



MEMORANDUM

To: CMAP Board
From: CMAP Staff
Date: February 1, 2012
Re: State Legislative Update

After the 2011 veto session and several January perfunctory sessions, during which more than 1,000 bills were introduced, the 97th General Assembly officially began its 2012 session on January 31.

Since 2012 is the second year for the 97th General Assembly, it is possible that bills that did not pass or die last year could still be acted on this year. For that reason, CMAP will continue to monitor 71 bills from last year in addition to new legislation introduced this year.

Below is the list of new bills CMAP is tracking. The bills included either follow [CMAP's 2012 State Legislative Framework](#) or are of interest to CMAP and its partners. Since the session is just getting underway, subsequent reports will include more relevant and appropriate information of these and other bills as they are introduced, including more detailed reviews, and if necessary CMAP's recommended position. Additionally, we will highlight bills that are a priority for CMAP and are moving through the legislative process.

Bill Recap

** Indicates a similar bill was filed last session*

ACHIEVE GREATER LIVABILITY THROUGH LAND USE AND HOUSING

[HB4505](#) – Osmond (R-Antioch) – Authorizes Lake County to establish an affordable housing trust fund. Referred to House Rules Committee 1/31/2012.

MANAGE AND CONSERVE WATER & ENERGY

[HB28](#) – Lang (D-Skokie) – Authorizes creation of green special service areas and gives the Illinois Finance Authority the power to purchase special service area bonds. The private or public owner within a green special service area may arrange for specific energy efficiency improvements, renewable energy improvements, or water use improvements and may obtain

financing for those improvements through the process set forth in the ordinance establishing the green special service area. Assigned to House Revenue & Finance Committee on 1/24/2012.

[HB3974](#) – Nekritz (D-DesPlaines) – Requires utilities to procure energy efficiency products for eligible retail customers. Referred to House Rules Committee on 1/11/2012.

[HB4496](#) – Sente (D-Lincolnshire) – Updates the plumbing code so minimum standards are consistent with nationally and internationally recognized plumbing codes that reflect advances in technologies and methods which more efficiently utilize natural resources and protect public health. Referred to House Rules Committee 1/31/2012.

[SB2525](#) – Sandoval (D-Cicero) – Holds the Metropolitan Water Reclamation District (MWRD) liable for damages caused by overflowing sewers, drainage ditches and other structures under its jurisdiction. Assigned to Senate Judiciary on 1/24/2012.

EXPAND AND IMPROVE PARKS AND OPEN SPACE

[HB4000](#) – Jones (D-Calumet City) – Repeals the Park and Recreation Facility Construction Act (PARC), which allows the Department of Natural Resources to give matching grants to local park districts for capital projects. PARC, in effect since 2009, is funded with Build Illinois bonds. Referred to House Rules Committee on 1/18/2012.

PROMOTE SUSTAINABLE LOCAL FOODS

[HR734](#) – Burke (D-Oak Lawn) – Resolution urges Congress to adopt a farm bill that supports and promotes the development of local and regional food systems. Filed on 1/31/12.

SUPPORT ECONOMIC INNOVATION

[HB3919](#) – Brown (R-Decatur) – Creates job renewal zones and offers businesses in those zones tax cuts. Referred to House Rules Committee on 1/10/2012.

[HB3922](#) – Brown (R-Decatur) – Allows the lifespans of enterprise zones to be extended by 20 years. Referred to House Rules Committee on 1/10/2012.

[HB3934](#) – Franks (D-Woodstock) – Creates an Economic Incentive Committee within the Department of Revenue for the purpose of approving agreements entered into under the Economic Development for a Growing Economy (EDGE) Tax Credit Act. Assigned to House State Government Committee on 1/24/2012.

REFORM STATE AND LOCAL TAX POLICY

[HB3836](#) - [Morthland](#) (R-Moline) – Allows the Department of Revenue to adjust the 6.25% sales tax on gasoline within 30 miles of the state borders with Iowa, Kentucky or Missouri if the Department finds that the rate of tax imposed is lower or higher than 6.25% in those neighboring states. Referred to House Rules Committee on 10/19/2011.

[HB3917](#) – Costello (D-Sparta) – Rolls back the corporate income tax rate to 4.8 percent. Referred to House Rules Committee on 1/10/2012.

[HB3918](#) – Cross (R-Plainfield) – Reduces the corporate income tax rate to 6% in 2013 and 4.8% in 2014. Further reductions in the rate will take place based on monthly increases in unemployment rates. Referred to House Rules Committee on 1/10/2012.

[HB3803](#) – Gaffney (R-Wauconda) – Amends the State Revenue Sharing Act and the Illinois Income Tax Act and requires a certain amount of income taxes collected must be deposited directly into the Local Government Distributive Fund (LGDF), rather than being deposited into and redistributed from the General Revenue Fund. Additionally, the bill amends the definition of “State spending” to include amounts appropriated from the LGDF under the State Revenue Sharing Act. Referred to House Rules Committee on 10/5/2011.

*[HB4011](#) – DeLuca (D-Crete) – Amends the State Revenue Sharing Act and the Illinois Income Tax Act and requires certain amount of income taxes collected must be deposited directly into the Local Government Distributive Fund, rather than being redistributed from the General Revenue Fund. Referred to House Rules Committee on 1/18/2012.

IMPROVE ACCESS TO INFORMATION

[HB3850](#) – Sente (D-Lincolnshire) – Amends the Freedom of Information Act (FOIA) to force local governments to make publically available any tax rebate or refund agreements by posting such information on their websites. Referred to House Rules Committee on 10/19/2011.

[HB3859](#) – Sente (D-Lincolnshire) – Requires retailers and communities to make available to the public any and all information about sales tax sharing, rebates, or refunds by filing those agreements with the Department of Revenue. Referred to House Rules Committee on 10/25/2011.

[HB4018](#) – DeLuca (D-Crete) – Allows municipalities to set up a business registry and to fine businesses that do not register. Referred to House Rules Committee on 1/20/2012.

[HB4514](#) – Yarbrough (D-Broadview) – Requires counties to microphotograph or otherwise reproduce electronically any records received in writing by the recorder. Applicable for counties of less than 500,000 inhabitants. Referred to House Rules Committee 1/31/2012.

INVEST STRATEGICALLY IN TRANSPORTATION

[HB4153](#) – Madigan (D-Chicago) – IDOT budget bill. Filed with the House Clerk on 1/27/2012.

*[HB4078](#) – Winters (R-Rockford) – Allows Illinois State Toll Highway Authority (ISTHA) to construct railroad tracks on its properties. Referred to House Rules Committee on 1/25/2012.

[HB4140](#) and [HB4444](#) – Mautino (D-Spring Valley) – Creates the Federal/State/Local Airport Fund by replacing the current Aeronautics Funds and transferring balance into the new fund as well as \$6.3 million from the Road Fund. HB4444 and HB4140 are very similar, however HB4444 allows the Department of Transportation to increase permitting fees charged for pilots and aircrafts. Referred to House Rules Committee 1/30/2012.

[HB4502](#) – Nekritz (D-DesPlaines) – Broadens and adds more specificity to the Public-Private Partnerships for Transportation Act regarding Illinois State Toll Highway Authority, build-design agreements, and other contracting issues. Referred to House Rules Committee 1/31/2012.

[HB4509](#) – Rita (D – Blue Island) – Requires the Regional Transportation Authority (RTA) to ensure that construction projects or acquisitions involving a cost of more than \$100,000 (currently \$10,000) and the disposition of all specified property, be made known through public notice and subject to public bidding. Referred to House Rules Committee 1/31/2012.

[SB2516](#) – Dillard (R-Westmont) – Requires the Department of Revenue to deposit 80 percent of the net revenue from the sales tax on gasoline into the Capital Projects Fund. Referred to Senate Assignments on 10/27/2011.

[SB2552](#) – LaHood (R-Peoria) – Allows Motor Fuel Tax (MFT) funds to be spent on roads in public cemeteries with more than 5 miles of roads. Assigned to Senate Transportation on 1/24/2012.

[HB3864](#) – Saviano (R-Elmwood Park) – Prohibits sweeps, administrative charges or any other maneuver that would transfer any amount from the Motor Fuel Tax Fund, the State Construction Account Fund, and the Road Fund. [SB2549](#) is companion bill. Referred to House Rules Committee on 10/27/2011.

[SB2514](#) – Althoff (R-Crystal Lake) – Prohibits transfers of money from the State Road Fund. [HB3864](#) and [SB2549](#) are similar. Referred to Senate Assignments on 10/27/2011.

[SB2549](#) – Lauzen (R-Aurora) – Prohibits sweeps of the Motor Fuel Tax Fund, the State Construction Account Fund, and the State Road Fund. [HB3864](#) is companion bill. Referred to Senate Assignments on 1/11/2012.

[HB3924](#) – Morthland (R-Moline) – Requires Illinois State Toll Highway Authority to obtain legislative approval for toll increases. Referred to House Rules Committee on 1/10/2012.

[SB2530](#) – Murphy (R-Palatine) – Requires a joint resolution from the General Assembly before toll rates can be increased. Similar to [HB3924](#). Assigned to Senate Executive on 1/24/2012.

[SB2861](#) – Sandoval (D-Cicero) -- Requires the Department of Transportation to deposit funds into an escrow account from which funds may be withdrawn by intercity passenger rail service providers for the purpose of maintenance. Assigned to Transportation Committee 1/31/12.

INCREASE COMMITMENT TO PUBLIC TRANSIT

[SB2572](#) – Garrett (D-Highwood) – Requires service board budgets to match the RTA budget and allows the RTA to withhold funding if they do not comply. Referred to Senate Assignments on 1/11/2012.

[HB3875](#) – Colvin (D-Chicago) – Allows the Regional Transportation Authority to issue, sell, and deliver specified additional Working Cash Notes before July 1, 2014 (now, July 1, 2012). Referred to House Rules Committee on 11/2/2011.

CREATE A MORE EFFICIENT FREIGHT NETWORK

[SB2527](#) – Sandoval (D-Cicero) – Allows airport authorities to invest in, plan, market, and otherwise support intermodal transportation. Assigned to Senate Transportation on 1/24/2012.

ADDITIONAL LEGISLATION CMAP WILL MONITOR

[HB3970](#) and [HB4009](#) – May (D-Highwood), [HB3972](#) – D'Amico (D-Chicago) and [HB3849](#) – Cassidy (D-Chicago) – Each of these bills has been introduced in the house prohibiting use of cell phones while driving or biking, except when using hands free devices. HB4009 specifically bans the use of cell phones while driving in highway work zones. HB3960 and HB4009 were referred to the Rules Committee. HB3972 and HB3849 were assigned to the Transportation Vehicles & Safety Committee.

ACTION REQUESTED: Informational

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