

IRPOA Legislative Report Feb 11 2017

Final

IL - HB369 BEDBUG DISCLOSURE TO EMPLOYEESPrimary Sponsor: [Representative Jaime M. Andrade, Jr. \(D\)](#)

Committees:

[Labor & Commerce Committee \(House\)](#)[Rules \(House\)](#)

Summary: Creates the Bedbugs Disclosure to Employees Act. Requires an employer to notify employees if a person certified under the Structural Pest Control Act has determined the presence of bedbugs at the place of employment. Provides that such notification shall be made electronically via email or, if notice by email is not possible, the employer shall issue a written notification to each employee or post a written notification in a conspicuous place or places used or reserved for employee notices.

Actions:

February 8, 2017

- Placed on Calendar 2nd Reading - Short Debate
- Do Pass / Short Debate Labor & Commerce Committee; 024-005-000

January 25, 2017

- Assigned to Labor & Commerce Committee

January 12, 2017

- Referred to Rules Committee
- First Reading
- Filed with the Clerk by Rep. Jaime M. Andrade, Jr.

IL - HB468 CRIM PRO-FORFEITUREPrimary Sponsor: [Representative Al Riley \(D\)](#)

Committees:

[Rules \(House\)](#)[Judiciary - Criminal \(House\)](#)

Scheduled Hearing:

[Judiciary - Criminal \(House\)](#)**Date:** February 15, 2017**Time:** 3:00pm (CST)**Location:**

Room 114 Capitol Building
Springfield, IL

Summary: Creates the Asset Forfeiture Process and Private Property Protection Act. Provides that this Act sets out the exclusive process governing forfeitures in this State and supersedes any conflicting or inconsistent provisions under State law. Provides that forfeiture will be applicable to any State law that carries a felony sanction which explicitly includes forfeiture as a punishment for the offense. Provides that a person will only be subject to forfeit proceeds and property the person

derived directly from the commission of the crime, proceeds and property directly traceable to proceeds and property derived directly from the commission of the crime, and instrumentalities the person used in the commission of the crime only if the person is convicted of violating a State law subject to forfeiture. Provides that there will be no civil asset forfeiture. Makes a corresponding change in the Freedom of Information Act.

Actions:

February 2, 2017

- Assigned to Judiciary - Criminal Committee

January 17, 2017

- Referred to Rules Committee
- First Reading
- Filed with the Clerk by Rep. Al Riley

IL - HB471 RENTAL OF FORECLOSURE PROPERTY

Primary Sponsor: [Representative La Shawn K. Ford \(D\)](#)

Cosponsor: [Representative David S. Olsen \(R\)](#)

Committees:

[Judiciary - Civil \(House\)](#)

[Rules \(House\)](#)

Scheduled Hearing:

[Judiciary - Civil \(House\)](#)

Date: February 16, 2017

Time: 8:30am (CST)

Location:

Room C-1 Stratton Building
Springfield, IL

Summary: Amends the Landlord and Tenant Act. Provides that if a landlord enters into a lease with a tenant after receiving notice that a foreclosure proceeding has been initiated against the property, and the tenant later is required to vacate the premises as a result of the foreclosure action, the tenant may recover all of the rent payable from the time the lease is entered into until the tenant vacates the premises.

Amendments:

[House Amendment 001](#)

Actions:

February 6, 2017

- House Committee Amendment No. 1 Referred to Rules Committee
- House Committee Amendment No. 1 Filed with Clerk by Rep. La Shawn K. Ford

February 2, 2017

- Assigned to Judiciary - Civil Committee

January 20, 2017

- Referred to Rules Committee
- First Reading

January 18, 2017

- Filed with the Clerk by Rep. La Shawn K. Ford

IL - HB538 LANDLORDS-LATE RENT FEE CAP

Primary Sponsor: [Representative Robert W. Pritchard \(R\)](#)

Committees:

[Judiciary - Civil \(House\)](#)

[Rules \(House\)](#)

Summary: Amends the Landlord and Tenant Act. Provides that a landlord of residential property may not enter into an agreement with a tenant in which the tenant agrees to pay a charge, fee, or penalty for the late payment of rent in excess of \$10 per month for the first \$500 in monthly rent plus 5% per month of any amount in excess of \$500 in monthly rent.

Actions:

February 8, 2017

- Tabled
- Motion Prevailed

February 3, 2017

- Motion Filed - Table Bill/Resolution Pursuant to Rule 60(b), Rep. Robert W. Pritchard

February 2, 2017

- Assigned to Judiciary - Civil Committee

January 24, 2017

- Referred to Rules Committee
- First Reading
- Filed with the Clerk by Rep. Robert W. Pritchard

IL - HB2428 PROP TX-HOMESTEAD EXEMPTION

Primary Sponsor: [Representative Ryan Spain \(R\)](#)

Committee: [Rules \(House\)](#)

Summary: Amends the Property Tax Code. Provides that the provisions of a section relating to erroneous homestead exemptions applies to all counties (currently, only counties with 3,000,000 or more inhabitants).

Actions:

February 8, 2017

- Referred to Rules Committee
- First Reading

February 6, 2017

- Filed with the Clerk by Rep. Ryan Spain

IL - HB2430 RENT CONTROL PREEMPTION ACT

Primary Sponsor: [Representative Will Guzzardi \(D\)](#)

Committee: [Rules \(House\)](#)

Summary: Repeals the Rent Control Preemption Act.

Actions:

February 8, 2017

- Referred to Rules Committee
- First Reading

February 6, 2017

- Filed with the Clerk by Rep. Will Guzzardi

IL - HB2517 VACANCY FRAUD ACT

Primary Sponsor: [Representative Robert Martwick \(D\)](#)

Committee: [Rules \(House\)](#)

Summary: Creates the Vacancy Fraud Act. Allows a taxing body or representative of a taxing body to file a vacancy fraud complaint with the county board of review if property is receiving vacancy relief and the property owner is not actively attempting to lease, sell, or alter the property. Sets forth factors in determining whether or not vacancy fraud has occurred. Sets forth penalties. Effective immediately.

Actions:

February 8, 2017

- Referred to Rules Committee
- First Reading

February 7, 2017

- Filed with the Clerk by Rep. Robert Martwick

IL - HB2911 TOXIC MOLD-VARIOUS

Primary Sponsor: [Representative Patricia R. Bellock \(R\)](#)

Committee: [Rules \(House\)](#)

Summary: Amends the State Finance Act to create the Mold Remediation Registration Fund. Amends the Mold Remediation Registration Act. Provides that the Department of Public Health must (instead of may) adopt rules to implement a program for parties that provide mold inspection and mold remediation services to register with the State. Provides that registered mold inspectors and mold remediation service providers shall meet certain criteria. Provides that the Department must submit emergency rules to the Joint Committee on Administrative Rules to implement the registration of mold inspection and remediation professionals. Provides that the Department may charge a registration fee to cover the costs of administering and enforcing the Act, which shall be deposited into the Mold

Remediation Registration Fund. Amends the Residential Real Property Disclosure Act. Defines "toxic mold" and adds to the items in the disclosure list a statement concerning whether the owner is aware of the existence of toxic mold on the property. Amends the Landlord and Tenant Act. Provides that if a landlord of residential real estate knows or has reason to believe that toxic mold is present, the landlord shall provide written disclosure to prospective and current residents of the units affected by the toxic mold. Provides that if toxic mold is discovered, a lessee of residential real estate may terminate a lease without penalty, or, alternatively, withhold payment of rent until the mold is remediated by a registered mold remediation service. Provides that the lessor shall pay for the mold remediation. Makes a corresponding change in the Forcible Entry and Detainer Article of the Code of Civil Procedure.

Actions:

February 9, 2017

- Referred to Rules Committee
- First Reading
- Filed with the Clerk by Rep. Patricia R. Bellock

IL - HB3001 SECURITY DEPOSIT-DISCLOSURES

Primary Sponsor: [Representative Robert Rita \(D\)](#)

Committee: [Rules \(House\)](#)

Summary: Amends the Security Deposit Return Act. Provides that the lessor shall deliver specified receipts or the security deposit, as applicable, to the lessee in person or by postmarked mail directed to the last known address of the lessee or another address provided by the lessee. Provides that if the lessee fails to provide the lessor with a mailing address or electronic mail address, the lessor shall not be held liable for any damages or penalties as a result of the lessee's failure to provide an address. Provides that if a lessor is unable to produce specified receipts for repairs or replacements, or copies thereof, then the lessor may produce an itemized list of the costs of repair or replacements, along with any other evidence the lessor has of that cost.

Actions:

February 9, 2017

- Referred to Rules Committee
- First Reading
- Filed with the Clerk by Rep. Robert Rita

IL - HB3359 FORCIBLE ENTRY ACTION-EVICTION

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

Committee: [Rules \(House\)](#)

Summary: Amends the Forcible Entry and Detainer Article of the Code of Civil Procedure. Changes references to forcible entry and detainer actions and actions for possession to references to eviction actions. Changes references to orders of possession and judgment of possession to references to

eviction orders. Makes corresponding changes to the Counties Code; the Illinois Municipal Code; the Illinois Service Member Civil Relief Act; the Environmental Protection Act; the Clerks of Courts Act; the Code of Civil Procedure; the Controlled Substance and Cannabis Nuisance Act; the Condominium Property Act; the Landlord and Tenant Act; the Mobile Home Landlord and Tenant Rights Act; and the Safe Homes Act.

Actions:

February 10, 2017

- Referred to Rules Committee
- First Reading

February 9, 2017

- Filed with the Clerk by Rep. Elgie R. Sims, Jr.

IL - HB3741 BEDBUG INSPECTION ACT

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

Committee: [Rules \(House\)](#)

Summary: Creates the Bedbug Inspection Act. Requires persons engaged in the business of renting furniture and electronic equipment to inspect the furniture and electronic equipment for bedbugs and other pests before renting to a subsequent customer. Requires that infested furniture or equipment be treated before renting to a subsequent customer. Authorizes an action for damages.

Actions:

February 10, 2017

- Referred to Rules Committee
- First Reading
- Filed with the Clerk by Rep. Jaime M. Andrade, Jr.

IL - HB3773 SMOKE DETECTOR ACT

Primary Sponsor: [Representative Kathleen Willis \(D\)](#)

Committee: [Rules \(House\)](#)

Summary: Amends the Smoke Detector Act. Provides that the battery for specified battery powered smoke detectors must be a self-contained long term battery if specified conditions occur. Provides that specified battery requirements do not apply to fire alarms, smoke detectors, smoke alarms, or ancillary components electronically connected to specified alarm systems; that use a low-power radio frequency wireless communication signal; that uses Wi-Fi or other Wireless Local Area Networking capability to send and receive specified notifications; or to devices as designated by the State Fire Marshal. Effective January 1, 2018.

Actions:

February 10, 2017

- Referred to Rules Committee
- First Reading

- Filed with the Clerk by Rep. Kathleen Willis

IL - SB751 COUNTIES CD-ENFORCE JUDGMENTS

Primary Sponsor: [Senator Emil Jones, III \(D\)](#)

Committees:

[Local Government \(Senate\)](#)

[Assignments \(Senate\)](#)

Summary: Amends the Counties Code. In provisions regarding enforcement of judgments, fines, costs, penalties, or other sanctions that remain unpaid after exhaustion of, or failure to exhaust, judicial review, provides that taxes and fees may also be collected and that the taxes, fees, fines, costs, penalties, or other sanctions cannot be related to real property. Makes technical changes.

Actions:

February 8, 2017

- Assigned to Local Government

February 1, 2017

- Referred to Assignments
- First Reading
- Filed with Secretary by Sen. Emil Jones, III

IL - SB758 EVICTIONS-CONSTRUCTIVE NOTICE

Primary Sponsor: [Senator Jason A. Barickman \(R\)](#)

Committees:

[Judiciary \(Senate\)](#)

[Assignments \(Senate\)](#)

Scheduled Hearing:

[Judiciary \(Senate\)](#)

Date: February 16, 2017

Time: 9:00am (CST)

Location:

400 Capitol

Springfield, IL

Summary: Amends the Forcible Entry and Detainer Article of the Code of Civil Procedure. Provides that if the landlord, or his or her agent or attorney, is unable to personally serve the demand on the tenant, then constructive service of the demand may be accomplished. Makes corresponding changes.

Actions:

February 8, 2017

- Assigned to Judiciary

February 1, 2017

- Referred to Assignments
- First Reading
- Filed with Secretary by Sen. Jason A. Barickman

IL - SB885 INSTALLMENT SALES CONTRACTS

Primary Sponsor: [Senator David Koehler \(D\)](#)

Cosponsors:

[Senator Jacqueline Y. Collins \(D\)](#)

[Senator Iris Y. Martinez \(D\)](#)

[Senator Bill Cunningham \(D\)](#)

Committees:

[Judiciary \(Senate\)](#)

[Assignments \(Senate\)](#)

Scheduled Hearing:

[Judiciary \(Senate\)](#)

Date: February 16, 2017

Time: 9:00am (CST)

Location:

400 Capitol

Springfield, IL

Summary: Repeals the Dwelling Structure Contract Act and the Dwelling Unit Installment Contract Act. Creates the Installment Sales Contract Act. Adds provisions governing: definitions; terms and conditions of installment sales contracts; applicability of other Acts; sales of condemned dwelling structures; repairs; account statements; transfer of payments; insurance proceeds; unlawful acts; waivers; and penalties. Makes corresponding changes in the Condominium Property Act. Amends the Code of Civil Procedure. Provides that a real estate installment contract for residential real estate is subject to the foreclosure provisions of the Code if the purchase price is to be paid in installments over a period in excess of one year (instead of 5 years) and the amount unpaid under the terms of the contract at the time of the filing of the foreclosure complaint, including principal and due and unpaid interest, at the rate prior to default, is less than 90% (instead of 80%) of the original purchase price of the real estate as stated in the contract. Effective January 1, 2018.

Actions:

February 8, 2017

- Assigned to Judiciary

February 7, 2017

- Referred to Assignments
- First Reading

- Filed with Secretary by Sen. David Koehler

[IL - SB1246 JUDGMENT-EXEMPT PROPERTY](#)

Primary Sponsor: [Senator Scott M. Bennett \(D\)](#)

Committee: [Assignments \(Senate\)](#)

Summary: Amends the Code of Civil Procedure. Adds, to the list of personal property that is exempt from judgment, attachment, or distress for rent, moneys held in educational expense accounts and similar types of educational savings accounts, including, but not limited to, funds invested in an ABLE Account as defined by Section 529 of the Internal Revenue Code and funds invested in a 529 Plan as defined by Section 529 of the Internal Revenue Code.

Actions:

February 7, 2017

- Referred to Assignments
- First Reading
- Filed with Secretary by Sen. Scott M. Bennett

[IL - SB1331 HUMAN RIGHTS-SOURCE OF INCOME](#)

Primary Sponsor: [Senator Melinda Bush \(D\)](#)

Committee: [Assignments \(Senate\)](#)

Summary: Amends the Illinois Human Rights Act. Changes the Section concerning the declaration of policy to include preventing discrimination based on source of income. Provides that "source of income" means the source of any lawful income or any lawful rent payment that can be verified as to its amount, length of time received, regularity, or receipt, including any subsidy authorized under Section 8 of the United States Housing Act of 1937 and any other local, State, or federal subsidy or benefit. Provides that it is a civil rights violation for an owner or any other person engaging in a real estate transaction, or a real estate broker or salesman, to engage in specified behaviors because of source of income. Provides that specified provisions of the Act do not prohibit persons engaged in the business of furnishing appraisals of real property from taking into consideration factors other than those based on, among other factors, source of income in furnishing appraisals.

Actions:

February 9, 2017

- Referred to Assignments
- First Reading
- Filed with Secretary by Sen. Melinda Bush

[IL - SB1666 MUNI-CRIME-FREE RENTAL HOUSING](#)

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

Committee: [Assignments \(Senate\)](#)

Summary: Amends the Illinois Municipal Code. Provides that the corporate authorities of a non-home rule municipality may adopt a crime-free rental housing ordinance for the purpose of reducing crime, including drugs and gang-related activities, in residential areas. Provides that the municipality's police department or other municipal employees may administer and enforce the ordinance. Provides that the ordinance may include, but is not limited to: (1) a requirement for a valid residential rental license; (2) a requirement that the owner submit to a public safety and crime prevention inspection and attend a training program or seminar concerning crime prevention; (3) a requirement for leases to include a provision or an addendum that prohibits a tenant, a tenant's family member, or a guest of the tenant from engaging in criminal activity on the property, including providing that the violation of this provision permits a landlord to initiate eviction proceeding; (4) a requirement to conduct background checks on prospective tenants or current tenants before renewing a lease; (5) a requirement to submit to periodic inspections of the rental property; and (6) penalties for violating the ordinance. Provides that the provisions of a crime-free rental housing ordinance may not be waived or modified in a lease or separate agreement. Provides that a crime-free rental housing ordinance does not apply to a facility licensed or inspected by the State or federal government, but that the ordinance does apply to mobile home parks. Effective immediately.

Actions:

February 9, 2017

- Referred to Assignments
- First Reading
- Filed with Secretary by Sen. Thomas Cullerton