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APSA of Illinois Legislative Report

March 16, 2018

IL - HB2771 HEALTHY WORKPLACE ACT

Last Action: Senate Floor Amendment No. 2 Motion to Concur Recommends Be Adopted Rules Committee; 005-000-000 (January 24, 2018)

Primary Sponsor: [Representative Christian L. Mitchell \(D\)](#)

Committees: [Labor \(Senate\)](#) [Economic Opportunity \(House\)](#)

Summary: Creates the Healthy Workplace Act and amends the State Finance Act. Requires employers to provide specified paid sick days to employees. Sets forth the purposes for and manner in which the sick days may be used. Contains provisions regarding employer responsibilities, unlawful employer practices, and other matters. Provides that the Department of Labor shall administer the Act. Authorizes the imposition of civil penalties. Authorizes individuals to file civil actions with respect to violations. Creates the Healthy Workplace Fund as a special fund in the State treasury. Effective immediately.

IL - HB4238 VEHICLE CODE-VEHICLE PRIOR TO 1965-SEATBELT

Last Action: Remains in Transportation: Vehicles & Safety Committee (February 28, 2018)

Primary Sponsor: [Representative Margo McDermed \(R\)](#)

Committees: [Transportation: Vehicles & Safety \(House\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that a driver or passenger of a motor vehicle with a model year prior to 1965 who is under 18 years of age shall be required to wear a properly adjusted and fastened seat safety belt when the motor vehicle is operating upon a street or highway in this State, unless the motor vehicle is used in connection with a parade or other similar activity.

Amendments: [House Amendment 001](#): Provides that no person shall sell or operate any 1965 or later model motor vehicle of the first division unless the motor vehicle is equipped with seat safety belts for each passenger. Adds an immediate effective date.

IL - HB4324 WAGE LIEN ACT

Last Action: Fiscal Note Filed (March 9, 2018)

Primary Sponsor: [Representative Emanuel Chris Welch \(D\)](#)

Committees: [Labor & Commerce Committee \(House\)](#)

Summary: Creates the Wage Lien Act. Provides that a lien exists on an employer's property for the amount of unpaid wages owed to an employee. Defines terms and includes provisions concerning creation of the lien; exemptions; notice; limitations; recording of the lien; enforcement; other claims on the employer's property; successor obligations; and construction.

IL - HB4391 VEHICLE CODE-INSPECTION STATIONS

Last Action: Assigned to Environment (March 5, 2018)

Primary Sponsor: [Representative Michael P. McAuliffe \(R\)](#)

Committees: [Environment \(House\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that the Environmental Protection Agency may not enter into new contracts or renew any contract previously made with one or more responsible parties to construct and operate official inspection stations, provide and maintain approved test equipment, administer tests, certify results, issue emission inspection stickers or certificates, maintain records, train personnel, provide information to the public concerning the program, or otherwise. Provides that any facility that performs maintenance or repair work on motor vehicles as a routine part of its business may apply to the Agency for certification as an official inspection station. Provides that the Agency shall authorize as an official inspection station any applicant that meets specific criteria.

[IL - HB4729](#) VEHICLE CODE-FELONIES-STOLEN VEHICLE

Last Action: House Floor Amendment No. 3 Referred to Rules Committee (March 8, 2018)

Primary Sponsor: [Representative Jaime M. Andrade, Jr. \(D\)](#)

Committees: [Transportation: Vehicles & Safety \(House\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that it is a violation for a person not entitled to the possession of a vehicle or essential part of a vehicle to receive, possess, conceal, sell, dispose, or transfer it with the intent to permanently or temporarily deprive the owner of his or her title to or possession of the vehicle. Deletes language providing that it may be inferred that a person exercising exclusive unexplained possession over a stolen or converted vehicle or an essential part of a stolen or converted vehicle has knowledge that such vehicle or essential part is stolen or converted.

Provides instead that the trier of fact may infer that a person intends to permanently or temporarily deprive the owner of his or her title to or possession of the vehicle if the person: (i) operates a vehicle or possesses an essential part of a vehicle without the consent of the owner; or (ii) exercises exclusive unexplained possession over a vehicle or an essential part of a vehicle.

Amendments: [House Amendment 003](#) Replaces everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that it is a violation for a person not entitled to the possession of a vehicle or essential part of a vehicle to receive, possess, conceal, sell, dispose, or transfer it while knowing or recklessly disregarding that the vehicle or essential part of a vehicle has been stolen or converted (rather than with the intent to permanently or temporarily deprive the owner of his or her title to or possession of the vehicle). Deletes language providing that it may be inferred that a person exercising exclusive unexplained possession over a stolen or converted vehicle or an essential part of a stolen or converted vehicle has knowledge that such vehicle or essential part is stolen or converted. Provides instead that the trier of fact may infer that a person knows or recklessly disregards that the vehicle or essential part of a vehicle has been stolen or converted if the person: (i) operates a vehicle or possesses an essential part of a vehicle without the consent of the owner; or (ii) exercises exclusive unexplained possession over a vehicle or an essential part of a vehicle. Effective immediately. ([House Amendments 1 & 2 were tabled](#))

[IL - HB4944](#) VEHICLE CODE-VEHICLE SAFETY TEST

Last Action: Assigned to Transportation: Vehicles & Safety Committee (March 5, 2018)

Primary Sponsor: [Representative Nick Sauer \(R\)](#)

Committees: [Transportation: Vehicles & Safety \(House\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that a vehicle weighing 10,000 pounds to 26,000 pounds (rather than only 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.

[IL - SB2511](#) VEHICLE CODE-BACKUP LAMP-AMBER LIGHT

Last Action: Placed on Calendar Order of 2nd Reading April 10, 2018 (March 14, 2018)

Primary Sponsor: [Senator Karen McConnaughay \(R\)](#)

Committees: [Transportation \(Senate\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that a back-up lamp equipped on a motor vehicle shall emit a white or amber light without glare. Effective January 1, 2019.

[IL - SB2554](#) VEHICLE CODE-TINTED WINDSHIELD

Last Action: Assigned to Transportation (February 14, 2018)

Primary Sponsor: [Senator Chapin Rose \(R\)](#)

Committees: [Transportation \(Senate\)](#)

Summary: Amends the Illinois Vehicle Code. Removes the non-medical exceptions to the provision requiring that no window treatment or tinting shall be applied to the windows immediately adjacent to each side of the driver.

[IL - SB2953](#) AUTO REPAIR ACT-POST CHARGES

Last Action: Postponed - Judiciary (February 27, 2018)

Primary Sponsor: [Senator Thomas Cullerton \(D\)](#)

Committees: [Judiciary \(Senate\)](#)

Summary: Amends the Automotive Repair Act. Requires an automotive repair facility to post charges for labor, storage, parts, and diagnosis.

[IL - SB3098](#) VEHICLE CODE-OVERDIMENSION PERMITS

Last Action: Assigned to Transportation (February 21, 2018)

Primary Sponsor: [Senator Martin A. Sandoval \(D\)](#)

Committees: [Transportation \(Senate\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that the Department of Transportation may issue a special permit authorizing an applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified by the Code or otherwise not in conformity with the Code upon any State or local highway. Deletes language providing that local authorities may issue a special permit authorizing an applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum

specified by the Code or otherwise not in conformity with the Code upon local highways under their jurisdiction. Makes conforming changes. Effective January 1, 2023.

IL - SB3100 EQUAL PAY-SALARY HISTORY

Last Action: Assigned to Labor (February 27, 2018)

Primary Sponsor: [Senator Jennifer Bertino-Tarrant \(D\)](#)

Committees: [Labor \(Senate\)](#)

Summary: Amends the Equal Pay Act of 2003. Prohibits an employer from requiring an employee to sign a nondisclosure agreement regarding the employee's salary, from seeking the salary history of a prospective employee, and from requiring that a prospective employee's salary history meet any specified criteria. Provides for employers to establish a self-evaluation plan of the employer's pay practices. Sets forth permissible components of a self-evaluation plan. Requires the self-evaluation plan to be submitted to the Department of Labor for verification. Provides that an employer that has completed a self-evaluation plan that has been verified by the Department of Labor has an affirmative defense to liability for certain alleged violations of the Act. Provides that an employer that does not have a verified self-evaluation plan may be subject to civil penalties for violations of the Act.

IL - SB3260 VEHICLE CODE-JUNK/SCRAP DATABASE

Last Action: Postponed - Transportation (March 14, 2018)

Primary Sponsor: [Senator Elgie R. Sims, Jr. \(D\)](#)

Committees: [Transportation \(Senate\)](#)

Summary: Amends the Illinois Vehicle Code. Provides that the Secretary of State shall establish or adopt an electronic system to allow an automotive recycler, scrap processor, repairer, or rebuilder to submit a report of any transaction that involves a vehicle or vehicle part to the Secretary of State and complete a real time inquiry to verify that a vehicle or vehicle part has not been stolen. Requires that a report of any transaction involving a vehicle or vehicle part shall be submitted to the Secretary within 48 hours of each day's close of business with specific information included. Provides that, without charge and upon request, the Secretary shall make the report available to any law enforcement agency. Provides that the Secretary shall forward the report to the National Motor Vehicle Title Information System within 2 business days of its receipt. Provides that prior to the purchase of a vehicle or vehicle part, an automotive recycler, scrap processor, repairer, or rebuilder shall determine whether a vehicle or vehicle part has been reported stolen. Provides procedures for an automotive recycler, scrap processor, repairer, or rebuilder for how to proceed with a transaction regarding a vehicle or vehicle part that has or has not been reported stolen.