



ADVOCACY UPDATE

The Greater Springfield Chamber of Commerce is a significant voice of and for business and has an obligation to represent the interests of its members. The Chamber supports public policy that encourages entrepreneurship, development, investment, and job creation. We oppose public policy that creates unnecessary regulation that will negatively impact the business climate and the creation of jobs.

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The 102nd General Assembly

Illinois lawmakers have filed thousands of bills in the 102nd General Assembly. Below you will find a sampling of those bills. We will continue to monitor activity regarding these bills, as well as others that can be found [here](#). In keeping with our policy agenda, the Chamber will weigh in with our support or opposition when appropriate. As always, we encourage Chamber members to do the same.

Your elected officials contact information can be found [here](#).

COVID-19 Liability Protections and Relief

HB 1830 (Durkin-R) and SB 2140 (McConchie-R) - Creates the COVID-19 Limited Liability Act.

Provides that a person shall not bring or maintain a civil action alleging exposure or potential exposure to COVID-19 unless: the civil action relates to a minimum medical condition; the civil action involves an act that was intended to cause harm; or the civil action involves an act that constitutes actual malice. Provides, with exceptions, that a person who possesses or is in control of a premises shall not be liable for civil damages for any injuries sustained from the individual's exposure to COVID-19. Any person who designs, manufactures, labels, sells, distributes, or donates household disinfecting or cleaning supplies, personal protective equipment, or a qualified product in response to COVID-19 shall not be liable in a civil action alleging personal injury, death, or property damage caused by or resulting from the qualified product.

HB 2571 (Murphy-R) - Creates the COVID-19 Immunity Act. Provides that an individual, business, or unit of local government shall not be liable in a civil action claiming an injury from exposure or potential exposure to COVID-19 if the act or omission alleged to violate a duty of care of the individual, business, or unit of local government was in compliance or consistent with federal or State regulations, a presidential or gubernatorial executive order, or guidance applicable at the time of the alleged exposure. Provides that immunity does not apply to willful misconduct, reckless infliction of harm, or intentional infliction of harm.

HB 3003 (Batinick-R) and SB 1616 (Fowler-R) - Creates the COVID-19 Liability Act. Provides that no individual or entity engaged in businesses, services, activities, or accommodations shall be liable in any coronavirus exposure action unless the plaintiff proves specified elements by clear and convincing evidence. Provides that no health care provider shall be liable in a coronavirus-related medical liability action unless the plaintiff proves certain requirements by clear and convincing evidence. Provides that an employer conducting testing for coronavirus at the workplace shall not be liable for any action or personal injury directly resulting from such testing.

[HB 3654 \(Ugaste-R\)](#) - Amends the Workers' Compensation Act. Provides that no compensation shall be awarded to a claimant for death or disability arising out of an exposure to COVID-19 if the employee has refused a vaccination.

Employment

[HB 74 \(Flowers-D\)](#) - Creates the Paid Family Leave Act. Requires private employers with 50 or more employees to provide 6 weeks of paid leave to an employee who takes leave: (1) because of the birth of a child of the employee and in order to care for the child; (2) to care for a newly adopted child under 18 years of age or a newly placed foster child under 18 years of age or a newly adopted or newly placed foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability; or (3) to care for a family member with a serious health condition.

[HB 118 \(Guzzardi-D\)](#) - Amends the Illinois Wage Payment and Collection Act. This bill provides that an employee is entitled to recover damages of 5% (rather than 2%) of the amount of any underpayments in wages for each month following the date of payment during which such underpayments remain unpaid.

[HB 3285 \(Ortiz-D\)](#) - Creates the Fair Workweek Act. Requires employers in the retail, hospitality and restaurant industry to provide employees with a good faith estimate of the employee's work schedule. Sets forth the contents of the estimate, including the median number of hours the employee can expect and the manner in which standby lists will be utilized. Requires written work schedules to be provided to employees 14 days in advance. Specifies minimum periods of rest between shifts.

[HB 3530 \(Ammons-D\)](#) and [SB 2332 \(Villanueva-D\)](#) - Creates the Illinois Employee Security Act. Establishes a framework for employee discipline and discharge. Prohibits the unjust discharge of an employee. Requires employers to utilize progressive discipline measures. Limits the use of electronic monitoring. Provides for severance pay. Provides statutory remedies for wrongfully discharged employees.

[HB 3898 \(Gordon-Booth-D\)](#) - Creates the Healthy Workplace Act and amends the State Finance Act. Paid leave legislation. This bill would require all Illinois employers regardless of size to offer paid leave to every employee - full and part time - up to 40 hours per year.

[SB 2268 \(DeWitte-R\)](#) - Amends the Minimum Wage Law. Provides that the increase in the minimum wage scheduled for January 1, 2022 is delayed until January 1, 2023. Provides that the subsequently scheduled annual increases in the minimum wage are delayed by one year culminating in a minimum wage of \$15 per hour in 2026 rather than 2025. Makes corresponding delays in the minimum wage increases for persons under 18 years of age who do not work more than 650 hours per year.

Health Care

[HB 62 \(Flowers-D\)](#) - Creates the Health Care for All Illinois Act. Provides that all individuals residing in this State are covered under the Illinois Health Services Program for health insurance. Sets forth requirements and qualifications of participating health care providers. Sets forth the specific standards for provider reimbursement. Provides that it is unlawful for private health insurers to sell health insurance coverage that duplicates the coverage of the program. Makes other changes.

[HB 146 \(Morgan-D\)](#) - Amends the Illinois Insurance Code and the Health Maintenance Organization Act Regarding Rate Increases. Provides that all individual and small group accident and health policies written in compliance with the Patient Protection and Affordable Care Act must file rates with the Department of Insurance for approval. Provides that rate increases found to be unreasonable in relation to benefits under the policy provided shall be disapproved. The Department will approve or deny rate increases within 60 calendar days after the rate increase is filed. A rate increase that is not approved or denied by the Department on the 61st calendar day shall be automatically approved.

Miscellaneous

[HB 724 \(Tarver-D\)](#) - Amends the General Assembly Organization Act. Makes Members of the General Assembly Conservators of the Peace. After the successful completion of a training course

administered by the Illinois Law Enforcement Training Standards Board as required under the Illinois Police Training Act, all members of the General Assembly would be conservators of the peace with the power (i) to arrest or cause to be arrested, with or without process, all persons who break the peace or are found violating any municipal ordinance or any criminal law of the State, (ii) to commit arrested persons for examination, (iii) if necessary, to detain arrested persons in custody over night or Sunday in any safe place or until they can be brought before the proper court, and (iv) to exercise all other powers as conservators of the peace prescribed by State and corporate authorities.

[HB 2428 \(Vella-D\)](#) - Amends the General Assembly Article of the Illinois Pension Code. Restricts participation in the General Assembly Retirement System to persons who became participants before the effective date of the amendatory Act and provides that, beginning on that date, the System shall not accept any new participants.

[HB 2608 \(Butler-R\)](#) - Creates the Seat of Government Commission Act. Creates the Seat of Government Commission. Provides for membership of the Commission and membership requirements. Provides for meetings of the Commission. Provides that the Office of the Governor shall provide administrative and other support to the Commission. Provides that it shall be the duty of the Commission to serve as a line of communication between the State and local officials in the seat of government, regarding property leases, ownership, and any other issues deemed relevant to interactions between the State government and the seat of government.

Taxes (including incentive related bills)

[HB 95 \(Halpin-D\)](#) - Creates the Company-Specific Subsidy Interstate Compact. Enters Illinois into a compact, which may be entered into by any state and the District of Columbia, in which each member state agrees to not offer company-specific subsidies for companies currently located in or considering locating in the member state. This includes headquarters, real estate development, manufacturing, and other ventures. Excludes existing subsidies until change of terms.

[HB 860 \(Davis-D\)](#) and [SB 2397 \(Castro-D\)](#) - Amends the Property Tax Code. Provides that, in counties with 3,000,000 or more inhabitants, taxpayers of income producing property shall submit income and expense data annually to the chief county assessment officer on or before July 1 of each year. Provides that, in counties of fewer than 3,000,000 inhabitants, the county board may provide by ordinance or resolution that taxpayers of income-producing property shall submit income and expense data annually to the chief county assessment officer on or before March 31 of each year.

[HB 1855 \(Hoffman-D\)](#) - DCEO Innovation Voucher Program. This bill provides that the Department of Commerce and Economic Opportunity is authorized to establish the Illinois Innovation Voucher Program for the purpose of fostering research and development in key industry clusters leading to the creation of new products and services that can be marketed by Illinois businesses. Provides that the Department may award innovation vouchers to eligible businesses to offset a portion of expenses incurred through a collaborative research engagement with an Illinois institution of higher education.

[HB 2583 \(Murphy-R\)](#) and [SB 490 \(Stoller-R\)](#) - Amends the Income Tax Act. Creates Small Business Asset Purchase Account. Creates an income tax deduction for an amount of up to \$50,000 per tax year contributed to a small business asset purchase account and all interest earned on such accounts during the tax year. Provides that a "small business asset purchase account" means an account established by a taxpayer, the proceeds of which are used to purchase property used primarily in Illinois for which a federal income tax deduction is claimed under Section 179 of the Internal Revenue Code.

[HB 3427 \(Guzzardi-D\)](#) and [SB 2125 \(Peters-D\)](#) - Amends the Illinois Estate and Generation-Skipping Transfer Tax Act. Provides that the exclusion amount is \$2,000,000 for persons dying on or after January 1, 2022 (currently, \$4,000,000).

[SB 58 \(Munoz-D\)](#) - Amends the Use Tax Act and the Retailers' Occupation Tax Act. Provides that 120 days after the effective date of the amended Act, the term "selling price" no longer includes the value of traded-in motor vehicles. Would restore the vehicle trade in credit that was removed in the capital bill.

Technology

[HB 559 \(Durkin-R\)](#) - Amends the Biometric Information Privacy Act. Provides that the written policy that is developed by a private entity in possession of biometric identifiers shall be made available to the

person from whom biometric information is to be collected or was collected. An action brought under the Act shall be commenced within one year after the cause of action accrued if, prior to initiating any action against a private entity, the aggrieved person provides a private entity 30 days' written notice identifying the specific provisions the aggrieved person alleges have been or are being violated. Provides that if within the 30 days the private entity cures the noticed violation and provides an express written statement that the violation has been cured and that no further violations shall occur, no action for individual statutory damages or class-wide statutory damages may be initiated against the private entity.

[HB 1764 \(Wheeler-R\)](#) and [SB 1607 \(Cunningham-D\)](#) - Amends the Biometric Information Privacy Act. Exempts employers from the Biometric Information Privacy Act if the employer is using biometric identifiers and biometric information for recording employees work hours, security purposes, or use by human resource employees. The Attorney General has the sole authority to enforce this Act.

[HB 2404 \(Buckner-D\)](#) - Creates the Right to Know Act. Provides that an operator of a commercial website or online service that collects personally identifiable information about individual customers residing in Illinois who use or visit its commercial website or online service shall notify those customers of certain specified information pertaining to its personal information sharing practices.

[HB 3304 \(Murphy-R\)](#) and [SB 2039 \(Wilcox-R\)](#) - Repeals the Biometric Information Privacy Act. Entirely repeals the ACT, relieving businesses from onerous mandates and frivolous lawsuits.

Workers' Compensation

[HB 2965 \(Ugaste-R\)](#) - Amends the Workers' Compensation Act. Provides that accidental injuries sustained while traveling to or from work do not arise out of and in the course of employment, except under specified circumstances. Provides that the injury may arise out of and in the course of employment if, at the time of the injury, the employee was performing acts the employer instructed the employee to perform, acts that the employee had a common law or statutory duty to perform while performing duties for his employer, or acts that the employee might be reasonably expected to perform.

[HB 3554](#), [HB 3555](#), [HB3556](#), [HB 3557](#), [HB 3558](#), [HB 3559](#), [HB 3560 \(Ugaste-R\)](#) - Amends the Workers' Compensation Act. These bills provide various reforms to the Workers' Compensation Act.