



OVER 35 YEARS OF LOBBYING EXPERIENCE  
IN ILLINOIS ON BEHALF OF BUSINESS INTERESTS

# Governor's Action Report

September 7, 2018

Demonstrating again the importance of having checks and balances in our state government, Governor Rauner has acted to help the interests of APSA of Illinois members and the business community.

The General Assembly returns in November for the Veto Session. Vetoes will be considered at that time. It requires a vote of 36 senators and 71 representatives to override a gubernatorial veto. An amendatory veto requires 30 votes in the Senate and 60 in the House. Amendatory vetoes rarely receive consideration as House Speaker Michael Madigan typically rules them beyond the power of the Governor and therefore unconstitutional.

## APSA of Illinois Issues:

[HB 4944](#) (Sauer/Tracy) amends the Illinois Vehicle Code to clarify that the requirement of a safety test every 12 months applies to truck tractors, semitrailers, and property-carrying vehicles weighing more than 10,000 pounds but less than 26,001. **P.A. 100-0683, effective January 1, 2019**

[SB 2511](#) (McConnaughay/Butler) amends the Illinois Vehicle Code to state that a back-up lamp equipped on a motor vehicle must emit a white or amber light without glare. Effective Jan 1, 2019. **P.A. 100-0707, effective January 1, 2019**

## General Business Issues:

[SB 904](#) (Hastings/Hoffman) will allow medical providers to pursue the 1% per month interest penalty on unpaid medical bills in circuit court. There are a number of changes proposed in this measure that will work against employers' abilities to control medical costs and result in higher workers' compensation premiums. *APSA of Illinois OPPOSES [Governor Amendatory Veto Message](#)*

[SB 1737](#) (Muñoz/Hoffman) makes changes to the workers' compensation insurance rates overseen by the Illinois Department of Insurance (DOI). Those changes will take Illinois from its current competitive marketplace approach to requiring an insurer/rating organization to file its rates, manuals, rules, etc. with DOI 30 days before their use. At renewal, if a rate is greater than 5% more than the rate filed with DOI, a notice of the increase must be provided to the policyholder 30 days prior to renewal. The following additional non-workers' compensation charges are in this legislation as well:

- Creates the Short-Term, Limited-Duration Health Insurance Coverage Act;
- Creates the Domestic Stock Company Division Law in the Insurance Code; and
- Amends the Domestic Captive Insurance Companies Article of the Insurance Code regarding the authority and restrictions on captive insurers.

The Governor objected to the bill reducing options for purchase of short term health insurance plans allowed by the federal government. He also removed the provisions that eliminated Illinois' competitive market approach to workers' compensation insurance rates. *APSA of Illinois NEUTRAL [Governor Amendatory Veto Message](#)*

[HB 4572](#) (Guzzardi/Castro) amends the Illinois Human Rights Act to redefine "employer" to include any person employing one (currently 15) or more employees within Illinois during 20 or more calendar weeks within the calendar year of or preceding the alleged violation. *APSA of Illinois OPPOSES* [Governor Veto Message](#)

[SB 2999](#) (Van Pelt/Conyears-Ervin) requires an employer to reimburse an employee for all necessary expenditures or losses incurred by the employee directly related to services performed for the employer. It requires that the expenditure must be within the scope of employment, authorized or required and appropriate documentation is provided. *APSA of Illinois NEUTRAL P.A. 100-1094, effective January 1, 2019*

[HB 4743](#) (Ford/Lightford) amends the Equal Pay Act providing that no employer may discriminate between employees by paying wages to an African-American employee at a rate less than the rate at which the employer pays wages to another employee who is not African-American for the same or substantially similar work on a job that requires equal skill, effort, and responsibility and is performed under similar working conditions. [Governor Amendatory Veto Message](#)

[HB 1595](#) (Stuart/Haine) amends the Nursing Mothers in the Workplace Act provides for reasonable break time (instead of "unpaid break time each day") during the first year after the child's birth each time the employee needs to express milk. The break time may run concurrently with any break time already provided to the employee and an employer may not reduce an employee's compensation for time used for the purpose of expressing milk or nursing a baby. An employer shall provide reasonable break time as needed by the employee unless to do so would create an undue hardship as defined by the Illinois Human Rights Act. **P.A. 100-1003, effective August 21, 2018**

### **Awaiting Action by Governor Rauner:**

[HB 4163](#) (Moeller/Castro) amends the Equal Pay Act of 2003 prohibiting an employer from inquiring about salary and wage history by adding new standards that limit employer defenses and adding new compensatory and punitive damage penalties on businesses who are not compliant. *APSA of Illinois OPPOSES. Sent to the Governor on August 7<sup>th</sup>. He must act no later than October 6<sup>th</sup>*

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