



ILLINOIS CHAMBER
OF COMMERCE

GOVERNMENT AFFAIRS

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April 5, 2019

This Week in Illinois

The House was in session this week Tuesday, April 2, through Thursday, April 4. The Senate arrived Wednesday, April 3, and was in through Thursday, April 4, cancelling scheduled session on Friday, April 5. Both houses return for session next week from Tuesday, April 9, to Friday, April 12. Friday is the third reading deadline in both the House and Senate for bills originating in each chamber.

After next week, the House and Senate will be on spring break from April 15, to April 29, with both chambers returning for session on Tuesday, April 30.

ASSOCIATION HEALTH PLANS

Last week, Judge John D. Bates from the U.S. District Court for the District of Columbia ruled against the Department of Labor and in favor of the 12 Attorneys General finding two provisions of the June 2018 Association Health Plan (AHP) final rule unlawful.

The U.S. Chamber of Commerce's Litigation Center filed an amicus brief for Judge Bates to consider before the oral arguments were heard in January, 2019 and will continue to defend the regulation through the litigation process.

The U.S. Chamber is working to clarify the immediate implications for previously launched AHPs, as well as those with impending effective dates while the litigation proceeds through the appeals process.

ENHANCING SCOTT'S LAW

[HB 1875](#) (Cabello) includes tougher regulations for disobeying Scott's Law that requires motorists to move over

Workers' Compensation

or slow down for vehicles with emergency lights activated. The legislation comes in response to the 16 Illinois State Police troopers being struck in the first three months of 2019. The bill makes first-time violation punishable by one to three years in prison and a fine of up to \$25,000 if no property or people are harmed. The penalty would be increased to two to five years and a five-year suspension of driving privileges if another person is injured. If a Scott's Law violation results in death, drivers could face three to seven years in prison and permanent revocation of their driving privileges. Scott's Law went into effect in 2002.

RECREATIONAL CANNABIS VEHICLE BILL

[SB 7](#) (Steans) passed out of the Senate Executive Committee this week. It is an empty shell bill creating the Cannabis Regulation and Taxation Act that will be a vehicle bill for recreational cannabis. The sponsor alluded that there will be a hearing on actual language before the end of the month.

SUBJECT MATTER HEARINGS

The Senate Judiciary Committee held a subject matter hearing on [SB 1564](#) (McConchie) that seeks to fix many of the problems and abuses under the False Claims Act. **The Chamber testified in support of the legislation.**

FLOOR ACTION

[SB 1379](#) (Hutchinson) passed the Senate 36-16-1 and moves to the House. The legislation is an initiative of the Cook County Assessor's Office that requires certain information to be filed by "taxpayers" that have "income producing property." **The Chamber is opposed.**

[SB 1474](#) (Villivalam/Yednock) passed the House this week 101-8-0 and moves to the Senate. The legislation creates the Collective Bargaining Freedom Act providing that employers and labor organizations covered by the National Labor Relations Act may execute and apply agreements requiring membership in a labor organization as a condition of employment to the fullest extent authorized by the National Labor Relations Act. It also asserts it is the state policy that employers, employees, and their labor organizations are free to bargain collectively. It gives the General Assembly the exclusive authority to enact laws or rules that restrict the use of union security agreements between an employer and a labor organization, prohibiting local governments from enforcing any such law or rule. It changes a reference to federal law with respect to union security agreements from a reference relating to requiring membership in a union in conflict with state law to a reference relating to unfair labor practices in connection with membership in a union. Finally, it deletes a provision making a violation of the Act by a local governmental official a Class A misdemeanor. **The Chamber is opposed.**

[HB 1653](#) (Villanueva) passed the House 69-43-0 and moves to the Senate. The legislation prohibits any person or business that violates the Illinois Wage Payment and

Collection Act, the Minimum Wage Law, the Illinois Worker Adjustment and Retraining Notification Act, the Employee Classification Act, the Day and Temporary Labor Services Act, the Fair Labor Standards Act of 1938, or any comparable state statute or regulation of any state which governs the payment of wages to do business with the state or any state agency or enter into a subcontract that is subject to the Code for a period of five years. **The Chamber opposed this legislation.**

[SB 2140](#) (Ellman) passed the Senate 36-16-0 and moves to the House. The legislation repeals the Kyoto Protocol Act of 1998. **The Chamber is opposed.**

[HB 2460](#) (Davis) passed out of House 66-46-0 and moves to the Senate. The initiative of the Treasurer's Office suggests a state agency shall implement sustainable investment practices and incorporate those into new and existing investment decisions. **The Chamber opposed Amdt 2, which adds contractor and responsible bidder practices to be considered along with other workforce practices such as employee health and safety and diversity and inclusion.**

[HB 2472](#) (Burke) passed the House 74-39-0 and moves to the Senate. The legislation amends the Consumer Fraud and Deceptive Business Practices Act making it inapplicable to actions or transactions specifically authorized by laws administered by a regulatory body or officer, the manufacture, distribution, or sale of a product that causes or contributes to cause bodily injury, death, or property damage. **Members who have concerns with this legislation are encouraged to reach out to [Tyler Diers](#).**

[HB 2643](#) (Mason) passed the House 96-9-0 and moves to the Senate. The bill amends the Home Repair and Remodeling Act providing that consumer 65 and older have 15, rather than three, business days to cancel a contract if the sale is made at the consumer's home. **The bill previously applied to all contracts, however, with the limited scope of the bill as passed the House the Chamber is now neutral on the bill.**

[HB 2838](#) (Gong-Gershowitz) passed the House 70-41-1 and moves to the Senate. This legislation provides that, for contracts entered into on or after July 1, 2019, a direct contractor making or taking a contract in the state for the erection, construction, alteration, or repair of a building, structure, or other private work shall assume, and is liable for, any debt owed to a wage claimant or third party on the wage claimant's behalf, incurred by a subcontractor at any tier acting under, by, or for the direct contractor for the wage claimant's performance of labor included in the subject of the contract between the direct contractor and the owner. Provides for enforcement by the Department of Labor. **The Chamber is opposed.**

COMMITTEE ACTION

Amendment 1 to [SB 1624](#) (Glowiak) was adopted in the Senate Telecommunications and IT Committee this week. This bill seeks to amend the state's data breach notification law. It amends the underlying bill by requiring entities that experience a data breaches of 500 or more Illinois residents to notify the Attorney General at the same time or after notification has gone out to the individual. **The Chamber originally was opposed but with the adoption of Senate Amendment 1, is neutral.**



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