

New Illinois Laws for 2012



In the Illinois Green Industry, the New Year brings Mid Am, hope of great weather, energy and energy and enthusiasm for the great business year! However, each year beginning January 1st – new laws take effect in Illinois. With over 4,000 bills filed in the Illinois General Assembly in 2011, only 200 passed both the House and the Senate and were signed into law by the Governor.

The following are laws that may impact business owners. Please review the summaries listed below. If you need additional information, you can download the entire law located at the following link: <http://www.ilga.gov/legislation/publicacts/default.asp>

A number of measures are aimed at encouraging **alternative energy and energy conservation**. Two of these include HB 3139/Public Act 97-0134, which allows the state's transportation department to issue permits to those wishing to grow switch grass on state right-of-ways, and HB 991/ Public Act 97-0105, which seeks to promote rain water conservation, composting and wind energy.

Brush Clearing (SB 41/PA 97-0417): Allows a township to authorize without a referendum the use of road funds to finance the collection, transport, and disposal of brush and leaves within the unincorporated areas of the township.

Contract Disclosure (HB 1444/PA 97-0490): Allows, for purposes of disclosure of financial interests by bidders on state contracts, privately held entities that have more than 100 shareholders and are exempt from Federal 10k reporting, to submit the information that they are required to report under federal regulations and list the names of any person or entity holding any ownership share greater than 5 percent. This bill would allow more companies to provide financial interest statements in this way, as opposed to submitting firm ownership and conflict information with each and every bid they submit.

Damaged Road Cost Recovery (HB 1541/PA 97-0373): Gives units of local government the same authority that State agencies have to seek recovery for the repair or replacement costs for damaged or destroyed roadway property.

Debt Collection (HB 1513/PA 97-0120): Allows employers to deduct wages without the employee's consent in order to collect a debt owed to a municipality or to recoup excess money that was paid by a municipality in error.

Identity Protection (HB 3513/PA 97-0139): States that an individual's social security number may not be printed on a wristband or on the outside of any file associated with the products or services of the person.

Large Truck Speed Limit (SB 1913/PA 97-0202): Extends the uniform speed limit that currently exists for Interstate highways to include four-lane divided highways. Provides that outside the counties of Cook, DuPage, Kane, Lake, McHenry and Will, the speed limit for trucks is uniform with cars, or 65 mph, on four lane divided highways

Land Surveyor Qualifications (SB 2236/PA 97-0543): Changes qualification for licensure and examinations for land surveyors and land surveyors in training. Applicants for the examination for land surveyor-in-training must have a baccalaureate degree in land surveying from an accredited college or university program; or a baccalaureate degree in a related science, with at least 24 semester hours of land surveying courses from the approved curriculum of an accredited institution.

Noise Ordinances (HB 1311/PA 97-0115): Clarifies that a non-home rule municipality is allowed to, by ordinance, regulate sound devices.

Plumber Licensing (HB 1228/PA 97-0365): Outlines that only the state and the City of Chicago may license plumbers. States that in the event that the plumbing contractor's registration is suspended or revoked, DFPR must notify the City of Chicago and any corresponding plumbing contractor's license issued by the City of Chicago must also be suspended or revoked. Similarly, the City of Chicago must notify the Department of such suspensions or revocations within its jurisdiction.

Property Transfers (HB 1153/PA 97-0555): Creates a statutory framework to allow for the transfer of residential real estate upon death through a transfer deed. Outlines under what circumstances this would or would not apply.

Switch Grass Production Permits (HB 3139/PA 97-0134): Allows the Illinois Department of Transportation to issue a switch grass production permit to allow private entities to grow and harvest switch grass on specified right-of-ways.

Taxation Disclosure Act (SB 43/PA 97-0353): Directs the Dept. of Revenue to create an online searchable data base of all tax rates in the state, which will be publicly available by January 1, 2012. It must include all taxes: income, sales, property, and business taxes imposed by taxing districts and by the State.

Truck Restrictions (SB 1644/PA 97-0201): Preempts home rule to establish that weight and size limits on trucks are under the exclusive purview of the state, with some exemptions.

Truck Route Reporting (HB 1377/PA 97-0291): Requires local governments to report all truck routes not classified as Class II or III truck routes to IDOT. If none exist, the local governments must affirm this. IDOT is then required to place this information on its Web site.

Utility Access (HB 1260/PA 97-0077): Provides that service members and veterans are covered under the no utility disconnection law during the winter months.

Vehicle Occupancy Restrictions (HB 1315/PA 97-0017): Bans riding in a trailer, semitrailer, farm wagon or any other vehicle while it is being towed upon a public highway, unless necessary due to an emergency situation.