Greetings!

First, I would like to apologize for not making it to the HR Advocacy half day workshop. What a disappointment!!! I certainly hope you were able to take away some great points from the fabulous line up of speakers. I wanted to take just a moment to share with you some of the points about ILSHRM’s initiatives on legislation and advocacy.

***“America is not governed by the majority, but by the majority of those who participate.”*** A famous quote from Thomas Jefferson is the perfect answer to why advocacy is so important. Why is it important for you the HR professional to get involved?? You are the expert. You work with these issues every day and are the ones that realize the real world implications of the bills that legislators are presenting. There are few legislators with any HR experience so it is up to us to educate them.

Acting as the Legislative Director of ILSHRM, the Illinois State Council of SHRM, it is my responsibility to encourage our members to get involved. Along with Kay Titchenal, our State Legislative Director, we have formed a committee of Chapter Legislative Directors and several interested parties that became our “Advocacy Committee”. ILSHRM also hired a lobbyist in 2012 with the goals of tracking and reviewing legislation related to HR and employment issues, educating SHRM members through chapter presentations, and communicating with ILSHRM legislative leaders as well as legislators and appropriate committees when needed.

Our goals in 2012 were to familiarize ourselves with the legislative process in Illinois and take that year as a learning year. This was a great year to do this as there were very few bills introduced since the re-districting of legislators was occurring. We spent a great deal of time working with the lobbyists; following them through the processes at the capital as well as many meetings to discuss our priorities. We began to outline processes for communication of issues, specifics for determining our priorities, and the process of following identified legislation and “shell bills”.

In 2013, we plan to work much more effectively with our state advocacy committee. We are refining the process for communication and developing appropriate ways to disseminate information. We will be developing a scorecard for measuring success of our process. Most importantly, we will be communicating a great deal with chapters and begin to identify associations with our newly elected legislators.

ILSHRM has a great commitment to Advocacy and to working with SHRM to promote our efforts throughout the state. I hope you enjoyed the presentations shared on February 21st. I’m attaching the current list of bills that we are watching as well as a flow chart for how a bill becomes a law in Illinois. If you are interested in becoming more involved, please reach out to me at the contact information below. Thanks again!

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***Last updated 2/19/2013***

**HB 1 Rep. Lou Lang New Act**

**Creates the Compassionate Use of Medical Cannabis Pilot Program Act.**

**Contains only a short title provision.**

Not sure where this one is at the moment – is somewhat of a “shell” bill??

**HB4 Mary E. Flowers DEPT MINORITY/WOMEN INCLUSION**

**Assigned to State Government Admin Committee**

New Act & 20 ILCS 5/5-15was 20 ILCS 5/3

20 ILCS 5/5-20was 20 ILCS 5/4

20 ILCS 5/5-195 new & 20 ILCS 5/5-425 new

30 ILCS 575/5from Ch. 127, par. 132.605

Creates the Department of Minority and Women Inclusion Act. Creates the Department of Minority and Women Inclusion as a department of State government.

Provides that the Department shall be responsible for all matters of the State Executive Branch agencies relating to diversity in management, employment, and

business activities. Provides that the Governor shall appoint a Director as the head of the Department and that the Director shall develop standards for the

following: (1) equal employment opportunity and the racial, ethnic, and gender diversity of the workforce and senior management of each State Executive Branch

agency; (2) increased participation of minority-owned and women-owned businesses in the programs and contracts of each State Executive Branch agency; and (3)

assessing the diversity policies and practices of entities regulated by each State Executive Branch agency. Amends the Civil Administrative Code of Illinois

to make conforming changes. Amends the Business Enterprise for Minorities, Females, and Persons with Disabilities Act to provide that the Department of

Minority and Women Inclusion shall monitor the activities of the Business Enterprise Council for Minorities, Females, and Persons with Disabilities.

Effective immediately.

**HB5 Mary E. Flowers MINORITY-MIDDLE EASTERNERS**

**Assigned to State Government Administration Committee**

5 ILCS 410/10 & 30 ILCS 575/2 & 30 ILCS 577/35-5

110 ILCS 925/3.07from Ch. 144, par. 1503.07

110 ILCS 930/2from Ch. 144, par. 2302 & 110 ILCS 947/65.30

Amends the State Employment Records Act; the Business Enterprise for Minorities, Females, and Persons with Disabilities Act; the State Construction

Minority and Female Building Trades Act; the Dental Student Grant Act; the Diversifying Higher Education Faculty in Illinois Act; and the Higher Education

Student Assistance Act. Redefines the terms "minority", "minority person", "under-represented minority", and "racial minority" in the affected Acts to

include all persons of Middle Eastern origin. Effective immediately.

**HB8 Mary E. Flowers HUM RTS-PREGNANCY ACCOMMODATE**

**Assigned to Labor & Commerce Committee**

775 ILCS 5/2-102from Ch. 68, par. 2-102

Amends the Illinois Human Rights Act. Provides that with respect to employment, it is a civil rights violation for an employer to refuse to provide

reasonable accommodations for an employee for conditions related to pregnancy, childbirth, or related medical conditions, if she so requests, with the advice

of her health care provider. Provides that the term "reasonable accommodations" means actions which would permit such an employee to perform in a reasonable

manner the activities involved in the job or occupation including an accessible worksite, acquisition or modification of equipment, job restructuring, and

modified work schedule. Provides that the reasonable accommodations shall be undertaken provided that those actions do not impose an undue hardship on the

business, program, or enterprise of the entity from which the actions are requested.

**HB23 Mary E. Flowers CONSUMER HEALTH INS COUNSEL**

**Assigned to Consumer Protection Committee**

New Act

Creates the Consumer Health Insurance Counsel Act. Creates the independent Office of Consumer Health Insurance Counsel for the purpose of representing the

interests of health insurance consumers. Sets forth provisions concerning the appointment and qualifications of and prohibited activities regarding the

position of Consumer Health Insurance Counsel. Provides that the Consumer Health Insurance Counsel may assess the impact of insurance rates, rules, and forms on

consumers and shall advocate positions determined to be most advantageous to a substantial number of insurance consumers. Sets forth additional provisions.

**HB24 Mary E. Flowers INS CD-PROHIBIT DISCRIMINATION**

**Assigned to Insurance Committee**

215 ILCS 5/351B-4from Ch. 73, par. 963B-4

215 ILCS 5/364from Ch. 73, par. 976

Amends the Illinois Insurance Code. Provides that no company, in any policy of accident or health insurance, shall make or permit any distinction or

discrimination against individuals solely because of handicaps or disabilities in specified provisions of the contract it makes or permit any distinction or

discrimination against individuals solely because of handicaps or disabilities in the specified provisions of the contract it makes (instead of including an

exception for those who meet specified criteria). Provides that no company shall refuse to insure or refuse to continue to insure, limit the amount or extent or

kind of coverage available to an individual, or charge an individual a different rate for the same coverage solely because of health status or disability

(instead of only because of blindness or partial blindness).

**HB107 Dwight Kay WORKERS COMP-INJURY**

**Assigned to Labor & Commerce Committee**

Amends the Workers' Compensation Act. Defines the terms "accident" and "injury". Provides that "injury" includes the aggravation of a pre-existing condition

by an accident arising out of and in the course of the employment, but only for so long as the aggravation of the pre-existing condition continues to be the major

contributing cause of the disability. Provides that an injury resulting directly or indirectly from idiopathic causes is not compensable.

**HB108 Dwight Kay WORKER COMP OBJECTIVE FINDINGS**

**Assigned to Labor & Commerce Committee**

Amends the Workers' Compensation Act. Provides that in making a determination of partial disability, the Commission shall base its determination upon, among other things, objective findings in medical records. Removes a provision that no single factor shall be the sole determinant of disability

**HB109 Dwight Kay WORKER COMP REPETITIVE TRAUMA**

**Assigned to Labor & Commerce Committee**

Amends the Workers' Compensation Act. Requires written, signed, and verified notice of an accident to be given to the employer. Provides that, with respect to repetitive trauma or cumulative trauma, notice shall be given within 45 days of the date the condition manifests itself. Specifies contents of the notice. Provides that no defect or inaccuracy in a notice shall be a bar to a proceeding unless the employee proves the defect or inaccuracy was not knowingly and willfully provided or there was good cause for the failure to provide an accurate or non-defective notice.

**HB110 Greg Harris RELIGIOUS FREEDOM-MARRIAGE ACT**

**Referred to Rules Committee**

Creates the Religious Freedom and Marriage Fairness Act. Contains provisions regarding legislative purpose, rules of construction, and severability. Provides that: all laws of this State applicable to marriage apply equally to marriages of same-sex and different-sex couples and their children; parties to a marriage and their children, regardless of whether the marriage is of a same-sex or different-sex couple, have the same benefits, protections, and responsibilities under law; parties to a marriage are included in any definition or use of terms such as "spouse", "family", "immediate family", "dependent", "next of kin", "wife", "husband", "bride", "groom", "wedlock", and other terms that refer to or denote the spousal relationship, as those terms are used throughout the law, regardless of whether the parties to a marriage are of the same sex or different sexes; and, to the extent that laws of this State adopt, refer to, or rely upon provisions of federal law as applicable to this State, parties to a marriage of the same sex and their children shall be treated under the laws of this State as if federal law recognized the marriages of same-sex couples in the same manner as the laws of this State. Amends the Illinois Marriage and Dissolution of Marriage Act. Makes changes concerning: parties who may marry; solemnization; use of a parish hall or other religious facility for solemnization or celebration of a marriage; prohibited marriages; and jurisdiction. Amends the Illinois Religious Freedom Protection and Civil Union Act to make changes and additions regarding recognition of marriages and to authorize the voluntary conversion of a civil union to a marriage under specified circumstances. Contains severability provisions. Effective 30 days after becoming law**.**

**HB111 Dwight Kay WORKERS COMP PREVIOUS INJURY**

**Assigned to Labor & Commerce Committee**

Amends the Workers' Compensation Act. Provides that, with respect to the computation of compensation to be paid to an employee who had previously sustained an injury resulting in payment of compensation for partial disability for injuries not involving serious and permanent disfigurement and injuries for which the Act provides a schedule of benefits, the amount of the prior award for the partial disability with respect to the same portion of the body shall be deducted. Limits cumulative awards for partial disability to 500 weeks, which shall constitute a complete loss of use of the body as a whole.

**HB112 Dwight Kay WORKERS COMP CARPAL TUNNEL**

**Assigned to Labor & Commerce Committee**

Amends the Workers' Compensation Act. Provides that if an injury occurring on or after January 1, 2014 involves carpal tunnel or cubital tunnel syndrome and the injured employee would be able to return to work without restrictions, the permanent partial disability shall be determined by the impairment level as determined by a physician licensed to practice medicine in all its branches.

**HB113 Dwight Kay WORKER COMP-INTOXICATION-CAUSE**

**Assigned to Labor & Commerce Committee**

Amends the Workers' Compensation Act. Provides that an employee may overcome the rebuttable presumption that intoxication was the proximate cause of an injury by the preponderance of admissible evidence that intoxication was not the proximate cause (rather than the sole proximate cause or proximate cause) of the accidental injuries.

**HB114 Dwight Kay CMS-WORKERS COMPENSATION**

**Assigned to Labor & Commerce Committee**

Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. Provides that the appeal of a decision by the Workers' Compensation Commission on compensability of a State employee's claim for workers' compensation benefits may be made to the circuit court.

**HB115 Dwight Kay CMS-DISABILITY BENEFITS**

**Assigned to Labor & Commerce Committee**

Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. Provides that the Department of Central Management Services shall charge the employing State agency for workers' compensation payments for medical expenses and temporary total disability benefits (now, just for temporary total disability) paid to any employee (now, the Department shall charge the State agency only after the employee has received temporary total disability payments for 120 days if the employee's physician has issued a release to return to work but the employing State agency does not return the employee to work).

**HB129 Emanuel Chris Welch SCH CD-BRING PARENT TO SCH DAY**

**Placed on Calendar 2nd Reading - Standard Debate**

Amends the School Code. Requires all school boards to designate the first Monday in October of each year "Bring Your Parents to School Day" to promote parental involvement and student success. Provides that on this day, a school board shall permit the parents or guardians of students to attend class with their children and meet with teachers and administrators during the school day. [Note: House amendment changes to “permit” rather than “require” in their bill]

**HB136 Jil Tracy CRIM CD-STALKING/AGG STALKING**

**Assigned to Labor & Commerce Committee**

Amends the Criminal Code of 2012. Provides that the stalking and aggravated stalking statutes do not apply to an individual, organization, or employee of a governmental entity monitoring or attentive to compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements when the monitoring or attentiveness occurs at the workplace or worksite.

**HB139 Jil Tracy UNEMPLOY INS-MISCONDUCT**

**Assigned to Labor & Commerce Committee**

820 ILCS 405/602from Ch. 48, par. 432

Amends provisions of the Unemployment Insurance Act concerning discharge for misconduct. Makes the following changes in the definition of "misconduct":

deletes language requiring that a violation of a reasonable rule or policy of the employing unit be deliberate and willful; and deletes language requiring

that an instruction from the employing unit be explicit

**HB1047 Jim Durkin EMPLOYEE PRIVACY-PERSONAL ACCT**

**Assigned to Judiciary**

Amends provisions of the Right to Privacy in the Workplace Act prohibiting certain inquiries by an employer. Deletes language in those provisions regarding an employee's social networking website account information. Provides that: an employer may not request or require an employee or prospective employee to provide a user name, password, or other means to gain access to the employee's or prospective employee's personal online account; an employer may request or require an employee to disclose any user name, password, or other means for accessing an electronic communications device supplied or paid for in whole or in part by the employer or accounts or services provided by the employer or by virtue of the employee's employment relationship with the employer or that the employee uses for business purposes; an employer may not discharge, discipline, or otherwise penalize or threaten to discharge, discipline, or otherwise penalize an employee solely for an employee's refusal to disclose specified information, fail or refuse to hire any prospective employee as a result of the prospective employee's refusal to disclose specified information, or be held liable for failure to request or require that an employee or prospective employee disclose specified information; those provisions do not prevent an employer from conducting certain investigations; the provisions do not limit an employer's right to have specified workplace policies and monitor usage of the employer's electronic equipment and electronic mail under specified circumstances; and those provisions do not prohibit an employer from obtaining information about a prospective employee or an employee that is in the public domain or that is otherwise obtained in compliance with the provisions. Effective immediately.

**HB1270 Mike Fortner ELECTION JUDGE-WORK ABSENCE**

**Assigned to Executive Committee**

Amends the Election Code. Provides that an employer may not require an employee to use earned vacation time or any form of paid leave time to serve as an election judge. Effective immediately.

**HB1282 Darlene J. Senger PREVAIL WAGE EXEMPT TREE WORK**

**Assigned to Labor & Commerce Committee**

Amends the Prevailing Wage Act. Excludes from the scope of the Act the removal of trees and limbs along roadways and parkways when that work is not part of other construction. Effective immediately.

**HB1284 Lou Lang EXCLUSIVE PROVIDER BNFT PLANS**

**Assigned to Insurance Committee**

5 ILCS 140/7.5

Creates the Exclusive Provider Benefit Plan Act. Provides that an exclusive provider benefit plan that meets the requirements of the Act shall be

permitted. Provides that to the extent of any conflict between the provision permitting exclusive provider benefit plans and any other statutory provision,

the provision permitting exclusive provider benefit plans prevails over the conflicting provision. Provides that an insurer duly licensed under the laws of

this State may offer exclusive provider benefit plans to individuals and group health plans in conformity with the terms set forth in the provision concerning

the applicability of the Act. Provides that an insurer shall not be required to be licensed as an HMO under the Health Maintenance Organization Act in order to

offer exclusive provider benefit plans under the provision concerning the applicability of the Act. Sets forth provisions concerning the applicability of

the Health Carrier External Review Act; the construction of the Exclusive Provider Benefit Plan Act; providing information to enrollees and prospective

enrollees; the availability of exclusive providers; notice of nonrenewal or termination; transitions of service and continuity of care; prohibitions;

exclusive provider benefit plan's access to specialists; health care services appeals, complaints, and external independent reviews; emergency services prior

to stabilization; post-stabilization medical services; quality assessment programs; utilization review; and qualifying examinations of insurers and fees.

Amends the Freedom of Information Act to establish an exemption for all identified or deidentified health information due to the Department's

administration of the Exclusive Provider Benefit Plan Act. Effective immediately.

**HB1548 Mike Bost EXPUNGEMENT-CLASS 3&4 FELONIES**

**Referred to Rules Committee**

Amends the Criminal Identification Act and the Unified Code of Corrections. Provides that upon a petition by a person who has been convicted of a Class 3 or Class 4 felony and who has served in the United States Armed Forces or in the National Guard of this or another state and has received an honorable discharge from the Armed Forces or National Guard and who meets specified requirements, the Prisoner Review Board shall hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for expungement recommending that the court order the expungement of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. Excludes a person convicted of a sex offense, crime of violence, or firearm offense. Provides that if a person has applied to the Board for a certificate of eligibility for expungement and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for a pardon with authorization for expungement from the Governor unless the Governor or Chairman of the Prisoner Review Board grants a waiver. Effective immediately.

**HB1579 David Reis WORKER COMP-FINE-REFUND**

**Referred to Rules Committee**

Amends provisions of the Workers' Compensation Act authorizing the issuance of a citation to an employer that is not in compliance with its obligation to have workers' compensation insurance and the imposition of a fine to be paid by the employer to the Commission. Provides that, if the Commission determines that the employer was in compliance with its obligation at the time the citation was issued, the Commission shall refund the amount of the fine to the employer within 10 days.

**HB1585 Brandon W. Phelps PUBLIC LABOR-ATTORNEY FEES**

**Referred to Rules Committee**

Amends the Illinois Public Labor Relations Act. Provides that, unless mutually agreed otherwise, any party to a collective bargaining agreement who fails to timely comply with an arbitration award or who, after timely demand, fails to submit a grievance dispute concerning the administration or interpretation of an agreement to arbitration shall pay to the prevailing party all reasonable costs of the proceeding in the trial and reviewing courts, including reasonable attorneys' fees. Provides that a charging party or person who, pursuant to an application for judicial review of an order of the Board issued in relation to an unfair labor practice proceeding, obtains a stay of the Board's order pending judicial review shall pay all reasonable costs of the proceedings in the reviewing courts, including reasonable attorneys' fees, as determined by the court, in the event the final unappealable decision of the reviewing courts is adverse to the party obtaining the stay. Makes other changes. Effective immediately.

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**SB20 Don Harmon(Michael J. Madigan) PUBLIC LABOR-ENGINEERS**

**Referred to Rules Committee**

5 ILCS 315/3from Ch. 48, par. 1603 & 5 ILCS 315/6.1

Provides that if and only if Senate Bill 1556, as passed by the 97th General Assembly, becomes law, the Illinois Public Labor Relations Act is

amended (i) to prohibit the Governor from designating public employees who are classified as or who hold the title of Chief Stationary Engineer, Assistant

Chief Stationary Engineer, Sewage Plant Operator, Water Plant Operator, Stationary Engineer, or Plant Operating Engineer for exclusion from collective

bargaining and (ii) to specify that public employees who are classified as or who hold the employment title of Chief Stationary Engineer, Assistant Chief

Stationary Engineer, Sewage Plant Operator, Water Plant Operator, Stationary Engineer, or Plant Operating Engineer qualify as public employees for purposes

of the Act. Effective upon becoming law or on the effective date of Senate Bill 1556 of the 97th General Assembly, whichever is later.

**SB34 David Koehler HLTH BENEFITS EX-ADMIN**

**Subcommittee on Governmental Operations**

Amends the Illinois Health Benefits Exchange Law. Makes changes concerning the legislative intent of the Law. Sets forth definitions. Establishes the Illinois Health Benefits Exchange as a political subdivision, body politic and corporate beginning October 1, 2014 (instead of 2013). Provides that the Exchange shall be a public entity, but shall not be considered a department, institution, or agency of the State. Sets forth provisions concerning health benefit plan certification. Deletes references to the Illinois Health Benefits Exchange Legislative Study Committee and establishes instead the Illinois Health Benefits Exchange Legislative Oversight Committee within the Commission on Government Forecasting and Accountability. Provides that the governing and administrative powers of the Exchange shall be vested in a body known as the Illinois Health Benefits Exchange Board and sets forth provisions concerning appointments, terms, meetings, the Board's structure, recusal, a budget, a revenue generating plan, and the Board's purpose. Establishes the Illinois Health Benefits Exchange Fund. Sets forth provisions concerning enrollment through brokers and agents and producer compensation. Makes other changes. Effective immediately.

**SB38 Ira I. Silverstein INS CD - HEARING AID COVERAGE**

**Assigned to Insurance**

Amends the Illinois Insurance Code, the Health Maintenance Organization Act, and the Voluntary Health Services Plans Act to require coverage for hearing instruments and related services for all individuals when a hearing care professional prescribes a hearing instrument. Provides that an insurer shall provide coverage for up to $2,500 per hearing aid per insured's hearing impaired ear subject to certain restrictions. Provides that an insurer shall not be required to pay a claim if the insured filed such a claim 36 months prior to the date of filing the claim with the insurer and the claim was paid by any insurer. Effective immediately.

**SB104 Pamela J. Althoff MIN WAGE-OVERTIME-ALTERN SHIFT**

**Placed on Calendar Order of 2nd Reading February 14, 2013**

Amends the Minimum Wage Law. Provides that overtime compensation provisions of the Law do not apply to any employee who is a member of a bargaining unit recognized by the Illinois Labor Relations Board and whose union has contractually agreed to an alternate shift schedule as allowed by specified provisions of the Fair Labor Standards Act of 1938.

**SB1480 Napoleon Harris, III EMPLOYMENT-TECH**

**Referred to Assignments**

Amends the Minimum Wage Law. Makes a technical change in a Section concerning the short title. [SHELL BILL?]

**SB1534 Chapin Rose DEFERRED COMP-ROTH ROLLOVERS**

**Referred to Assignments**

Amends the Deferred Compensation Article of the Illinois Pension Code. Provides that to the extent that federal law or regulations have been changed to allow plans established under Section 457 of the Internal Revenue Code to be amended to allow designated Roth contributions and in-plan rollovers to designated Roth accounts, the Department of Central Management Services and units of local government with such plans shall within a reasonable time amend their plans accordingly.

**SB1568 William Delgado WAGE/PAYMENT**

**Referred to Assignments**

**SB1631 Pamela J. Althoff NURSE LICENSURE COMPACT**

**Referred to Assignments**

Amends the Nurse Practice Act. Ratifies and adopts the Nurse Licensure Compact. Allows for reciprocity of licensure of licensed practical nurses and registered nurses among the states. Provides for administration of the Compact by the Nursing Act Coordinator. Provides that the licensing board shall participate in a Compact Evaluation Initiative designed to evaluate the effectiveness and operability of the Compact. Provides that the Compact does not relieve employers from complying with statutorily imposed obligations. Provides that the Compact does not supersede existing State labor laws. Makes changes relating to the purposes of the Compact. Effective on January 1, 2014.