the alleged perpetrator of abuse or neglect is a school employee, including, but not limited to, a school teacher or administrator, and the recommendation is to determine the report to be indicated, in addition to other procedures as set forth and defined in Department rules and procedures, the employee's due process rights shall also include: (i) the right to a copy of the investigation summary; (ii) the right to review the specific allegations which gave rise to the investigation; and (iii) the right to an administrator's teleconference which shall be convened to provide the school employee with the opportunity to present documentary evidence or other information that supports his or her position and to provide information before a final finding is entered. Removes a provision requiring the Department of Children and Family Services to inform the school employee of his or her right: (a) to confront the accuser, if the accuser is 14 years of age or older; (b) to review the specific allegations which gave rise to the investigation; and (c) to review all materials and evidence that have been submitted to the Department in support of the allegation.  
325 ILCS 5/7.4 ..... Effective Date January 1, 2018

Senate Bill 1439 ..... Public Act 100-0438  
 Amends the Intergovernmental Missing Child Recovery Act of 1984. Provides that at the time of first contact with an individual making a report of a missing child who is under 18 years of age, the local law enforcement agency shall provide the individual with information, the contents of which shall be prepared by the Office of the Attorney General and posted on its website, that includes, but is not limited to, the following: (i) the 24-hour toll-free telephone numbers for the National Center for Missing and Exploited Children and the National Runaway Safeline; and (ii) a description of the services provided to families of missing children by the National Center for Missing and Exploited Children and the National Runaway Safeline. Provides that the information may be provided by the local law enforcement agency in a format that includes, but is not limited to, written materials for distribution or a posting on the official website of the local law enforcement agency.  
 325 ILCS 40/7.2 (New) ..... Effective Date January 1, 2018

## ***CHAPTER 405***

## ***MENTAL HEALTH***

House Bill 3709 ..... Public Act 100-0196  
 Amends the Mental Health and Developmental Disabilities Code. Reinserts the provisions of the bill but provides that when counseling services or psychotherapy are related to allegations of neglect, sexual abuse, or mental or physical abuse by the minor's parent, guardian, or person in loco parentis, obtaining consent of that parent, guardian, or person in loco parentis shall be presumed to be detrimental to the minor's well-being and provides that counseling services or psychotherapy provided under this provision shall be provided in compliance with the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act or the Clinical Psychologist Licensing Act. Restores 17 years of age as the age for which outpatient counseling services or psychotherapy are no longer initially limited to 8 90 minute sessions without the consent of a parent, guardian, or person in loco parentis. Provides that if the minor chooses to discontinue counseling services or psychotherapy after being informed of the decision of the facility director or service provider to disclose the fact of counseling services or psychotherapy to the parent, guardian, or person in loco parentis, then the parent, guardian, or person in loco parentis shall not be notified.  
 405 ILCS 5/3-501 ..... Effective Date January 1, 2018

House Bill 3703 ..... Public Act 100-0012  
 Creates the Out-of-State Person Subject to Involuntary Admission on an Inpatient Basis Mental Health Treatment Act. Provides that on or before January 1, 2018, there is created a 2-year mental health pilot project for which a receiving agency located in Rock Island County, Illinois may accept the admission of an Iowa resident from the Eastern Iowa Mental Health Region who



is a person subject to involuntary admission on an inpatient basis under an order issued by an Iowa court for treatment at a receiving agency in this State for which the Iowa court shall have jurisdiction over the recipient while committed to a receiving agency in this State. Provides that the pilot project shall also provide that a resident of Rock Island County, Illinois who is a person subject to involuntary admission on an inpatient basis under an order issued by a court of this State for treatment at a receiving agency in this State may receive inpatient treatment in an Iowa receiving agency. Provides that the Iowa or Illinois receiving agency shall provide mental health services to the recipient for the duration of the court order and shall return the recipient to his or her state of legal residence upon discharge. If a recipient has to enter a State-operated facility, the recipient must be returned to his or her state of legal residence. Defines "Eastern Iowa Mental Health Region", "person subject to involuntary admission on an inpatient basis", "receiving agency", "Pilot project area", "receiving agency", "receiving state", and "sending state". Provides that the Act is repealed on January 1, 2020.

405 ILCS 110/ (New Act).....Effective Date July 1, 2017

# ***CHAPTER 410***

## ***PUBLIC HEALTH***

House Bill 3002 ..... Public Act 100-0270

Creates the Infectious Disease Testing Act. Provides that an individual shall be required to submit, and informed consent shall not be required, to a test to detect an infectious disease upon the request of a health care provider, employee of a health facility, PHRN, EMR, EMT, EMT-I, A-EMT, paramedic, firefighter, or law enforcement officer who, accidentally or in the line of duty, comes into direct skin or mucous membrane contact with the blood or bodily fluids of the individual that is of a nature that may transmit an infectious disease, as determined by a physician in his or her medical judgment. Defines terms.

410 ILCS 312/ (New Act).....Effective Date August 22, 2017

# ***CHAPTER 425***

## ***FIRE SAFETY***

House Bill 3773 ..... Public Act 100-0200  
Amends the Smoke Detector Act. Provides that the battery for specified battery powered smoke detectors must be a self-contained, non-removable, long term battery if specified conditions occur. Provides that specified battery requirements do not apply to fire alarms, smoke detectors, smoke alarms, or ancillary components electronically connected to specified alarm systems; that use a low-power radio frequency wireless communication signal; that uses Wi-Fi or other Wireless Local Area Networking capability to send and receive specified notifications; or to devices as designated by the State Fire Marshal. Provides that a party in violation of specified provisions of the Smoke Detector Act concerning battery requirements shall be provided with 90 day's warning with which to rectify that violation. Provides that if that party fails to rectify the violation within that 90 day period, he or she may be assessed a fine of up to \$100, and may be fined \$100 every 30 days thereafter until either the violation is rectified or the cumulative amount of fines assessed reaches \$1,500. Provides that certain specified penalty provisions of the Act shall apply only after a violating party has reached the \$1,500 cumulative fine threshold and has still failed to rectify the violation. Adds language providing that if the alleged violation has been corrected prior to or on the date of the hearing scheduled to adjudicate the alleged violation, then the violation shall be dismissed.  
425 ILCS 60/4 and 60/23 ..... Effective Date January 1, 2023

# ***CHAPTER 510***

## ***ANIMALS***

House Bill 2810 ..... Public Act 100-0504  
Amends the Humane Care for Animals Act. Provides that in the case of companion animals or animals used for fighting purposes in violation of an owner's duties, cruel treatment, aggravated cruelty, animal torture, or confinement in a motor vehicle that the animal control or animal shelter having custody of the animal or animals may file a petition with the court requesting that the person from whom the animal or animals are seized, or the owner of the animal or animals, be ordered to post security. Provides that no person may adopt, transfer, sell, offer for sale, barter, or give away any animal (in the engrossed bill, as a pet a dog or cat)

forfeited under the Act to the person who forfeited the animal or a person residing in that person's household. Makes other technical changes.

510 ILCS 70/3.04, 3.05, and 4 ..... Effective Date June 1, 2018

## ***CHAPTER 515***

# ***FISH AND AQUATIC LIFE CODE***

House Bill 3272 ..... Public Act 100-0168  
Amends the Fish and Aquatic Life Code. Provides that all trout, including lake trout, salmon, and lake whitefish may not be taken by commercial fishing devices, including gill or pound nets. Provides that any incidental catch of trout, including lake trout, salmon, and lake whitefish taken in legal sized gill or pound nets must be returned immediately to the water. Provides that the methods of taking are subject to modification by administrative rule based upon lake-wide scientific assessment data or fishery management need. Repeals a Section concerning commercial fishing.

515 ILCS 5/15-20 and 15-30 Repealed ..... Effective Date January 1, 2018

House Bill 3273 ..... Public Act 100-0169  
Amends the Fish and Aquatic Life Code. Provides that the Department of Natural Resources may issue a maximum of 5 commercial fishing licenses for taking from the Illinois waters of Lake Michigan yellow perch, bloater chub, and other commercial fish species designated by Department rule. Provides that, at times determined by the Director, the Department shall advertise a public drawing to accept new qualified commercial fishing candidates and establish a ranking order for these new candidates to fill open Lake Michigan commercial fishing licenses. Provides that the ranking order shall continue to be used until the list of eligible candidates is exhausted. Removes provisions concerning the issuing of commercial licenses.

515 ILCS 5/15-32 ..... Effective Date January 1, 2018

House Bill 2028 ..... Public Act 100-0256  
Amends the Fish and Aquatic Life Code. Provides that non-resident and resident aquatic life dealer licenses, wholesale aquatic life dealer licenses, mussel dealer permits, minnow dealer licenses, taxidermist licenses, aquaculture permits, commercial roe dealer permits, and daily fee fishing area licenses shall all expire on March 31 of each year. Amends the Wildlife Code to make a conforming change.

Numerous Sections Amended ..... Effective Date January 1, 2018

# ***CHAPTER 520***

## ***WILDLIFE CODE***

House Bill 3093 ..... Public Act 100-0150  
Amends the Wildlife Code. Defines "hunting license" as an electronic or physical license authorizing the person to take a certain type of animal during a specified period of time.

520 ILCS 5/1.2k-1 (New) ..... Effective Date August 18, 2017

House Bill 3399 ..... Public Act 100-0524  
Amends the Wildlife Code. Provides that it shall be unlawful for any person to hunt or trap bobcat in this State on and after the effective date of the bill in the counties of Boone, Bureau, Champaign, Cook, DeKalb, DeWitt, DuPage, Ford, Grundy, Henry, Iroquois, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lee, Livingston, Logan, Marshall, McHenry, McLean, Ogle, Peoria, Piatt, Putnam, Stark, Stephenson, Vermilion, Will, Winnebago, Woodford, and north of U.S. Route 36 in Edgar and Douglas and north of U.S. Route 36 to the junction with Illinois Route 121 and north or east of Illinois Route 121 in Macon. Provides that for the season beginning in 2017, a total number of 350 bobcats may be hunted or trapped lawfully, or the conclusion of the season occurs, whichever is earlier. Provides that for the season beginning in 2018, a total number of 375 bobcats may be hunted or trapped lawfully, or the conclusion of the season occurs, whichever is earlier. Provides for a sunset of this provision on June 30, 2019.

520 ILCS 5/2.30 ..... Effective Date September 22, 2017

House Bill 2893 ..... Public Act 100-0489  
Amends the Wildlife Code. Repeals provision providing that it is unlawful to use any crossbow for the purpose of taking any wild birds or mammals except as provided in the Code. Repeals Sections concerning the use of crossbows.

520 ILCS 5/2.33 ..... Effective Date September 8, 2017

House Bill 2685 ..... Public Act 100-0123  
Amends the Wildlife Code. Provides that except as provided in the Code, it is unlawful to have in his or her possession the green hides of fur bearing mammals without a valid hunting or trapping license. Provides that the annual fee for each resident fur buyer's permit (rather than a resident retail or wholesale fur buyer's permit) shall be \$50.00 (rather than \$25.00 for a resident retail fur buyer's permit or \$125.00 for a resident wholesale fur buyer's permit). Provides that all fur buyers and non-resident auction participants shall maintain records of the receipt, collection, purchase, and sale of green hides of fur-bearing mammals. Provides that a record of each transaction shall be created at the time it is executed specifying the date, numbers, and kinds of green hides purchased, sold, or transferred, price paid for each green hide, if any, and the name, address, and Department customer identification number of the

other party. Provides that a person who holds a fur tanner's permit is exempt from provisions for a resident fur buyer permit holder as long as the person is not engaged in the business of receiving green hides for the purpose of buying or selling the hides, whether green, dressed, processed, or tanned and the hides which have been tanned or processed are returned to the person who submitted the hides for processing or tanning. Repeals a provision regarding the receiving, collecting, or buying of green hides of fur-bearing or game mammals. Provides that all resident and non-resident fur buyer permits and non-resident auction participation permits shall expire on March 31 (currently, April 30). Makes other conforming changes.

520 ILCS 5/2.35, 3.4, 3.11, 3.14, 3.15, 3.16, 3.16a,

3.18, 3.19, 3.20, and Repeal 3.12 ..... Effective Date January 1, 2018

## ***CHAPTER 605***

### ***ROADS & BRIDGES***

House Bill 0799 ..... Public Act 100-0473  
Amends the Illinois Highway Code. Provides that the Department of Transportation and a local governmental agency shall post notice of highway detour locations on their respective websites no later than 10 days before a detour becomes active. Provides that the posting requirement shall not apply to an unanticipated emergency as determined by the Department of Transportation, a local governmental agency that does not have a website maintained by a full-time staff, or a municipality with 1,000,000 or more inhabitants. Provides that a hyperlink on a local governmental agency's website to posted notices of highway detour locations on the Department of Transportation's website shall satisfy the local governmental agency's posting requirements under the bill.

605 ILCS 4/5-407 and 5-408 ..... Effective Date June 1, 2018

# **CHAPTER 625**

## **VEHICLE CODE**

Senate Bill 1556 ..... Public Act 100-0450  
Amends the Illinois Vehicle Code. Adds to the definition of "junk vehicle" and "remittance agent". Provides that a certificate of title issued by the Secretary of State shall contain the names and fax numbers or electronic addresses of any lienholders (rather than only the names of the lienholders) and the certificate's expiration date. Provides that a licensee that has faithfully and continuously complied with conditions of the bond requirement for new vehicle dealers and used vehicle dealers under the Illinois Vehicle Code for a period of 60 (rather than 36) consecutive months after the effective date of the bill shall be exempt from any further bond requirements under those provisions. Provides that the Secretary may issue a certificate of title to an out-of-state resident if the out-of-state resident is a bona fide purchaser of a vehicle or a manufactured home from a dealer licensed in this State and the licensed dealer is no longer operating as a licensed dealer and does not properly transfer the title application to the bona fide purchaser prior to the licensed dealer's business closure. Adds to the special license plates a person may reclassify without a replacement plate fee beginning with the 2019 (rather than 2018) registration year. Provides that the bond amount required to be deposited with the Secretary for each applicant who intends to act as a remittance agent shall be \$20,000 (rather than \$10,000). Provides that an application for a new vehicle dealer's license or a used vehicle dealer's license shall contain a bond or certificate of deposit in the amount of \$50,000 (rather than \$20,000). Creates provisions concerning rental-purchase agreement vehicle programs.

Numerous Sections ..... Effective Date January 1, 2018

House Bill 2499 ..... Public Act 100-0062  
Amends the Illinois Vehicle Code. Amends the definition of "authorized emergency vehicle" to include vehicles of the Illinois State Toll Highway Authority with a gross vehicle weight rating of 9,000 pounds or more and those identified as Highway Emergency Lane Patrol (rather than vehicles of the Illinois State Toll Highway Authority identified as Highway Emergency Lane Patrol). Allows vehicles of the Illinois State Toll Highway Authority with a gross vehicle weight of 9,000 pounds or more to use red or white oscillating, rotating, or flashing lights.

625 ILCS 5/1-105 and 12-215.....Effective Date August 11, 2017

Senate Bill 0675 ..... Public Act 100-0409  
Amends the Illinois Vehicle Code. Adds to the definition of "essential parts" a bed, front bumper, rear bumper, and, for motorcycles, fairings, fuel tanks, and forks. Removes other items from the definition. Provides that the Secretary of State may cancel any license or permit upon determining that the holder has assisted an out-of-state resident in acquiring an Illinois driver's

license or identification card by providing or allowing the out-of-state resident to use his or her Illinois address of residence and is complicit in distributing and forwarding the Illinois driver's license or identification card to the out-of-state resident. Provides that operating a driver training school without a license issued by the Secretary of State is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense. Provides that, except in a municipality with 1,000,000 or more inhabitants, an automotive parts recycler, scrap processor, repairer, or rebuilder with a business license issued by a municipality that has been revoked or non-renewed due to fraud or misconduct committed against the municipality within 3 years preceding the effective date of the bill or on or after the effective date of the bill shall not be eligible for a license or license renewal to conduct business as an automotive parts recycler, scrap processor, repairer, or rebuilder under the Code. Provides that no later than 30 days after the effective date of the bill, a municipality that has revoked or non-renewed the business license of an automotive parts recycler, scrap processor, repairer, or rebuilder shall notify the Secretary of State of the revocation or nonrenewal and shall notify any other municipality in which the former licensee is known to conduct business that the former licensee's business license has been revoked due to fraud or misconduct committed against the municipality. Provides that an application to conduct business as an automotive parts recycler, scrap processor, repairer, or rebuilder shall include a statement indicating if the applicant has been subject to the revocation or nonrenewal of a business license due to fraud or misconduct committed against the municipality. Provides that an automotive parts recycler, scrap processor, repairer, or rebuilder shall be fined \$1,000 for each day it conducts business in this State with a revoked or non-renewed business license. Makes conforming changes.

625 ILCS 5/1-118, 5-301, 5-501.5 (New), 5-503, 6-201, and 6-401 .Effective Date August 25, 2017

Senate Bill 0396 ..... Public Act 100-0209  
Amends the Illinois Vehicle Code. Changes the definition of "low-speed electric bicycle". Provides that provisions of a Chapter in the Code that govern bicycles shall apply to low-speed electric bicycles. Provides that each low-speed electric bicycle operating in this State shall comply with equipment and manufacturing requirements adopted by the United States Consumer Product Safety Commission and each Class 3 low-speed electric bicycle shall be equipped with a speedometer that displays the speed the bicycle is traveling in miles per hour. Provides that beginning on or after January 1, 2018, every manufacturer and distributor of low-speed electric bicycles shall apply a label that is permanently affixed to the bicycle containing a classification number, the bicycle's top assisted speed, and the bicycle's motor wattage. Provides that no person shall knowingly modify the speed capability or engagement of a low-speed electric bicycle without replacing the required label. Provides that a Class 2 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied. Provides that a Class 1 low-speed electric bicycle and a Class 3 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling. Provides that a person may operate a low-speed electric bicycle upon any bicycle path unless the municipality, county, or local authority with jurisdiction prohibits the use of the bicycles or a specific class on that path. Provides that a person may operate a Class 3 low-speed electric bicycle only if he or she is 16 years of age or older. Provides that a person who is less than 16 years of age may ride as a

passenger on a Class 3 low-speed electric bicycle that is designed to accommodate passengers. Further amends the Illinois Vehicle Code. Provides that the power of local authorities to regulate bicycles includes low-speed electric bicycles and low-speed gas bicycles.

625 ILCS 5/1-140.10, 11-208, 11-1516, and 11-1517 (New) ..... Effective Date January 1, 2018

Senate Bill 1429 ..... Public Act 100-0435  
Amends the Illinois Vehicle Code. Provides an exception for a law enforcement officer or an operator of an authorized emergency vehicle performing his or her official duties to a provision prohibiting a person from leaving a vehicle unattended without first stopping the engine and removing the key from the ignition. Provides that an unattended vehicle shall not include an unattended locked motor vehicle with the engine running after being started by a remote starter system. Defines "remote starter system". Makes conforming changes.

625 ILCS 5/1-171.01d (New), 11-1401, and 11-1429.....Effective Date August 25, 2017

Senate Bill 1946 ..... Public Act 100-0104  
Amends the Illinois Vehicle Code. Provides that an insurance company may, after completing a record search for any owner of a vehicle or a lienholder of record, obtain free of any lien a junking certificate in the insurance company's name by submitting an application to the Secretary of State. An insurance company may also obtain free of any lien a salvage certificate for any vehicle that has completed an inspection for a rebuilt vehicle under the Code by submitting an application to the Secretary. Defines "model year". Provides that a salvage dealer may, after completing a record search for any owner of a vehicle or a lienholder of record, obtain a junking certificate or a salvage certificate by submitting an application to the Secretary. Defines "salvage dealer". Provides that a vehicle owner or a lienholder may send notice of dispute of title within 30 days after notice of transfer of title is sent by the insurance company or salvage dealer to the owner or lienholder. Provides that no dealer licensed under the Code shall sell a vehicle for which a rebuilt title has been issued from another jurisdiction without first obtaining an Illinois certificate of title with a "REBUILT" notation under the Code.

625 ILCS 5/3-117.1, 117.3 (New), and 5-104.3.....Effective Date November 9, 2017

House Bill 3045 ..... Public Act 100-0145  
Amends the Illinois Vehicle Code. Provides that an application for a certificate of title, and vehicle registration, shall include, if available, a person's email address. Provides that in preparation for selection of random samples for verification of a liability insurance policy, the Secretary of State may send to owners of randomly selected motor vehicles requests for information about their motor vehicles and liability insurance coverage electronically or, if electronic means are unavailable, via U.S. mail.

625 ILCS 5/3-104, 3-405, and 7-604..... Effective Date January 1, 2018

House Bill 2580 ..... Public Act 100-0070  
Amends the Illinois Vehicle Code. Provides that upon a declaration by the Governor that an emergency harvest situation exists, a special permit issued by the Department of Transportation shall be required from September 1 through December 31 during harvest season emergencies for a vehicle that exceeds the maximum axle weight and gross limits or a



vehicle that exceeds its registered gross weight, provided that the vehicle's axle weight and gross weight do not both exceed 10% above the maximum specified limits, and does not exceed the vehicle's registered gross weight by 10%. Provides that all other restrictions that apply to permits issued shall apply during the declared time period and no fee shall be charged for the issuance of those permits. Provides that the permits issued by the Department are only valid on federal and State highways under the jurisdiction of the Department, except interstate highways. Provides that with respect to highways under the jurisdiction of local authorities, the local authorities may, at their discretion, waive special permit requirements during harvest season emergencies, and set a divisible load weight limit not to exceed 10% of a vehicle's registered gross weight, provided that the vehicle's axle weight and gross weight do not exceed 10% above the maximum specified limits. Provides that any vehicle operating under an emergency harvest permit shall not be in violation of a Section concerning the effect of provisions within the original and renewal of registration Article of the Illinois Vehicle Code.

625 ILCS 5/3-401 and 15-301.....Effective Date August 11, 2017

House Bill 2550 ..... Public Act 100-0480  
Amends the Illinois Vehicle Code. Provides that in addition to other purposes, moneys in the Illinois Fire Fighters' Memorial Fund shall be used to provide scholarships for graduate study, undergraduate study, or any other post-secondary education approved by the Illinois Firefighter Memorial Foundation (rather than only graduate study or undergraduate study) to children and spouses of fire fighters killed in the line of duty.

625 ILCS 5/3-634 ..... Effective Date September 8, 2017

Senate Bill 0267 ..... Public Act 100-0206  
Amends the Illinois Vehicle Code. Provides that the moneys in the Octave Chanute Aerospace Heritage Fund shall be paid as grants to the Rantoul Historical Society and Museum (rather than the Octave Chanute Aerospace Heritage Foundation of Illinois), or any other charitable foundation responsible for the former exhibits and collections of the Chanute Air Museum, for operational and program expenses of the Chanute Air Museum and any other structure housing the exhibits and collections of the Chanute Air Museum.

625 ILCS 5/3-698 .....Effective Date August 18, 2017

House Bill 2437 ..... Public Act 100-0057  
Amends the Illinois Vehicle Code to allow for the issuance volunteerism special license plate decals by the Illinois Department of Human Services. Provides for the original fee, renewal fees, and fee distribution for the volunteerism decals issued by the Illinois Department of Human Services.

625 ILCS 5/3-699.14 ..... Effective Date January 1, 2018

Senate Bill 0052 ..... Public Act 100-0078  
Amends the State Finance Act. Creates the Horsemen's Council of Illinois Fund as a special fund in the State treasury. Amends the Illinois Vehicle Code to allow for the issuance of decals for Universal special license plates by the Horsemen's Council of Illinois. Provides for the original

fee, renewal fees, and fee distribution for Universal special license plates with decals issued by the Horsemen's Council of Illinois.

625 ILCS 5/3-699.14 and 30 ILCS 105/5.875 ..... Effective Date January 1, 2018

House Bill 2485 ..... Public Act 100-0060  
Amends the State Finance Act. Creates the Prostate Cancer Awareness Fund as a special fund in the State treasury. Amends the Illinois Vehicle Code to allow for the issuance of decals by the Illinois Department of Public Health. Provides for the original and renewal fees and fee distribution for Universal special license plates with decals issued by the Illinois Department of Public Health.

625 ILCS 5/3-699.14 and 30 ILCS 105/5.878 (New) ..... Effective Date January 1, 2018

House Bill 2595 ..... Public Act 100-0073  
Amends the Illinois Vehicle Code. Provides for the issuance of U.S. Coast Guard license plates. Provides that an applicant shall pay \$26 for the original issuance of the plate, in addition to any appropriate registration fees. Of this fee, \$11 shall be deposited into the Illinois Veterans' Homes Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund. Provides that for each registration renewal period, an applicant shall pay a \$26 fee in addition to any appropriate registration fees. Of this fee, \$24 shall be deposited into the Illinois Veterans' Homes Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

625 ILCS 5/3-699.15(New) ..... Effective Date January 1, 2018

House Bill 3874 ..... Public Act 100-0202  
Amends the Illinois Vehicle Code. Reinforces that no person shall operate, register, or maintain registration of a motor vehicle in this State unless the motor vehicle is covered by a liability insurance policy.

625 ILCS 5/3-707 and 7-601 ..... Effective Date January 1, 2018

House Bill 0374 ..... Public Act 100-0246  
Amends the Illinois Vehicle Code. Provides that beginning with the 2019 registration year, any individual who has a military-related special license plate issued under certain specified Sections of the Code may reclass his or her special license plate upon acquiring a new specified registration without a replacement fee or registration sticker cost.

625 ILCS 5/3-802 ..... Effective Date January 1, 2018

Senate Bill 1694 ..... Public Act 100-0311  
Amends the Labor and Storage Lien Act and the Labor and Storage Lien (Small Amount) Act. Provides that the notice shall be sent return receipt requested and that the entity seeking to impose fees shall furnish a copy of the certified mail receipt to the lienholder upon request. Removes language authorizing the award of attorney's fees. Provides that the date on which the assessment and accrual of storage fees may commence is the date of the impoundment of the vehicle, subject to any applicable limitations set forth by a municipality authorizing the vehicle removal. Provides that if the vehicle that is incurring fees is registered in a state other

than Illinois, the assessment and accrual of storage fees may commence on the date that the request for lienholder information is filed by the commercial vehicle relocater or other private towing service with the applicable administrative agency or office in that state if specified conditions are met. Provides that lienholders shall be provided with the opportunity to inspect a vehicle on the premises where the vehicle is stored within 2 business days of the lienholder's request. Provides that certain notices shall be provided to lienholders of record within 2 business days rather than within one business day. Provides that provisions in the Labor and Storage Lien Act and the Labor and Storage Lien (Small Amount) Act do not apply to a municipality with 1,000,000 or more inhabitants that is seeking to impose storage fees for a vehicle in its possession. Makes other changes.

625 ILCS 5/4-203, 4-216 (New), 770 ILCS 45/1.5 and 50/1.5 .... Effective Date November 22, 2017

House Bill 1805 ..... Public Act 100-0041  
Amends the Illinois Vehicle Code. Provides that the Secretary of State shall offer to each applicant for issuance or renewal of a driver's license or identification card who is 16 years of age or older (rather than 18 years of age or older) the opportunity to have his or her name included in the First Person Consent organ and tissue donor registry. Amends the Illinois Anatomical Gift Act. Makes conforming changes. Provides that upon the death of a donor who is an emancipated minor, the parent or guardian of the donor may amend or revoke the anatomical gift of the donor's body.

625 ILCS 5/6-117, 755 ILCS 50/5-5, 5-7, 5-20, 5-43, and 5-47 ..... Effective Date January 1, 2018

House Bill 2611 ..... Public Act 100-0074  
Amends the Illinois Vehicle Code. Provides that public officials shall report to the Secretary of State when an individual has been adjudicated under the Juvenile Court Act or the Juvenile Court Act of 1987 and has committed a violation of a provision in the Snowmobile Registration and Safety Act or the Boat Registration and Safety Act relating to the offense of operating a snowmobile or a watercraft while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof. Provides that public officials shall forward a report on any disposition of court supervision for an individual's violation of a provision in the Snowmobile Registration and Safety Act or the Boat Registration and Safety Act relating to the offense of operating a snowmobile or a watercraft while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof.

625 ILCS 5/6-204 ..... Effective Date August 11, 2017

Senate Bill 0822 ..... Public Act 100-0223  
Amends the Illinois Vehicle Code. Provides that the Secretary of State shall immediately revoke the license, permit, or driving privileges of any driver who violates a provision of the Code relating to the offense of overtaking and passing of a school bus when the driver, in committing the violation, is involved in a motor vehicle accident that results in death to another and the violation is a proximate cause of the death. Adds to the definition of "medical examiner's certificate" an electronic submission of results of an examination conducted by a medical examiner listed on the National Registry of Certified Medical Examiners to the Federal Motor Carrier Safety Administration of a driver to medically qualify him or her to drive. Provides that

beginning June 22, 2018, the Secretary shall post to a Commercial Driver License Information System driver record within one business day of electronic receipt from the Federal Motor Carrier Safety Administration certain information about a driver who has certified himself or herself as non-excepted interstate. Provides that the Secretary may waive a general knowledge test waiver for an applicant of a commercial learner's permit if the applicant: (1) is a current resident of this State; (2) is a current or former member of the military services; (3) within one year prior to the application, has been regularly employed in a military position that requires the operation of large trucks; (4) has received formal military training in the operation of a vehicle similar to the commercial motor vehicle the applicant expects to operate; and (5) provides the Secretary with a general knowledge test waiver form certifying that the applicant qualifies for the general knowledge test waiver. Makes conforming changes.

625 ILCS 5/6-205, 6-500, 6-507.5, and 6-508.1 ..... Effective Date August 18, 2017

House Bill 3084 ..... Public Act 100-0149

Amends the Illinois Vehicle Code. Provides that the penalties for driving or being in actual physical control of a motor vehicle on any highway of this State at a time when the person's driver's license, permit or privilege to do so or the privilege to obtain a driver's license or permit is revoked or suspended because of a violation of the reckless homicide statute also applies to aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of the death of another person. Amends the Criminal Code of 2012. Provides that a prosecution for aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of the death of another person may be commenced at any time.

625 ILCS 5/6-303 and 720 ILCS 5/3-5 ..... Effective Date January 1, 2018

Senate Bill 1681 ..... Public Act 100-0458

Amends the Illinois Vehicle Code. Provides that each rail carrier that contracts with a contract carrier for the transportation of its employees in the course of their employment shall verify that the contract carrier has hit and run, uninsured, and underinsured motor vehicle coverage in an amount not less than \$500,000 per passenger.

625 ILCS 5/8-101 ..... Effective Date January 1, 2018

House Bill 2361 ..... Public Act 100-0257

Amends the Illinois Vehicle Code. Provides that the City of Chicago may enact an ordinance providing for a noise monitoring system upon any portion of the roadway known as Lake Shore Drive. Defines "noise monitoring system". Provides that 12 months after the installation of the noise monitoring system, and any time after the first report as the City deems necessary, the City of Chicago shall prepare a noise monitoring report with the data collected from the system and shall, upon request, make the report available to the public.

625 ILCS 5/11-208 ..... Effective Date August 22, 2017

House Bill 0791 ..... Public Act 100-0352  
Amends the Illinois Vehicle Code. Provides that a unit of local government, including a home rule unit, may not enact an ordinance prohibiting the use of Automated Driving System equipped vehicles on its roadways. Defines "Automated Driving System equipped vehicle". Limits the concurrent exercise of home rule powers.

625 ILCS 5/11-208 ..... Effective Date June 1, 2018

Senate Bill 1580 ..... Public Act 100-0096  
Amends the Illinois Vehicle Code. Removes provisions providing that a written motor vehicle accident report is privileged as to the Secretary of State and the Department of Transportation and shall be held confidential. Provides that the Department may provide for in-depth investigations of accidents involving Department employees or other motor vehicle accidents (rather than investigations of only motor vehicle accidents) by individuals or special investigation groups. Provides that an accident report required to be made in writing shall be made on an approved (rather than appropriate) form or in an approved electronic format provided by the Administrator. Provides that upon written request, the Department shall furnish copies of a written accident report or any supplemental reports to a federal, State, or local agency that is engaged in highway safety research and study and to any person or entity that has a contractual relationship with the Department or a federal, State, or local agency to complete a highway safety research and study for the Department or the federal, State, or local agency. Provides that upon written request, the Department shall furnish motor vehicle accident data to a federal, State, or local agency, the Secretary of State, the Illinois Commerce Commission, or any other person or entity that has a contractual agreement with the Department or a federal, State, or local agency to complete a highway safety research and study for the Department or the federal, State, or local agency. Defines "motor vehicle accident data". Makes conforming changes. Amends the Freedom of Information Act to exempt from inspection and copying information contained in motor vehicle accident reports and supplemental reports under Article IV of Chapter 11 of the Illinois Vehicle Code.

625 ILCS 5/1-146.5 (New), 11-408, 11-411, 11-412, 11-414,  
11-417 (New), and 5 ILCS 140/7.5 ..... Effective Date January 1, 2018

House Bill 1784 ..... Public Act 100-0359  
Amends the Illinois Vehicle Code. Provides that a driver of a motor vehicle may overtake and pass to the left of a bicycle proceeding in the same direction on a portion of a highway designated as a no-passing zone when: (1) the bicycle is traveling at a speed of less than half of the posted speed limit of the highway; (2) the driver is able to overtake and pass the bicycle without exceeding the posted speed limit of the highway; and (3) there is sufficient distance to the left of the centerline of the highway for the motor vehicle to meet the overtaking and passing requirements in the Code. Provides that the rear of a bicycle may be equipped with a lamp emitting a steady or flashing red light (rather than only a red light) visible from a distance of 500 feet in addition to or instead of a red reflector (rather than in addition to a red reflector).  
625 ILCS 5/11-703, 707, 709.1, 1505, and 1507 ..... Effective Date January 1, 2018

House Bill 1677 ..... Public Act 100-0357  
Amends the Illinois Vehicle Code. Provides that the Secretary of State shall include in its commercial driver's license curriculum and study guide information on the human trafficking problem in this State.  
625 ILCS 5/11-216 (New)..... Effective Date January 1, 2018

House Bill 0733 ..... Public Act 100-0346  
Amends the Illinois Vehicle Code. Provides that no new or used motor vehicle dealer shall permit a driver to drive a motor vehicle offered for sale or lease off premises where the motor vehicle is being offered for sale or lease, including when the driver is test driving the vehicle, with signs, decals, paperwork, or other material on the front windshield or on the windows immediately adjacent to each side of the driver that would obstruct the driver's view. Defines "test driving".  
625 ILCS 5/12-503 ..... Effective Date January 1, 2018

House Bill 3469 ..... Public Act 100-0182  
Amends the Illinois Vehicle Code. Provides that a vehicle operated by a fire chief or the Director or Coordinator of a municipal or county emergency services and disaster agency may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet.  
625 ILCS 5/12-601 ..... Effective Date January 1, 2018

House Bill 3293 ..... Public Act 100-0277  
Amends the Illinois Vehicle Code. Provides that whenever a school district, religious organization, vendor of school busses, or a school bus company whose main source of income is contracting with a school district or religious organization for the provision of transportation services in connection with the activities of a school district or religious organization, discards through either sale or donation, a school bus to an individual or entity, the recipient of the school bus shall be responsible for immediately removing, covering, or concealing the "SCHOOL BUS" signs and any other insignia or words indicating the vehicle is a school bus, rendering inoperable or removing entirely the stop signal arm and flashing signal system, and painting the bus a color different from those required under the Code.  
625 ILCS 5/12-806 ..... Effective Date January 1, 2018

Senate Bill 2028 ..... Public Act 100-0241  
Amends the Illinois Vehicle Code. Provides that a school bus that operates under the added provision may be used for the transportation of passengers other than students enrolled in grade 12 or below for activities that do not involve either a public or private educational institution if the school bus driver or school bus owner complies with certain conditions.  
625 ILCS 5/12-825 (New)..... Effective Date January 1, 2018

House Bill 3172 ..... Public Act 100-0160  
Amends the Illinois Vehicle Code. Provides that a truck tractor in combination with a semitrailer shall be subject to a safety test at an official testing station at least every 12 months (rather than 6 months).

625 ILCS 5/13-109 ..... Effective Date January 1, 2018

House Bill 2492 ..... Public Act 100-0366  
Amends the Illinois Vehicle Code. Provides that except for weight limits on Class I highways under a Chapter in the Code governing size, weight, load, and permits, the provisions under that Chapter governing size, weight, and load (rather than size and load) do not apply to fire apparatus or emergency vehicles (rather than only fire apparatus). Provides weight limits for a fire apparatus designed to be used in emergency conditions to transport personnel and equipment, and used to support the suppression of fires and mitigation of other hazardous situations, on a Class I highway.

625 ILCS 5/15-101 and 15-111..... Effective Date January 1, 2018

House Bill 0683 ..... Public Act 100-0343  
Amends the Illinois Highway Code. Provides that any agency or instrumentality of the State of Illinois or unit of local government may seek recovery for the cost of the repair of damaged or destroyed highways, highway structures, or traffic-control devices that result from operating, driving, or moving a truck tractor-semitrailer combination exceeding 55 feet in overall dimension. Amends the Illinois Vehicle Code. Provides that the maximum length of a truck tractor in combination with a semitrailer may not exceed 65 feet (rather than 55 feet) overall dimension on all non-State highways. Removes the requirement that truck tractor-semitrailer combinations must have no more than a maximum 55 feet overall wheel base on Class III roadways and other non-designated State highways. Provides that the distance between the kingpin and the axle of a semitrailer longer than 48 feet, in combination with a truck tractor, may not exceed 42 feet 6 inches, unless the trailer or semitrailer is used for the transport of livestock. Provides that an agency or instrumentality of the State of Illinois or any unit of local government shall not be required to widen or otherwise alter a non-State highway, Class III highway, or other non-designated State highway constructed before the effective date of the bill to accommodate the increase in dimension of a truck tractor-semitrailer combination.

625 ILCS 5/15-107 and 605 ILCS 5/9-113.02 ..... Effective Date January 1, 2018

House Bill 2543 ..... Public Act 100-0369  
Amends the Illinois Vehicle Code. Provides that an interstate carrier operating intrastate may operate a motor vehicle upon the public roads of this State without the intrastate authority number painted or affixed on the cab or power unit. Provides that the added provision does not apply to household goods carriers.

625 ILCS 5/18c-4701.....Effective Date August 25, 2017

Senate Bill 1730 ..... Public Act 100-0312  
Amends the Renter's Financial Responsibility and Protection Act. Removes a provision providing that a rental company shall not charge more than \$13.50 for full or partial 24 hour rental day

for a collision damage waiver. Removes a provision providing that a rental company may offer a collision damage waiver on any rental vehicle having a value in excess of a Manufacturer's Suggested Retail Price of \$50,000.

625 ILCS 27/15 ..... Effective Date January 1, 2018

House Bill 0434 ..... Public Act 100-0469  
Amends the Boat Registration and Safety Act. Provides that no person may operate, use, or store (currently, operate) or give permission for the operation, usage, or storage (currently, operation) of any such watercraft on such waters unless it has on board while in operation a valid certificate of number issued under the Act, federal law, or another federally-approved numbering system of another state unless the pocket-sized certificate of number is in full force and effect or the operator is in possession of a valid 60 day temporary permit under the Act; and the identifying number set forth in the certificate of number is displayed on each side of the bow of such watercraft. Provides that watercraft requiring numbering applications shall be accompanied by a fee of up to \$28 for a Class 1 watercraft and up to \$60 for a Class 2 watercraft (rather than \$18 for Class 1 watercraft and \$50 for Class 2 watercraft). Provides that transfers of identification numbers with the Department of Natural Resources will bear a September 30 (rather than June 30) expiration date in the calendar year of expiration. Provides that new certificates of number issued will bear September 30 (rather than June 30) expiration dates in the calendar year 3 years after the issuing date. Provides that all certificates of number issued shall be renewed for 3 years from the nearest September 30 (rather than June 30). Provides that all certificates of number will be invalid after October 15 (rather than July 15) of the year of expiration. Limits the requirement for a certificate of title for watercraft required to be numbered to watercraft over 21 feet in length (rather than any watercraft). Repeals the Sections concerning water usage stamps and their required use on non-powered watercraft. Makes changes regarding the use of personal flotation devices. Makes other changes.

625 ILCS 45/3-1, 3-2, 3-5, 3-9, 3-11, 3A-1, and 4-1 ..... Effective Date June 1, 2018

House Bill 2643 ..... Public Act 100-0076  
Amends the Pedestrians with Disabilities Safety Act. Adds to the definition of "pedestrian with a disability" a person who may require the use of a mobility device, service animal, or white cane to travel on the walking, running, or bicycle paths of this State. Provides that if the Governor takes public notice of Pedestrians with Disabilities Safety Day (October 15) and issues a proclamation, he may discuss the history of laws protecting pedestrians with disabilities and may emphasize the need of all citizens to keep safe and functional for persons with disabilities the walking, running, or bicycle paths of this State.

625 ILCS 60/5 and 60/20 ..... Effective Date January 1, 2018



# **CHAPTER 705**

## **COURTS**

House Bill 3817 .....	Public Act 100-0285
Amends the Juvenile Court Act of 1987. Provides that all juvenile records which have not been expunged are sealed and may never be disclosed to the general public or otherwise made widely available. Provides that the confidentiality provisions of the Act apply to law enforcement and municipal ordinance violations. Provides for various circumstances when juvenile records shall be expunged automatically without a petition brought by the individual and repeals provisions pertaining to those court procedures. Unless otherwise allowed by law, juvenile adjudications shall not prejudice or disqualify the individual in any civil service application or appointment, from holding public office, or from receiving any license granted by public authority. Provides that nothing in the expungement of juvenile law enforcement and court records provisions shall require the physical destruction of the internal office records, files, or databases maintained by the Office of the Secretary of State. Excludes a specific list of forcible felony type offenses from the automatic expungement provisions. Provides records of an offense under the sex offense Article of the Criminal Code is precluded from expungement if the person is required to register under the Sex Offender Registration Act. Adds the offenses of dismembering a human body, inducement to commit suicide, reckless discharge of a firearm, gunrunning, firearms trafficking, possession of a stolen firearm, and aggravated possession of a stolen firearm to the list of forcible felony type offenses excluded from the automatic expungement provisions.	
705 ILCS 405/1-7, 1-8, and 5-915.....	Effective Date January 1, 2018
House Bill 3106 .....	Public Act 100-0151
Amends the Supreme Court Act. Provides that marshals of the Supreme Court are peace officers and have all the powers possessed by police officers in cities and by sheriffs. Provides that marshals may exercise these powers throughout the State. Provides that no marshal has peace officer status or may exercise police powers unless: (i) he or she successfully completes the basic police training course mandated and approved by the Illinois Law Enforcement Training Standards Board; or (ii) the Illinois Law Enforcement Training Standards Board waives the training requirement by reason of the marshal's prior law enforcement experience or training or both.	
705 ILCS 5/11 .....	Effective Date August 18, 2017

# ***CHAPTER 720***

## ***CRIMINAL CODE***

Senate Bill 2034 ..... Public Act 100-0001  
Amends the Criminal Code of 2012. Provides that the Illinois Street Gang and Racketeer Influenced and Corrupt Organizations Law is repealed on June 11, 2022 (rather than June 11, 2017). Amends the Code of Criminal Procedure of 1963. Provides that a person charged with an offense shall be allowed counsel at the hearing at which bail is determined under the Code. Provides that if the defendant desires counsel for his or her initial appearance but is unable to obtain counsel, the court shall appoint a public defender or licensed attorney at law of this State to represent him or her for purposes of that hearing. Provides that there shall be a presumption that any conditions of release imposed shall be non-monetary in nature and the court shall impose the least restrictive conditions or combination of conditions necessary to reasonably assure the appearance of the defendant for further court proceedings and protect the integrity of the judicial proceedings from a specific threat to a witness or participant. Provides that the Supreme Court may establish a risk-assessment tool to be used in proceedings to assist the court in establishing bail for a defendant by assessing the defendant's likelihood of appearing at future court proceedings or determining if the defendant poses a real and present threat to the physical safety of any person or persons. Provides that a person with bail set on a Category B offense shall have \$30 deducted from his or her monetary bail every day the person is incarcerated. Defines "Category A offense" and "Category B offense". Makes other changes. Makes the Illinois Street Gang and Racketeer Influenced and Corrupt Organizations Law repeal date change effective upon becoming law.  
Numerous changes to Criminal Code of 2012 ..... Effective Date June 29, 2017

Senate Bill 0189 ..... Public Act 100-0080  
Amends the Criminal Code of 2012. Provides that when the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or criminal sexual abuse may be commenced at any time regardless as to whether corroborating physical evidence is available or an individual who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act fails to do so. Makes conforming changes.  
720 ILCS 5/3-6 ..... Effective Date August 11, 2017

Senate Bill 1422 ..... Public Act 100-0434  
Amends the Criminal Code of 2012. Provides that the prosecution shall not be required to prove at trial facts which extend the general limitations or establish periods excluded from the general limitations, when the facts supporting extension of or the exclusion from the period of general limitations are properly pled in the charging document. Provides that any challenge relating to the extension of or exclusion from the general limitations period shall be exclusively conducted under the dismissal of charges provisions of the Code of Criminal Procedure of 1963. Amends the Code of Criminal Procedure of 1963. Provides that when a defendant seeks dismissal of the charge upon the grounds that it is barred by the statute of limitations, the prosecution shall have the burden of proving, by a preponderance of the evidence, that the prosecution of the offense is not barred by the statute of limitations.  
720 ILCS 5/3-6, 3-7, and 725 ILCS 5/114-1 ..... Effective Date January 1, 2018

Senate Bill 1842 ..... Public Act 100-0318  
Amends the Criminal Code of 2012. Provides that when the victim is under 18 years of age at the time of the offense, a prosecution for involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons and related offenses may be commenced within 25 years (rather than one year) of the victim attaining the age of 18 years. Deletes provision that however, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.  
720 ILCS 5/3-6 ..... Effective Date August 24, 2017

Senate Bill 1761 ..... Public Act 100-0460  
Amends the Criminal Code of 2012. Provides that that an action that does not otherwise mitigate first degree murder cannot qualify as a mitigating factor for first degree murder because of the discovery, knowledge, or disclosure of the victim's sexual orientation. Provides that the same conduct does not constitute serious provocation for second degree murder.  
720 ILCS 5/9-1 and 9-2 ..... Effective Date January 1, 2018

Senate Bill 0639 ..... Public Act 100-0404  
Amends the Criminal Code of 2012. Allows a drug-induced homicide prosecution when a person violates the law of another jurisdiction, which if the violation had been committed in this State could be charged under Section 401 of the Illinois Controlled Substances Act or Section 55 of the Methamphetamine Control and Community Protection Act, by unlawfully delivering a controlled substance to another, and any person's death is caused in this State by the injection, inhalation, absorption, or ingestion of any amount of that controlled substance. Provides that the bill may be referred to as the Evan Rushing Law.  
720 ILCS 5/9-3.3 ..... Effective Date January 1, 2018

Senate Bill 1321 ..... Public Act 100-0428  
 Amends the Criminal Code of 2012. In the statute concerning grooming, defines "child" as a person under 17 years of age. Changes the statute concerning traveling to meet a minor. Changes the offense to traveling to meet a child. Defines "child" as a person under 17 years of age. Amends the Sex Offender Management Board Act and the Sex Offender Registration Act to make conforming changes.  
 720 ILCS 5/11-9.3, 11-25, 11-26, 20 ILCS 4026/10 and  
 730 ILCS 150/2 ..... Effective Date January 1, 2018

House Bill 3711 ..... Public Act 100-0197  
 Amends the Criminal Code of 2012. Provides that a person also commits hate crime when, by reason of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals, regardless of the existence of any other motivating factor or factors, he or she commits intimidation, stalking, cyberstalking, or transmission of obscene messages. Provides that independent of any criminal prosecution or the result of a criminal prosecution, any person suffering intimidation, stalking, cyberstalking, disorderly conduct, transmission of obscene messages, harassment by telephone, or harassment through electronic communications may bring a civil action for damages, injunction or other appropriate relief. Provides that the Attorney General may bring an action for civil damages for a hate crime in the name of the People of the State. Provides that the court may impose a civil penalty up to \$25,000 for each violation of the hate crime statute.  
 720 ILCS 5/12-7.1 ..... Effective Date January 1, 2018

House Bill 2390 ..... Public Act 100-0260  
 Amends the Criminal Code of 2012. Removes cap on restitution. Removes intent requirement for hate crime committed in or causing damage to a place of worship. Provides that as a condition of probation or conditional discharge for hate crime, the court shall require the offender to perform public or community service of no less than 200 hours (even if that service is not established in the county where the offender was convicted of hate crime) and to enroll in an educational program discouraging hate crimes involving the protected class identified in the statute that gave rise to the offense committed. The educational program must be attended in-person. Expands organization that can provide the educational program. Clarifies that any hate crime victim who files a civil action shall be entitled to recover attorney's fees and costs. Provides that the parents or legal guardians, other than guardians appointed under the Juvenile Court Act, of an unemancipated minor shall be liable for the amount of any judgment for a hate crime for all (rather than actual) damages rendered against the minor in any amount not exceeding the amount provided under the Parental Responsibility Law.  
 720 ILCS 5/12-7.1, and 730 ILCS 5/3-3-7, and 5-6-3 ..... Effective Date January 1, 2018

House Bill 3718 ..... Public Act 100-0199  
Amends the Code of Criminal Procedure of 1963. Revises and consolidates provisions regarding obtaining and issuing orders of protection, protective orders, and no contact orders. Repeals various provisions in the domestic violence order of protection provisions as part of the revision and consolidation. Creates a criminal offense for violation of a civil no contact order and for violation of a stalking no contact order. Repeals a Section concerning the applicability of the rules of civil procedure in a proceeding to obtain, modify, reopen, or appeal an order of protection. Provides that a civil no contact order or stalking no contact order issued by a state, tribal, or territorial court shall be deemed valid if the issuing court had jurisdiction over the parties and matter under the law of the state, tribe or territory. Provides that a defendant who directed the actions of a third party to violate a civil no contact order or stalking no contact order under the principles of accountability under the Criminal Code of 2012 as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant. Provides that a petitioner or the State's Attorney on the petitioner's behalf may file a motion to vacate or modify a permanent stalking no contact order 2 years or more after the expiration of the defendant's sentence. Makes a first violation a Class A misdemeanor and a second or subsequent a Class 4 felony. Makes conforming changes. Numerous sections ..... Effective Date January 1, 2018

House Bill 3251 ..... Public Act 100-0166  
Amends the Criminal Code of 2012. Provides that person also commits cyberstalking when he or she knowingly, surreptitiously, and without lawful justification, installs or otherwise places electronic monitoring software or spyware on an electronic communication device as a means to harass another person and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person; (2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or (3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person. Provides exemptions. Defines "electronic communication device" and "electronic monitoring software or spyware".  
720 ILCS 5/12-7.5 ..... Effective Date January 1, 2018

Senate Bill 0607 ..... Public Act 100-0082  
Amends the Criminal Code of 2012. Provides an exemption from the prohibition on sale, manufacture, purchase, possession, or carrying of a switchblade knife to a person who possesses a currently valid Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police or to a person or an entity engaged in the business of selling or manufacturing switchblade knives.  
720 ILCS 5/24-1 ..... Effective Date August 11, 2017

House Bill 3803 ..... Public Act 100-0279  
Amends the Criminal Code of 2012. Changes the offense of unlawful contact with streetgang members to unlawful participation in streetgang related activity. Provides that a person

commits the offense when he or she knowingly commits any act in furtherance of streetgang related activity (rather than has direct or indirect contact with a streetgang member). Provides that a violation is a Class A misdemeanor.

720 ILCS 5/25-5 ..... Effective Date January 1, 2018

Senate Bill 1342 ..... Public Act 100-0090  
Amends the Criminal Code of 2012. Provides that a person commits unlawful use of an elephant in a traveling animal act when he or she knowingly allows for the participation of an African elephant or Asian elephant protected under the federal Endangered Species Act of 1973 in a traveling animal act. Provides that this provision does not apply to an exhibition of elephants at a non-mobile, permanent institution, or other facility. Defines terms. Provides that unlawful use of an elephant in a traveling animal act is a Class A misdemeanor.

720 ILCS 5/48-11 ..... Effective Date January 1, 2018

House Bill 3910 ..... Public Act 100-0280  
Amends the Illinois Controlled Substances Act. Provides that emergency medical services personnel may administer Schedule II, III, IV, or V controlled substances to a person in the scope of their employment without a written, electronic, or oral prescription of a prescriber. Defines emergency medical services personnel. Includes "emergency medical services personnel" in the definition of "practitioner" under the Act.

720 ILCS 570/102 and 312 ..... Effective Date January 1, 2018

House Bill 2534 ..... Public Act 100-0368  
Amends the Illinois Controlled Substances Act. Eliminates duplications from the list of Schedule I controlled substances. Adds various synthetic drugs and cannabinoids to the list of Schedule I controlled substances. Adds 6-Monoacetylmorphine and Thiafentanyl to the Schedule II list of controlled substances. Lists all hydrocodone derivatives as Schedule II controlled substances. Lists Methorphan optical isomers as a single drug. Deletes references to dihydrocodeinone from the statute concerning the unlawful manufacture or delivery, or possession with intent to manufacture or deliver a controlled substance. Defines "controlled substance analog" for the purpose of the provisions of the unlawful manufacture or delivery, or possession with intent to manufacture or deliver a controlled substance and for the provisions concerning the unlawful possession of a controlled substance, as a substance which is not approved by the United States Food and Drug Administration or, if approved, is not dispensed or possessed in accordance with State or federal law.

720 ILCS 570/204, 206, 208, 401, and 402 ..... Effective Date January 1, 2018

Senate Bill 1944 ..... Public Act 100-0326  
 Amends the Hypodermic Syringes and Needles Act. Provides that a person who is at least 18 years of age may purchase from a pharmacy and have in his or her possession up to 100 (rather than 20) hypodermic syringes or needles. Provides that a pharmacist may sell up to 100 (rather than 20) sterile hypodermic syringes or needles to a person who is at least 18 years of age. Provides that a prescriber (rather than a licensed physician) may direct a patient under his or her immediate charge to have in possession any of the hypodermic syringes and needles permitted by the Act. Deletes provision that the Illinois Department of Public Health must develop educational materials and make copies of the educational materials available to pharmacists. Deletes provision that pharmacists must make these educational materials available to persons who purchase syringes and needles as authorized under the Act. Permits an electronic order for the hypodermic syringes and needles. Defines "prescriber".  
 720 ILCS 635/1, 2, 2.5, and 5 ..... Effective Date January 1, 2018

## ***CHAPTER 725***

# ***CRIMINAL PROCEDURES***

Senate Bill 0057 ..... Public Act 100-0388  
 Amends the Illinois Domestic Violence Act of 1986 and the Code of Criminal Procedure of 1963. Provides that, with exceptions, the court may, upon request by a petitioner for an order of protection, order a wireless telephone service provider to transfer to the petitioner the right to continue to use a telephone number or numbers indicated by the petitioner and the financial responsibility associated with the number or numbers. Provides that the petitioner may request transfer of each telephone number that the petitioner, or a minor child in his or her custody, uses. Provides that the order shall contain specified terms. Provides that a wireless telephone service provider may apply to the petitioner its routine and customary requirements for establishing an account or transferring a number, including requiring the petitioner to provide proof of identification, financial information, and customer preferences. Provides that notice of orders shall be served upon the wireless service provider's agent for service of process as listed with the Illinois Commerce Commission rather than the Secretary of State. Requires service providers to furnish the name and address of an agent for service of orders to the Illinois Commerce Commission. Provides that a wireless telephone service provider is immune from civil liability for its actions taken in compliance with a court order issued under the new provisions, except does not apply to willful or wanton misconduct.  
 720 ILCS 5/112A-14 and 750 ILCS 60/214 ..... Effective Date January 1, 2018

House Bill 0528 ..... Public Act 100-0336  
 Amends the Sexual Assault Evidence Submission Act. Creates the Sexual Assault Evidence Tracking and Reporting Commission to research and develop a plan to create and implement a statewide mechanism to track and report sexual assault evidence information. Provides that the Commission shall within one year of its initial meeting: (1) research options to create a tracking system and develop guidelines and a plan to implement a uniform statewide system to track the location, lab submission status, completion of forensic testing, and storage of sexual assault evidence; (2) develop guidelines and a plan to implement a system with secure electronic access that allows a victim, or his or her designee, to access or receive information about the location, lab submission status, and storage of sexual assault evidence that was gathered from him or her, provided that the disclosure does not impede or compromise an ongoing investigation; (3) develop guidelines and a plan to safeguard confidentiality and limited disclosure of the information contained in the statewide system; (4) recommend sources of public and private funding; (5) recommend changes to law or policy required to support the implementation of the plans developed; and (6) report its findings and recommendations to submit any and all proposed legislation to the Governor and General Assembly. Repealed on January 1, 2019.  
 720 ILCS 202/5 and 43.....Effective Date August 25, 2017

# ***CHAPTER 735***

## ***CIVIL PROCEDURE***

House Bill 2559 ..... Public Act 100-0370  
 Amends the Code of Civil Procedure. Requires the petitioner to include in the petition a statement under oath and subject to the penalty of perjury whether or not the petitioner or any other person 18 years of age or older who will be subject to a change of name under the petition if granted: (1) has been adjudicated or convicted of a felony or misdemeanor offense under the laws of this State or any other state for which a pardon has not been granted; or (2) has an arrest for which a charge has not been filed or a pending charge on a felony or misdemeanor offense (rather than before filing a petition, each person 18 years of age or older who will be subject to a change of name under the petition if granted must initiate an update of his or her criminal history transcript with the Department of State Police). Provides if the statement indicates the petitioner or any other person 18 years of age or older who will be subject to a change of name under the petition, if granted, has been adjudicated or convicted of a felony or misdemeanor offense under the laws of this State or any other state for which a pardon has not been granted, or has an arrest for which a charge has not been filed or a pending charge on a felony or misdemeanor offense, the State's Attorney may request the



court to or the court may on its own motion, require the person, prior to a hearing on the petition, to initiate an update of his or her criminal history transcript with the Department of State Police. Requires the Department to allow a person to use the Access and Review process, established by rule in the Department, for this purpose. Provides the circuit court clerk shall promptly serve a copy of the petition on the Department of State Police. Provides if the court grants a name change to a person who has been adjudicated or convicted of a felony or misdemeanor offense under the laws of this State or any other state for which a pardon has not been granted, or has an arrest for which a charge has not been filed or a pending charge on a felony or misdemeanor offense, a copy of the order, including a copy of each applicable access and review response, shall be forwarded to the Department of State Police. The Department of State Police shall update any criminal history transcript or offender registration of each person 18 years of age or older in the order to include the change of name as well as his or her former name.

735 ILCS 5/21-101 and 102.5 (New) ..... Effective Date January 1, 2018

## ***CHAPTER 775***

### ***HUMAN RIGHTS***

Senate Bill 1697 ..... Public Act 100-0100  
Amends the Illinois Human Rights Act. Provides that it is a violation for an employer to impose as a condition of obtaining or retaining employment any term or condition that requires a person to violate or forgo a sincerely held practice of his or her religion including the wearing of any attire, clothing, or facial hair in accordance with the requirements of his or her religion. Provides that dress codes or grooming policies that include restrictions related to the maintenance of workplace safety or food sanitation are not prohibited.

775 ILCS 5/2-102 ..... Effective Date August 11, 2017

## ***CHAPTER 815***

### ***BUSINESS TRANSACTIONS***

Senate Bill 0707 ..... Public Act 100-0412  
Amends the Personal Information Protection Act. Provides that a State agency that has been subject to a single breach or aggravated computer tampering to the security of its data shall

submit a comprehensive report to the Attorney General and the General Assembly. Specifies the content of the report. Requires the report to be made available to the public. Provides that State agencies directly responsible to the Governor subject to a single breach concerning more than 250 Illinois residents or an instance of aggravated computer tampering shall notify the Chief Information Officer of the Department of Innovation and Technology and the Attorney General within 72 hours of discovering the incident. Requires the Department of Innovation and Technology to take specified actions in response to the incident. Provides that the Attorney General may disclose information regarding the breach.

815 ILCS 530/12 .....Effective Date August 25, 2017

## ***CHAPTER 820***

## ***EMPLOYMENT***

Senate Bill 0860 ..... Public Act 100-0226  
Amends the Line of Duty Compensation Act. Changes the definition of "killed in the line of duty" to include losing one's life while on active duty in connection with, among other operations, Operation Freedom's Sentinel, Operation New Dawn, and Operation Inherent Resolve.

820 ILCS 315/2 .....Effective Date August 18, 2017

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