

101st ILLINOIS GENERAL ASSEMBLY LEGISLATIVE UPDATE

" TOP 30 " BILL STATUS REPORT

ACTION AS OF September 6, 2019

Bill	Sponsor	Synopsis	Suggested ICUL Position	Last Activity or Action
SB 1813	Sen. John Mulroe, et al. Rep. Robert Rita, et al.	Amends the Illinois Credit Union Act as follows: <ul style="list-style-type: none"> Section 10.2 (new) Electronic distribution of information satisfies any statutory mailing or disclosure requirement. Section 15: Adds to existing illustrative list of reasons for which a Board may expel a member and permits the board to delegate expulsion authority to senior management officials. Section 23: To continue to attract competent leadership at the Board level, authorizes director remuneration as determined by Board policy and subject to disclosure in the annual membership meeting materials and maximum rates set by IDFPR by rule Section 44: Clarifies that in turning over to the State Treasurer member share accounts that are presumed abandoned, the credit union may deduct a dormancy fee and classify and record all or a portion of the deduction as the minimum share amount required to preserve the member's status as a member. Section 57.1: Clarifies credit unions may enter into correspondent service arrangements with non-credit union entities. Section 59: Clarifies credit unions may service and collect loans acquired from other financial institutions. Section 63: Makes prior notice period for merging credit union membership vote consistent with new federal standard (45-90 days) Effective immediately. (ICUL INITIATIVE)	Support	04/10/19: Passed Senate 56-0 05/30/19: Passed House as amended 88-27 05/31/19: Senate Concurrence 58-0 08/23/19: Signed into law by Governor Pritzker as P.A. 101-0567, eff. immediately
HB 2677	Rep. Michael J. Zalewski	Amends the Revised Uniform Unclaimed Property Act ("RUUPA"). This is the financial institution coalition agreed RUUPA bill with the Treasurer's Office that was contained in HB 3806 (2018), which passed the Senate unanimously on May 31, 2018. It: <ul style="list-style-type: none"> Clarifies provisions relating to time deposits and when the presumptive period of abandonment begins to run for this type of property; additionally clarifies when reporting and delivery of this property must occur Reverts back to a presumptive period of abandonment of 5 years for time deposits Reinstates visitation standards for federally chartered financial institution examinations of unclaimed property under the Act Modernizes the language of the "Consolidated Statement Rule" to ensure applicability to multiple accounts held by the same owner at a single financial organization Provides technical edits to clarify the confidentiality of records as they relate to financial institutions Effective immediately. (ICUL COALITION INITIATIVE)	Support	03/28/19: Passed House Revenue & Finance Committee 04/12/19: House: Re-referred to Rules
HB 2856	Rep. John C. D'Amico, et al. Sen. Martin Sandoval	Amends the Illinois Vehicle Code to mandate that the Secretary of State implement an electronic lien and title system for motor vehicles by July 1, 2021; and establish by rule the standards and procedures relating to the management and implementation of the system. (ICUL COALITION INITIATIVE)	Support	04/11/19: Passed House 113-0; 05/30/19: Passed Senate 59-0 08/23/19: Signed into law by Governor Pritzker as P.A. 101-0490, eff. 01/01/2020
SB 2023	Sen. Toi Hutchinson, et al. Rep. Kelly Cassidy	Amends the Illinois Banking Act and the Illinois Credit Union Act to provide that the IDFPR Secretary shall not (i) issue an order against a financial institution for unsafe or unsound banking practices; (ii) prohibit, penalize, or otherwise discourage a financial institution from providing financial services to a cannabis-related legitimate business; or (iii) take any adverse or corrective supervisory action on a loan made to an owner or operator of a cannabis-related legitimate business solely because the recipient of the services is a cannabis-related business. Effective immediately. 6/2/19: SB 2023 amended to address changes to the Compassionate Use of Medical Cannabis Program Act and other acts.	Support as amended	08/09/19: Signed into law by Governor Pritzker as P.A. 101-0363, eff. immediately

SB 1332	Sen. Cristina Castro, et. al. Rep. Debbie Meyers-Martin, et al.	Amends the State Comptroller Act to create the Illinois Bank On Initiative to increase the use of certified financial products and reduce reliance on alternative financial products. Provides that the Illinois Bank On Initiative shall be administered by the Comptroller. Creates the Illinois Bank On Initiative Commission and provides for membership of the Commission. Effective immediately. ICUL worked on an amendment to this legislation to ensure that credit unions are included in the Initiative.	Support as amended	04/04/19: Passed Senate 53-0; 05/29/19: Passed House 113-0 08/19/19: Signed into law by Governor Pritzker as P.A. 101-0427, eff. immediately
SB 1313 HB 2853	Sen. Cristina Castro Rep. Michael J. Zalewski	Amends the Revised Uniform Unclaimed Property Act. This is the Treasurer's proposal that is inconsistent in certain respects with the financial institutions' RUUPA initiative embodied in HB 2677.	Oppose	03/28/19: Senate - Re-referred to Assignments 03/29/19: House - Re-referred to Rules
HB 189	Rep. La Shawn K. Ford	Creates the Blight Mitigation Act to provide that a property owner that lives within one-fourth of a mile of and on the same street as residential real property that has been abandoned may, after the property has been continuously abandoned for 12 months, petition the court for title to the land.	Oppose	03/29/19: House - Re-referred to Rules
HB 281 (now HB 88) HB 88	Rep. Will Guzzardi Rep. Will Guzzardi, et al. Sen. John Cullerton, et al.	As introduced, amends the Code of Civil Procedure to adversely impact the ability of creditors to collect judgments, by providing that: (i) a summons issued in an action to collect a debt must include a separate notice containing specified language regarding debtor rights; (ii) the clerk of the court must post the notice in courtrooms or in the hallway in front of courtrooms and be available for distribution in all courtrooms hearing cases involving debt collection matters; (iii) a judgment may be revived by filing a petition to revive the judgment in the fifth year after its entry (instead of the seventh year after its entry, or in the seventh year after its last revival, or in the twentieth year after its entry, or at any other time within 20 years after its entry if the judgment becomes dormant); (iv) a petition to revive the judgment may be granted only if citation proceedings were initiated within one year of the judgment being entered; and (v) the limitations period for the enforcement of certain judgments is changed from 7 to 5 years. The bill also makes significant changes in provisions governing wages subject to garnishment; the amount of the homestead exemption and personal property exempt from judgments. Finally, the bill amends the Interest Act to provide that consumer debt judgments of \$25,000 or less shall draw interest at a rate of 2% per annum. Effective immediately.	Oppose HB 281 Neutral on HB 88 as amended	03/29/19: House – Re-referred to Rules <u>Note: HB 88 reflects negotiated agreement to reduce scope to 2 elements [“consumer debt judgments”]: interest rate (5%) and revival (within 10 years after entry– one additional 7 year period)]</u> 07/29/19: Signed into law by Governor Pritzker as P.A. 101-0168), eff. 01/01/2020
HB 2156	Rep. Theresa Mah Sen. Cristina Castro	Amends the Consumer Fraud and Deceptive Business Practices Act to provide that it is an unlawful practice to offer to consumers at retail a rebate made on a rebate card that charges dormancy fees or other post-issuance fees. Defines "rebate card", which excludes gift cards, payroll cards, certain stored value cards and cards issued for in-store credit. Amended per negotiations with Treasurer to limit fee restraint to post-issuance fees charged the consumer (interchange fees assessed to merchants ok). (Note: SB 222 amended to address unrelated topic and then re-referred to Rules)	Oppose (original bill; neutral on SAM#1)	03/20/19: Passed House (67-47); 05/21/19: Passed Senate 56-0 as amended; 05/29/19: House Concurrence 70-46; 08/26/19: Signed into law by Governor Pritzker as P.A. 101-0462, eff. 01/01/2020
HB 2217 SB 1379	Rep. William Davis, et. al. Sen. Toi W. Hutchinson Rep. William Davis	Amends the Property Tax Code to provide that, in counties with 3,000,000 or more inhabitants, taxpayers of non-exclusively owner-occupied income producing property shall submit income and expense data related to the property annually to the chief county assessment officer. Provides that, in counties with fewer than 3,000,000 inhabitants, the county board may provide by resolution that taxpayers of income producing property shall submit income and expense data annually to the chief county assessment officer. Provides that, when determining the value of property for assessment purposes, the assessor may consider all relevant information pertaining to the fair cash value of the property, including, but not limited to, income and expense data, sales data, property characteristics data, construction cost data, appraisals, and other valuation information. Effective immediately.	Oppose	03/29/19: House – Re-referred to Rules. 04/04/19: SB 1379 Passed Senate 36-16-1 05/10/19: House – Re-referred to Rules
HB 2768	Rep. Maurice West, II et al.	Amends the Consumer Fraud and Deceptive Business Practices Act to require a business that extends credit to consumers to provide to those consumers a document that explains the interest rate applied to the transaction, the manner of calculating the interest rate, and the payments required under the terms of the credit extended. Provides that a violation constitutes an unlawful practice within the meaning of the Act.	Oppose	03/29/19: House - Re-referred to Rules

HB 2829	Rep. Anne Stava-Murray	Creates the Financial Institution Cybersecurity Act to provide that persons and entities operating under the authority of the IDFPF Secretary under the Illinois Banking Act, the Illinois Insurance Code, the Savings Bank Act, the Illinois Credit Union Act, the Corporate Fiduciary Act, and the Residential Mortgage License Act of 1987 must maintain a cybersecurity program to protect the confidentiality of their information systems. It requires the implementation and maintenance of written policies to protect information systems and establishes standards for testing, risk assessment, audit trails, and third-party service provider policies. It provides for supervision by the IDFPF Secretary and requires annual certifications beginning November 1, 2020. Effective January 1, 2020.	Oppose	03/29/19: House – Referred to Rules
HB 3058	Rep. Sonya M. Harper	Creates the Abandoned Residential Property Act to impose requirements on first lien mortgage holders concerning the inspecting, securing, and maintaining of abandoned residential property. Provides that if the mortgagee violates the provisions, a civil penalty may be issued in the amount of up to \$500 per day per property for each day the violation persisted. Provides rulemaking powers to the IDFPF Division of Banking to implement the provisions. Limits home rule powers.	Oppose	03/29/19: House – Referred to Rules
HB 3360	Rep. Art Turner, et al. Sen. Emil Jones	Amends the Illinois Mortgage Foreclosure Law to extend the sunset of additional fees paid by the plaintiff at the time of the filing of a foreclosure complaint, for the Foreclosure Prevention Program Graduated Fund and the Abandoned Residential Property Municipality Relief Fund. Reenacts the judicial sale fee for the Abandoned Residential Property Municipality Relief Fund. Effective immediately. Amendment tabled to reduce the additional fee during the extended sunset period.	Oppose	04/04/19: Passed House 68-44; 05/31/19: Senate – Referred to Assignments
SB 1500	Sen. Emil Jones	SFA No. 1 reduces the additional fee by 50% during the extended sunset period.		07/03/19: SFA No. 1 – Referred to Assignments
SB 661	Sen. Julie A. Morrison	Amends the Illinois Credit Union Act and Banking Acts to require disclosure that any penalty that may be incurred for early withdrawal of a certificate of deposit may result in loss of principal in addition to loss of interest.	Oppose	04/12/19: Senate: Referred to Assignments
SB 138	Sen. Jacqueline Y. Collins, et. al. Rep Curtis Tarver	Amends the Mortgage Foreclosure Article of the Code of Civil Procedure in relation to short sales of property to provide that if (i) an offer to purchase either a mortgage or residential property is made by an entity with a tax-exempt filing status under IRC Section 501(c)(3) for the purpose of reselling that mortgage or residential property to the mortgagor, and (ii) financing for the repurchase will be provided by a certified community development financial institution, then an affidavit limiting ownership or occupancy of the residential property by the mortgagor shall not provide a basis to avoid a sale or transfer, nor is it enforceable against the acquiring entity or any real estate broker, mortgagor, or settlement agent named in the affidavit. Provides that, at the time of an offer, specified disclosures shall be made to the mortgagee in connection with any purchase of a sale; and upon request by the mortgagee, a certified community development financial institution shall provide documentation evidencing its current certification status. Amendment clarifies none of the new provisions impair the rights of the mortgagee to accept or reject an offer. Effective immediately.	Oppose (as filed) ; Neutral as amended	03/27/19: Passed Senate 53-0; 05/27/19: Passed House 115-0 08/16/19: Signed into law by Governor Pritzker as P.A. 101-0396, eff. immediately
SB 1296	Sen. Melinda Bush	Amends the Property Assessed Clean Energy (PACE) Act to add residential property to the scope of the Act. Modifies the requirements of a report needed to establish a PACE area and requirements before entering into an assessment contract, including the deletion of mortgagee consent in relation to residential property. Effective immediately.	Oppose	04/12/19: Senate – Referred to Assignments
SB 1509	Sen. Cristina Castro	Amends the Illinois Vehicle Code to provide that a commercial vehicle relocater or other private towing service seeking to impose storage fees for a vehicle in its possession or foreclose on a vehicle in its possession may only do so 14 days after notice consistent with the Section is provided to the lienholder. Provides that, upon being given notice, a lienholder shall either take possession of the vehicle or execute a written waiver of lien.	Oppose	03/28/19: Senate – Referred to Assignments
SB 1519	Sen. Emil Jones	Amends the Illinois Vehicle Code concerning the provision of notice of storage fees to the lienholder of record to change references to "lienholder" to "lienholder of record." Provides that a county or municipality shall provide specified notices concerning the seizure of certain vehicles as soon as practicable; notice shall be given by the towing company to the lienholder of record; and the lienholder of record shall have an opportunity to view the vehicle on the premises where the vehicle is located within 2 business days of the request. Exempts a municipality with a population of over 1,000,000 inhabitants. Effective 90 days after becoming law.	Oppose	04/12/19: Passed Senate 35-18; 05/10/19: House - Referred to Rules
SB 1624	Sen. Suzy Glowiak et. al. Rep. Jaime Andrade	Amends the Personal Information Protection Act to provide that a data collector required to report a single breach to more than 500 Illinois residents (i.e., financial institutions, but not merchants), must provide notice to the Attorney General in the most expedient time possible but in no event later than when notice is provided to the consumer. Provides that the Attorney General may publish information concerning the breach.	Oppose	08/09/19: Signed into law by Governor Pritzker as P.A. 101-0343, eff. 01/01/2020

HB 1581	Rep. Sue Scherer, et al. Sen. Steve Stadelman	Amends the Credit Card Marketing Act of 2009 to create the College Student Credit Card Marketing and Debt Task Force. Provides for the membership of the Task Force (including a credit union representative), and that IDFPFR shall provide technical and administrative support and any other necessary assistance to the Task Force and shall be responsible for administering its operations and ensuring that the requirements of the provisions are met. Provides that the Task Force shall conduct a study on student credit card debt and report its findings and any recommendations to the General Assembly on or before December 14, 2019, at which time the Task Force shall be dissolved..	Neutral	03/20/19: Passed House 78-35-2; 05/16/19: Passed Senate 52-0 06/28/19: Signed into law by Governor Pritzker as P.A. 101-0033, eff. immediately
HB 2237	Rep. Robyn Gabel, et al. Sen. Pat McGuire, et al.	Amends the State Treasurer Act to provide that the State Treasurer shall establish the Illinois Higher Education Savings Program for the purpose of expanding access to higher education through savings. Creates the Illinois Higher Education Savings Program Fund as a fund held outside of the State treasury to be the official repository of all contributions, appropriations, interest, and dividend payments, gifts, or other financial assets received by the State Treasurer in connection with operation of the Program.	Neutral	08/23/19: Signed into law by Governor Pritzker as P.A. 101-0466, eff. 1/01/2020
HB 2573	Rep. Michael J. Zalewski	Amends the Revised Uniform Unclaimed Property Act. This is the proposal of the Chamber of Commerce to amend RUUPA.	Neutral	03/29/19: House Re-referred to Rules
HB 2825	Rep. Mike Zalewski	Creates the Regulatory Sandbox Act to enable persons to obtain limited access to the Illinois marketplace in order to test new innovations in financial products or services.	Neutral	03/29/19: House – Re-referred to rules
HB 3234 SB 1803	Rep. Marcus C. Evans, Jr. Sen. Scott M. Bennett, et al.	Amends the Illinois Income Tax Act to create a credit for financial institutions with less than \$50,000,000,000 in assets in an amount equal to the aggregate amount of all fees, penalties, and any other income derived during the taxable year from each commercial loan transaction that is (i) less than \$5,000,000, (ii) originated by the financial institution, (iii) made to a person residing or located in this State, and (iv) made primarily for a business or agricultural project in this State.	Neutral	03/29/19: House - Re-referred to Rules 02/15/19: Senate - Referred to Assignments
HB 3358	Rep. Arthur Turner et. al. Sen. Thomas Cullerton	Creates the Data Transparency and Privacy Act to provide that an entity that collects personal information through the internet about individual consumers must make disclosures to the individual. Totally exempts financial institutions and their affiliates, since they are subject to the Gramm-Leach-Bliley Act.	Neutral	04/11/19: Passed House 72-37-1; 05/31/19: Senate – Re-referred to Assignments
SB 1	Sen. Kimberly Lightford Rep. Ann M. Williams	Amends the Illinois Income Tax Act and the Minimum Wage Law to provide for an increase in the minimum wage and for a credit against withholding payments in relation to the increase. Increases the minimum wage to \$9.25 per hour beginning January 1, 2020 and provides for annual increases in the minimum wage culminating in a minimum wage of \$15 per hour beginning on January 1, 2025. Provides to employers with 50 or fewer full-time equivalent employees a credit against tax withheld beginning January 1, 2020, and reduces the credit beginning January 1, 2021. Authorizes the Department of Labor to perform random audits of employer to ascertain compliance with the Minimum Wage Law and authorizes a penalty of \$100 per employee for failure to maintain required records. Effective immediately.	Neutral	02/07/19: Passed Senate 39-18 02/14/19: Passed House 69-47-001 02/19/19: Signed into law by Governor Pritzker as P.A. 101-0001, eff. 02/19/19
SB 169	Sen. John Mulroe	Amends Code of Civil Procedure to change the penalty for failing to send aldermen in the City of Chicago a copy of the notice of foreclosure required under Sec. 15-1503 of the Illinois Foreclosure Law. The penalty is changed from dismissal of the complaint without prejudice to a stay of the proceeding until the notice is re-sent and proof of delivery is tendered to the court.	Neutral	08/16/19: Signed into law by Governor Pritzker as P.A. 101-0399, eff. immediately
SB 1321	Sen. Heather Steans, et al. Rep. Gregory Harris, et al.	HAM #1 replaced everything after the enacting clause to amend the Public Aid Code to make omnibus improvements in the State’s Medicaid managed care program; also amends the Illinois Banking Acts and Illinois Credit Union Act to make changes concerning the furnishing of an applicant’s financial records by a bank or credit union to HFS or DHS for use in determining the applicant’s eligibility for Medicaid long-term care benefits, and in so doing, unwinds the carefully crafted statutory consent and authorization form for the release of the records and accompanying credit union and bank indemnity protection and records search and reproduction cost recovery provisions passed into law in 2018 (P.A. 100-0664, eff 1/1/2019). HAM #2 deletes the Banking and Credit Union Acts from the bill to address the concerns of financial institutions.	Oppose – HAM #1 Neutral HAM #2 (deletes banking and credit union acts to address our concerns - neutral on bill as amended by HAM #2)	08/05/19: Signed into law by Governor Pritzker as P.A. 101-0209, eff. immediately
SB 2052	Sen. Steve Stadelman	Amends the Illinois Municipal Code. Provides that a municipality may take specified actions against blighted buildings and properties, including petitioning a circuit court to have property declared abandoned, or dangerous or unsafe. Makes the priority of liens for the cost of removal of hazardous buildings consistent with the priority of liens for the demolition, repair or enclosure of dangerous buildings and liens for the removal of environmentally hazardous substances. Preserves lien priority of prior encumbrancer.	Neutral	04/10/19: Passed Senate 54-0 06/28/19: House - Re-referred to Rules