

CHAMBER DAY 2018

KEY BILLS

BUSINESS REGULATION

HB 4297 (Lilly), HB 3208 (Conyears-Ervin), and SB 2332 (Morrison) – All raise the age for whom tobacco products, electronic cigarettes, and alternative nicotine products may be sold to and possessed from at least 18 years of age to at least 21 years of age. **Chamber Position: Oppose**

HB 4081 (Halpin) - HB 4081 would create the Call Center Worker and Consumer Protection Act. The proposal would require employers with 50 or more employees that relocates a call center (or substantial operations) from Illinois to another country OR state to notify the Illinois Treasurer's Office at least 120 days prior to relocation. Any employer that does not notify the Treasurer is subject to a civil penalty of \$10,000 for each day they are found in violation. In addition, any employer that appears on the blacklist would be ineligible for any direct or indirect state grants or loan for 5 years. The bill would require any state agency to ensure that all state-business-related call center and customer service work be performed by state contractors entirely within the state. **Chamber Position: Oppose**

SB 1502 (Hastings) - Creates the "Right to Know Act." This bill regulates any company that has a website or online service that collects information about Illinois residents. This bill would require companies to keep track of the names of essentially every third party that receives personal information about an Illinois consumer. Along with that list of names, companies would have to keep a log of all the categories of personal information involved. The company must maintain a database of the categories of personal information that were disclosed and the names of third parties that received that information for a full year in case a consumer submits a request. The bill also requires websites and online services to post a privacy policy identifying the categories of personal information they collect. This bill would add to the already cumbersome regulatory structure. **Chamber Position: Oppose.**

INFRASTRUCTURE

SB 1451 (Link) – This bill is designed to help attract small cell technology to enable the next generation of 5G wireless connectivity. Small cells are flexible network solutions that can be readily deployed to specific locations, including those where customers are prone to experience connectivity issues or in areas that can't effectively be served by a traditional cell tower. This is a great pro-business initiative that will spur economic growth and will meet consumer demands. **Chamber Position: Oppose**

HB 5229 (Zalewski) – Creates a tax exemption for the construction of a new or existing data centers. **Chamber Position: Support – Chamber Initiative**

EMPLOYMENT LAW

HB 4163 (Moeller) – This bill would prohibit an employer from: (i) screening job applicants based on their wage or salary history, (ii) requiring that an applicant's prior wages satisfy minimum or maximum criteria, and (iii) requesting or requiring as a condition of being interviewed or as a condition of continuing to be considered for an offer of employment that an applicant disclose prior wages or salary. It also would prohibit an employer from seeking the salary, including benefits or other compensation or salary history, of a job applicant from any current or former employer. It also undermines employer defenses along with expansion of civil penalties. **Chamber Position: Oppose**

HB 4324 (Welch) – Creates the Wage Lien Act to allow for the creation of a lien on an employer's property for the amount of unpaid wages owed to an employee. **Chamber Position: Oppose**

HB 5046 (Welch) – Creates the Fair Scheduling Act to require employers to provide work schedules to employees at least 72 hours before the start of the first shift of the work schedule and to provide pay when an employee's work shift is canceled or reduced within 72 hours of the beginning of the shift. Prohibits retaliation by employers when employees seek to enforce rights under the Act. Authorizes private actions for damages. Enforced through the Department of Labor. **Chamber Position: Oppose**

HB 5240 (Reis) – Amends the Workers' Compensation Act to require a recipient of certain pain management medication to sign a written agreement with the prescribing physician agreeing to comply with the conditions of the prescription. Prohibits additional prescriptions while the recipient is noncompliant. Limits the applicability of the lack of pain management as a consideration in awarding benefits. Provides for the disclosure of violations of the agreement upon request by the employer. Requires a prescribing physician to file quarterly reports to obtain payment. **Chamber Position: Support – Chamber Initiative**

SB 3053 and HB 5103 (Thapedi) – Both bills would amend the state's biometric law to provide employers the ability to use biometric information for internal employment purposes, so long as the employer is not using the information for commercial purposes. **Chamber Position: Support – Chamber Initiative**

ENERGY AND ENVIRONMENT

HB 5564 (Moeller) – Concerning eminent domain authority, the bill prohibits the granting of title or possession of property from occurring in a condemnation case if a party to the case requests a trial by jury. The bill ties possession by the condemning party to a decision on compensation. This applies to any project that could use eminent domain authority – utilities, railroads, pipelines, localities, state housing projects, and a whole host of other industries. **Chamber Position: Oppose**

SB 3005 (Raoul) – SB 3005 would allow any “persons” to appeal or intervene in lawsuits challenging decisions of state agencies. This means that any person, Illinois resident or not, can be listed as an interested party in a proceeding, a power currently afforded to the agencies and plaintiff party requesting the proceeding. The legislation currently has been refined to apply only to permitting decisions by the Departments of Agriculture, Natural Resources, Transportation, Public Health, and the Environmental Protection Agency. This would open the floodgates for interest groups to interject in administrative decisions before the State of Illinois, causing severe logjams, excessive litigation and further undermining the ability of businesses in Illinois to obtain the necessary approvals to operate in the state. **Chamber Position: Oppose**

FINANCIAL SERVICES

HB 4570 (Welch) – Amends the Deposit of State Moneys Act. Disqualifies banks and savings and loan associations that have not achieved a federal Community Reinvestment Act rating (“CRA rating”) of “outstanding record of meeting community credit needs” from serving as a depository of State moneys upon their failure to establish, within 365 days after the effective date of the amendatory Act and each year thereafter, in each low-income and moderate-income geography that is located in those portions of their assessment areas that are in the State, at least one more automated teller machine (“ATM”) or branch than they operated in that geography on the first day of the preceding calendar year and to maintain those facilities. **Chamber Position: Oppose**

HEALTHCARE

SB 2334 (Murphy) – This bill would require that a hospital shall maintain a metal detector at each point of entry into the hospital. **Chamber Position: Oppose**

HB 4146 (Fine) – HB4146 prevents the modification of a health insurance plan’s prescription drug formulary during a plan year if a drug has been previously approved for coverage, a prescriber continues to prescribe the drug and a patient continues to be an enrollee of a healthcare plan. The legislation blocks cost containment options that a health insurance plan or pharmacy benefits manager can currently utilize, such as removing a prescription drug from a formulary, moving a drug to a more restrictive tier or increasing cost-sharing arrangements. These changes typically occur when a similar, more cost-effective drug enters the marketplace. **Chamber Position: Oppose**

TAXES

HB 2717 (Welch) – Provides that, subject to certain restrictions, if the Department of Revenue may disclose confidential financial information to a municipality or county, then the Department of Revenue may also disclose that financial information to an independent third party who is authorized in writing by that municipality or county to receive the information. **Chamber Position: Oppose**

HB 4293 (Welch) and SB 3189 (Biss) – Amends the Illinois Income Tax Act. Imposes a privilege tax on partnerships and S corporations engaged in the business of conducting investment management services. Provides that the tax shall be imposed at the rate of 20% of the fees calculated by reference to the performance of the investment portfolio funds and not from the investment itself. **Chamber Position: Oppose**

HB 5001 (K Wheeler) – Expand the Manufacturing Machinery and Equipment exemption. **Chamber Position: Support – Chamber Initiative**

HB 5570 (K. Wheeler) – Reinstate and extend the sunset date of the expanded temporary storage. **Chamber Position: Support – Chamber Initiative**

HJRCA 39 (C. Mitchell), SJRCA 1 (Harmon), and SJRCA 16 (Biss) – All three proposals amend the Amends the Revenue Article of the Illinois Constitution removing the provision that income tax be measured at a non-graduated rate. Provides that there may be one tax on the income of individuals and corporations. **Chamber Position: Oppose**

SB 1286 (Mulroe) – SB 1286 rewrites the Captive Insurance law to make Illinois more attractive and receptive to form or relocate captive insurance companies that will in turn generate more premium tax revenue. **Chamber Position: Support**

SB 2604 (Althoff and HB 5045 – Batinick) – Amend the Uniform Penalty and Interest Act to automatically rescind underpayment penalties. **Chamber Position: Support – Chamber Initiative**

SB 2605 (Althoff) and HB 5004 (K. Wheeler) – Both amend the Illinois False Claims Act to correct abuses allowed under current law. **Chamber Position: Support – Chamber Initiative**

SB 2820 (Althoff) – Streamlines the Enterprise Zone selection process. **Chamber Position: Support – Chamber Initiative**

SB 2901 (Althoff) – Revise unclaimed property statute to modify certain anti-business provisions. **Chamber Position: Support – Chamber Initiative**

SB 3227 (Weaver) – Enhance the R&D credit calculation. Enhance the R&D credit calculation. **Chamber Position: Support – Chamber Initiative**

SB 3111 (Holmes) and HB 5002 (K. Wheeler) – Create a bonus investment credit for small businesses. **Chamber Position: Support – Chamber Initiative**

SB 3400 (Althoff) – Level the playing field for Illinois cigar retailers by capping the tax on cigars at \$0.50/cigar. **Chamber Position: Support – Chamber Initiative**

SB 3505 (Tracy) and HB 5504 (McCombie) – Both provide a fix for temporary storage to allow products to return to Illinois for storage, repair and refurbishment. **Chamber Position: Support – Chamber**