

CHAMBER DAY 2018

100TH GENERAL ASSEMBLY

LEGISLATIVE RATINGS MIDTERM REPORT



**ILLINOIS CHAMBER
OF COMMERCE**

ABOUT THE ILLINOIS CHAMBER OF COMMERCE LEGISLATIVE RATINGS

The ratings are based on legislators' votes on the key business legislation of the 100th General Assembly as determined by staff and the Chamber's Government Affairs Committee. The votes in the Senate and House are selected based on their impact on the business community.

None of the bills used in the midterm report are weighted, as there were an adequate number of legislation voted on during this General Assembly in the first year.

Legislators were given a positive mark (+) on their scorecard for bills that they voted in favor with the Illinois Chamber and were given a negative mark (-) on their scorecard for bills in which they voted against the Illinois Chamber.

Legislators who voted present (P) or took a 'no vote' (NV) on a bill in which the Illinois Chamber supported were also given a negative mark (-) on their scorecard. Contrary, legislators who voted present or took a 'no vote' on a bill in which the Illinois Chamber opposed, were not counted for or against their final rating.

Legislators who were absent (A) on a bill were given a negative mark (-) on their scorecard.

Legislators who were either not a member at the time of the vote (NA) or were excused from their absence (E) during the vote were not counted for or against their final score. Members who did not meet the required number of votes were not given a rating (NE).

In cases where more than one roll call was taken on a bill, the vote that best demonstrates support for employers' vital interests was chosen. If employers are to change the culture in Springfield, they must educate themselves on the record of their representatives and hold them accountable for it.

And finally, **these scores are not final**. This is simply a mid-term status of where lawmakers currently stand. The Illinois Chamber will release the final ratings in Summer 2018.

LEGISLATION USED FOR THE MIDTERM LEGISLATIVE RATINGS

SB 2814 (Rose/Rita) – “Future Energy Jobs Bill” *99th G.A.

The Illinois Chamber opposed this legislation out of concern for the adverse impact the bill would have on the business community. The Illinois Chamber recognizes that there were valid arguments in favor of approving this bill, including the regional impact to Clinton and the Quad Cities and the potential impact to the grid. With that in mind, we believe that the disruption to an already successful marketplace outweighed the arguments in favor of passing this legislation. SB 2814 is an anti-competitive bill that increases electricity prices for the business community and ultimately slows economic growth. This legislation will increase costs on all ratepayers and, while there was some success in easing those costs during the amendment process, the increases will still be extremely costly to the state’s employers and further exacerbate Illinois’ anti-business climate. With already skyrocketing workers’ compensation costs and hostile tax policies, Illinois simply cannot afford another challenge to retaining businesses. *Given the impact of this bill and the fact it was signed into law during the veto session of the 99th General Assembly – when lawmakers are often held without accountability, we are using this vote towards members’ 2017-2018 ratings.*

Chamber Position: OPPOSED

House 3rd Reading: 63-38-0

Senate Concurrence: 32-18-0

Outcome: Public Act 99-0906

HB 162 (Zalewski/Bush) – EDGE Tax Credit Extension

HB 162 which would reinstate the state’s main job creation incentive program, EDGE, for five years. The legislation also makes changes concerning the capital investment and employment requirements for credits under the Act. These changes may provide for a greater level of participation by small and mid-sized businesses - something the previous version of EDGE did not have.

Chamber Position: SUPPORT

House 3rd Reading: 102-5-0

Senate 3rd Reading: 56-0-1

Outcome: Public Act 100-0511

HB 302 (Martwick/Collins) – Life Insurance Unclaimed Benefits

HB 302 would require life insurance companies to cross-match lapsed or expired policies against the Social Security Administration's Death Master File to find potential beneficiaries of unclaimed life insurance benefits. The bill as passed both chambers, requires all insurers to search policies in force as of Jan. 1, 2012, and to Jan. 1, 2000 if a company has electronically-searchable records.

Chamber Position: OPPOSE

House Motion to Override Veto: [71-40-0](#)

Senate Motion to Override Veto: [38-16-0](#)

Outcome: Governor Amendatory Veto; Veto Overridden; Public Act [100-0543](#)

HB 2462 (Moelelr/Biss) – Equal Pay Act Wage History

HB 2462 would have sought to 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 have prohibited an employer from seeking the salary, including benefits or other compensation or salary history, of a job applicant from any current or former employer.

The most concerning provision under HB 2462 were the undermining of employer defenses along with the expansion of civil penalties, including punitive damages, compensatory damages and injunctive relief.

Chamber Position: OPPOSE

House Motion to Override Veto: [80-33-0](#)

Senate Motion to Override Veto: [29-17-1](#)

Outcome: Governor Veto; Total Veto Stands

HB 2525 (Hoffman/Raoul) – Fake Workers' Compensation Reform

Amends the Employer's Liability Rates Article of the Illinois Insurance Code to regulate workers' compensation insurance rates. Includes employer safety and return to work programs, returns injuries to the shoulder part of the arm and hip part of the leg, provisions concerning repetitive and cumulative injuries, annual reports done by IWCC on self-insurance, a Workers' Compensation Premium Rates Task Force, an evidence-based drug formulary, and other changes.

Chamber Position: OPPOSED

House Concurrence: [64-51-0](#)

Senate 3rd Reading: [35-19-1](#)

Outcome: Governor Vetoed; Total Veto Stands

HB 2622 (Fine/Biss) – More Fake Workers' Compensation

HB 2622 uses employer and insurer tax dollars to capitalize the creation of a state established, mutual insurance company to compete with the over 300 insurers that already provide workers' compensation coverage. The \$10 million of startup money are tax dollars that currently go to run the operations of the Workers' Compensation Commission. The legislation provides that the funds are a "loan" to be paid back with interest. Given the track record regarding finances of Illinois state government, it is difficult to believe the loan would be paid in a timely fashion. Furthermore, removing resources meant to support the operations of the Commission jeopardizes the entire adjudication of workers' compensation for injured workers as well as employers.

Chamber Position: OPPOSED

House Motion to Override: [64-50-1](#)

Senate 3rd Reading: [32-20-1](#)

Outcome: Governor Vetoed; Total Veto Stands

HB 2771 (C. Mitchell/Hutchinson) – “Health Workplace Act”

HB 2771 as amended, would require employers to provide 5 sick days to employees. An employee may earn sick days 180 days after beginning employment at the accrual rate of one hour of sick leave for every 40 hours worked. School districts, park districts, and certain City of Chicago sister agencies are exempt. The Department of Labor will administer the program. Individuals may file civil actions with respect to violations of the new Act.

Chamber Position: OPPOSED

House Concurrence: [60-46-0](#)

Senate 3rd Reading: [31-17-0](#)

Outcome: Governor Vetoed; Total Veto Stands

HB 3419 (Andrade/Martinez) – Corporate Expatriation: Blame the Tax Code, Not Companies

HB 3419, would unjustly punish companies who engage in perfectly legal federal tax planning retroactively. Under the bill, the state would prohibit so-called “expatriated entities” who have engaged in legal federal tax planning from bidding on state contracts and prohibits the state’s pension systems from investing in the stock of such companies. It is also worth mentioning that since the Tax Cuts and Jobs Act was signed into law, many companies are repatriating back to the United States.

Chamber Position: OPPOSE

House Motion to Override Veto: [75-36-0](#)

Senate Motion to Override Veto: [39-12-0](#)

Outcome: Governor Vetoed; Veto Overridden; Public Act [100-0551](#)

HB 3449 (Williams/T. Cullerton) – Geolocation Bill

HB 3449, otherwise known as the ‘geolocation bill.’ This bill would have had immense impact on our state’s thriving technology sector. A bill that all along was being pushed by trial lawyers would have prohibited private entities from receiving location information from a device until users are put through a consent process that would be long and cumbersome to both app developers, businesses and the consumers. Not to mention, it would have disrupted many businesses models and services with its passage.

Chamber Position: OPPOSE

House Concurrence: [63-38-2](#)

Senate 3rd Reading: [33-22-0](#)

Outcome: Governor Vetoed; Total Veto Stands

SB 8 (Harmon/Riley) – Procurement Reform

SB 8 will save taxpayers money and will make it easier for the private sector to do business with the State. SB 8 ensures the state's procurement opportunities are handled through a sensible, fair, and transparent process. The Chamber supported the measure and was an advocate for instituting both the best value procurement program and the cooperative purchasing agreements.

Chamber Position: SUPPORT

House 3rd Reading: [114-0-0](#)

Senate Concurrence: [54-0-0](#)

Outcome: Public Act [100-0043](#)

SB 9 (Hutchinson/Davis) – 32% Tax Increase; Revenue Omnibus Bill

This is the revenue omnibus bill. Below are some pertinent highlights of what is law and what was left out in the revenue portion of the package laid out under [SB 9](#):

- Service taxes, soda taxes, satellite or streaming taxes as proposed in earlier versions **were removed**;
- Income taxes are permanently increased for individuals to 4.95% (from 3.75) and 7% for corporations (from 5.25) beginning July 1, 2017;
- A complete rewrite of the state's unclaimed property law, which we oppose;
- Graphic arts machinery and equipment exemption is restored;
- The expansion of the manufacturing machinery and equipment exemption to include production-related tangible personal property formerly covered by the expired manufacturers' purchase credit was removed from the final version of SB 9;
- The R&D credit is restored retroactively;
- Illinois Income Tax Act is decoupled from the federal Domestic Production Activities Deduction;
- Unitary business non-combination rule is repealed;
- The definition of the United States is amended to include areas of U.S jurisdiction for the purposes of natural resource exploration;
- Earned income tax credit and education expense credits are increased;
- Gasohol will subject to sales tax at 100% of selling price – currently taxed at 80% of selling price; and,
- Creates the Uniform State Tax Lien Registration Act.

Chamber Position: OPPOSED

House Motion to Override Veto: [71-42-0](#)

Senate Motion to Override: [36-19-0](#)

Outcome: Governor Vetoed; Vetoed Overridden; Public Act [100-0022](#)

1 (Lightford/Guzzardi) – \$15 per hour Minimum Wage

SB 81 would increase the state's minimum wage to \$15 per hour by 2022 for those over the age of 18 and \$12 by 2022 for those under the age of 18.

Chamber Position: OPPOSE

House 3rd Reading: [61-53-2](#)

Senate Concurrence: [30-23-2](#)

Outcome: Governor Vetoed; Total Veto Stands

SB 1502 (Hastings/Turner) – “Right to Know”

SB 1502 (Hastings/Turner), otherwise known as the “Right to Know” bill would have had a chilling impact on Illinois businesses large and small. The proposed legislation would require any website that collects and discloses personal identifiable information to respond to requests from users of the site on what information is being collected and to whom is it being disclosed to. The legislation would have also required businesses across our state to create massive databases of personal information about their online customers/users that would not otherwise have to create or collect. By forcing business to create new and untested databases, the proposed legislation would inadvertently create more ways for customers’ identities to be stolen.

Chamber Position: OPPOSE

House Vote: Consideration Postponed

Senate 3rd Reading: [31-21-1](#)

Outcome: House Rules Committee

SB 1719 (Biss/Welch) – 20% Gross Receipts Tax on Investment Management

In today’s interconnected world, billions of dollars travel across the globe in less than seconds. SB 1719 would both put Illinois’ vital financial service sector and the tens of thousands of jobs it employs at risk by imposing a new 20% gross receipts tax on partnerships and S corps engaged in the business of conducting investment management services. Illinois has benefited from being a top ten globally-recognized financial hub. SB 1719 would hurt our state’s global reputation and would force investors to look to less hostile cities such as Boston, Dallas, and Charlotte.

Chamber Position: OPPOSE

House 3rd Reading: NA

Senate 3rd Reading: [32-24-1](#)

Outcome: House Rules Committee

Name/Party	SB 2814 (99th GA)	HB 162	HB 302	HB 2462	HB 2525	HB 2622	HB 2771	HB 3419	HB 3449	SB 8	SB 9	SB 81			
Vote Totals	63-38-0	102-5-0	71-40-0	80-33-0	64-51-0	65-50-1	60-46-0	75-36-0	63-38-2	114-0-0	71-42-0	61-53-2			
Chamber Position	N	Y	N	N	N	N	N	N	N	Y	N	N	Total Bills	Total +	Total -
Ammons [D]	E												10	1	9
Andersson [R]	-	E	-	-	+	+	+	+	+	+	-	+	11	7	4
Andrade [D]	-	+	-	-	-	-	-	-	-	-	-	-	12	3	7
Arroyo [D]	-	+	-	-	-	-	-	-	-	-	-	-	12	2	10
Batinick [R]	+	+	NV	+	+	+	+	+	NV	+	+	+	10	10	10
Bellock [R]	-	+	+	+	+	+	+	+	+	+	+	+	12	11	1
Bennett [R]	+	+	+	+	+	+	+	+	+	+	+	+	12	12	0
Bourne [R]	+	+	NV	+	+	+	+	+	+	+	+	+	11	11	0
Brady [R]	-	+	+	+	+	+	+	NV	+	+	+	+	11	10	1
Breen [R]	-	+	+	+	+	+	+	+	+	+	+	+	12	11	1
Bristow [D]	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NE	NE	NE
Bryant [R]	E	+	+	+	+	+	+	+	+	+	+	+	11	9	2
Burke, K [D]	+	+	-	-	-	-	-	-	-	-	-	-	12	2	10
Burke, D [D]	+	+	-	-	-	-	-	-	-	-	-	-	12	2	10
Butler [R]	-	+	NV	+	+	+	+	+	+	+	+	+	11	9	2
Cabello [R]	-	+	+	+	+	+	+	+	+	+	+	+	12	10	2
Carroll [D]	NA	NA	-	-	NA	NA	NA	NA	NA	NA	NA	NA	NE	NE	NE
Cassidy [D]	+	+	+	+	+	+	+	+	+	+	+	+	12	3	9
Cavaletto [R]	NV	+	+	+	+	+	+	+	+	+	+	+	11	11	0
Chapa LaV/a [D]	+	+	-	-	-	-	-	-	-	-	-	-	10	4	6
Connor [D]	NA	+	-	-	NA	P	-	-	-	NA	+	NA	7	2	5
Conroy [D]	+	+	-	-	-	-	-	-	-	NA	-	-	12	3	9
Conyers-Ervin [D]	NA	+	-	-	-	-	-	-	-	+	-	-	11	2	9
Costello [D]	E	+	+	+	+	+	+	+	+	+	+	+	11	4	7
Crespo [D]	+	+	-	-	-	-	-	-	-	+	-	-	12	3	9
Currie [D]	-	+	-	-	-	-	-	-	-	+	-	-	12	2	10
D'Amico [D]	-	+	-	-	-	-	-	-	-	+	-	-	12	2	10
Davidmeyer [R]	+	+	+	+	+	+	E	+	+	+	+	+	11	10	1
Davis, Will [D]	-	+	-	-	-	-	-	-	-	-	-	-	12	2	10
DeLuca [D]	-	+	-	-	-	-	-	-	-	-	-	-	11	2	9
Demmer [R]	-	+	+	+	+	+	NV	+	+	+	+	+	11	9	2
Drury [D]	-	+	-	-	-	-	-	-	-	E	-	-	11	0	11
Durkin [R]	-	+	+	+	+	+	+	+	+	+	+	+	11	10	1
Evans [D]	-	+	-	-	-	-	-	-	-	+	-	-	12	2	10
Feigenholz [D]	-	+	-	-	-	-	-	-	-	+	-	-	12	2	10
Fine [D]	-	+	-	-	-	-	-	-	-	+	-	-	12	2	10
Finnie [D]	NA	NA	-	-	NA	NA	NA	NA	NA	NA	NA	NA	NE	NE	NE
Flowers [D]	+	+	-	-	-	-	-	-	-	+	-	-	12	3	9
Ford [D]	+	+	-	-	-	-	-	-	-	+	-	-	12	3	9
Fortner [R]	-	+	+	+	+	+	E	+	+	+	+	+	10	9	3
Frese [R]	+	+	+	+	+	+	+	+	+	+	+	+	12	2	0
Gabel [D]	-	+	-	-	-	-	-	-	-	+	-	-	12	2	10
Gordon-Booth, J. [D]	+	+	-	-	-	-	-	-	NV	+	-	-	11	3	8
Greenwood [D]	NA	+	-	-	-	-	-	-	-	+	-	-	11	2	9
Guzzardi [D]	-	+	-	-	-	-	-	-	E	+	-	-	10	2	8
Halbrook [R]	NA	+	+	+	+	+	+	+	+	+	+	+	11	11	0
Halpin [D]	NA	+	-	-	-	-	-	-	-	+	-	-	11	2	9
Hammond [R]	+	+	+	+	+	+	+	+	+	+	+	+	12	11	1
Harper [D]	-	+	-	-	-	-	-	-	-	+	-	-	12	2	10
Harris, D [R]	E	-	-	-	+	+	+	+	NV	+	+	+	10	5	5
Harris, G [D]	-	+	-	-	-	-	-	-	-	+	-	-	12	2	10
Hays [R]	-	+	+	+	+	+	+	+	+	+	+	+	12	8	4
Hernandez [D]	+	+	-	-	-	-	-	-	-	+	-	-	12	2	10

2015 - 2016
2017-2018
AV

33% 10% 22%
100% 64% 82%
42% 30% 36%
17% 17% 17%
100% 100% 100%
100% 92% 96%
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NE NE NE
83% 82% 83%
42% 17% 30%
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