



## **ALLIANCE LEGISLATIVE REPORT (98-10)**

The Illinois General Assembly finished the week with a flurry of activity as it heads into a two week spring break. Both the House of Representatives and the Senate made significant strides toward their goal of passing pension reform legislation. And both chambers, sadly, continued with their onslaught of advancing bills that contain unfunded mandates on local school districts. Among the new proposals: new reporting and training regarding cardiac arrest among athletes, required 20 minutes of recess, stringent new website postings, and instruction on teen dating violence.

The Senate returns to the Capitol on Wednesday, April 10; the House returns on Monday, April 8. Lawmakers will begin the business of considering all of the bills that have been approved by committees on their respective chamber floors.

### **MORE ACTIVITY WITH PENSION BILLS**

As was reported in the last Alliance Legislative Report (<http://www.iasb.com/govrel/alr9809.cfm>), several pension reform bills were acted upon last week. This week, more movement occurred as the momentum for final passage of a pension reform measure continues to build.

The House of Representatives approved **HB 1165 (Madigan, D-Chicago)** Thursday which would limit the Cost of Living Adjustment (COLA) for the Teachers' Retirement System (TRS). The COLA would be frozen until five years after the employee's retirement, or age 67. Then the COLA would be a flat 3% of the first \$25,000 of the pension, or \$750 per year. The House has already approved other bills that would cap the pensionable salary amount and increase the retirement age on a graduated scale. The Senate has not acted on any of the bills the House has sent over.

The Senate this week approved an amended **SB 1 (Cullerton, D-Chicago)**. The bill now only affects active Tier I members of TRS, and now would not force any changes to current annuitants of TRS. The bill would:

- require active TRS members to choose between keeping the compounding 3% COLA, or accepting a lesser COLA and remain eligible for health insurance upon retirement. This "election" would have to be made between January 1, 2014 and May 31, 2014. The changes would take effect on June 1, 2014.
- exempt from the election TRS members who have signed an agreement with their school district on or before January 1, 2013 making an irrevocable decision to retire in the future
- freeze the salary, for pensionable purposes, of active TRS members who do not choose the lesser COLA
- offer TRS members who choose the lesser COLA participation in a new "cash balance" retirement plan operated by TRS that would supplement their Tier I annuity
- offer the Early Retirement Option (ERO) to those TRS members who choose the lesser COLA
- give TRS the right to sue if the State does not make its pension contributions on time

The bill, as currently drafted, does not contain provisions to shift pension costs onto local school districts.

Here is a pension update chart to help keep track of the various pension reform proposals as they now exist.

Bill Number	Latest Action	Quick Synopsis
<a href="#">SB 1</a>	Passed the Senate 3/20	Only effects current TRS participants and no other systems or TRS retirees. Choice system between healthcare and Cost of Living Adjustments (COLA).
<a href="#">SB 35</a>	Failed in Senate 3/20	Changes retirement age and only applies COLA to first \$25k of pensionable salary. (Nekritz/Biss bill)
<a href="#">SB 2404</a>	Held in Senate committee 3/21	Increases employee pension contributions 2% phased in over a 2 year period. Guarantees funding from State of Illinois. (union proposal)
<a href="#">HB 1154</a>	Passed the House 3/14	Caps pensionable salary at Social Security Index (\$113, 700 in 2013).
<a href="#">HB 1165</a>	Passed the House 3/21	Freezes COLA until five years after retirement or age 67. After reaching a pensionable salary, a flat annual increase of \$750 would be granted to annuitants.
<a href="#">HB 1166</a>	Passed the House 3/14	Raises retirement age for pension system participants under the age of 45.
<a href="#">HB 3411</a>	Passed House committee 3/14	Limits COLA to the first \$25k. Creates a Tier III retirement system with a hybrid plan similar to 401(k). Shifts cost of hybrid plan to local school district.

The following pension-related bills also were discussed this week:

**HB 1277 (Senger, R-Naperville)**, for the pension systems, changes the actuarial cost method from “projected unit credit” to “entry age normal”. **The bill was approved** by the House Personnel and Pensions Committee and was sent to the House floor for further consideration.

**HB 1296 (Mitchell, C., D-Chicago)** requires the State’s pension funds to divest from firearm manufacturing companies. **The bill was approved** by the House Personnel and Pensions Committee and was sent to the House floor for further consideration.

**HB 2900 (Nekritz, D-Northbrook)** provides that after July 1, 2013, TRS members are ineligible to participate in the Early Retirement Option (ERO), unless prior to July 1, the employee has notified their employer of their intent to retire under that program before that date. It otherwise terminates ERO after July 1, 2013. **The bill was approved** by the House Personnel and Pensions Committee and was sent to the House floor for further consideration.

**HB 3372 (Senger)**, for the Illinois Municipal Retirement Fund (IMRF), the State University Retirement System (SURS), and TRS, prohibits “compensation” to include payments or reimbursements for travel vouchers, and service credit no longer available for unused sick leave. **The bill was approved** by the House Personnel and Pensions Committee and was sent to the House floor.

## **BILLS CONTAINING MANDATES THAT MOVED THIS WEEK**

**HB 15 (Flowers, D-Chicago)** establishes new requirements for school districts, training for coaches, and paperwork by parents of athletes regarding sudden cardiac arrest. It includes a pilot project in Chicago for requiring student athletes to undergo an EKG and includes sanctions for coaches statewide. **The bill, opposed by the Alliance, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 2213 (Ford, D-Chicago)** sets up a special set of rights, support services, and due processes for students who are parents, expectant parents, or the victims of domestic or sexual violence. Special privileges must be given to such students regarding school placement, student transfers, expulsions and suspensions, home instruction, and additional support services. **The bill, opposed by the Alliance, was approved** by the House of Representatives and was sent to the Senate for further consideration.

**HB 2386 (Bradley, D-Marion)** requires school districts and community college districts to submit a Fiscal Responsibility Report Card to the State Comptroller and the county clerk of each county in which any part of the taxing district is located. **The bill was approved** by the House Revenue and Finance Committee and was sent to the House floor for further consideration.

**HB 2670 (Dunkin, D-Chicago)** requires schools to provide at least 20 minutes of recess each day for grades kindergarten through five. **The bill, opposed by the Alliance, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration. An amendment is expected that would limit the legislation to Chicago only.

**HB 2944 (Drury, D-Highwood)** requires public schools to administer the ISAT examinations to students from non-public schools. **The bill, opposed by the Alliance, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 3312 (Ives, R-Wheaton)** requires a unit of local government or school district to post on its' website a plethora of information, including: contact information for elected and appointed officials, board packets, the FOIA process, district policies, financial reports and audits, and all contracts. It also exempts from FOIA copying and disclosure requirements of any record or information that a unit of local government or school district maintains an electronic copy of on its website. **The bill, opposed by the Alliance, was approved** by the House Counties and Townships Committee and was sent to the House floor for further consideration.

**HB 3379 (Tabares, D-Chicago)** requires school boards to adopt a policy on teen dating violence, implement procedures, deliver age-appropriate education, identify by job title school officials responsible for receiving reports and notify students and parents about the policy. **The bill, opposed by the Alliance, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**SB 1190 (Hutchison, D-Chicago Heights)** creates the Illinois Family Care Provider Act to require employers to provide up to 12 weeks of unpaid family medical leave to an employees who are grandparents. **The bill, opposed by the Alliance, was approved** by the Senate Labor Committee and was sent to the Senate floor for further consideration.

**SB 1711 (Hastings, D-Matteson)** requires school districts to assure that all physical education teachers, trainers, coaches, and referees annually watch a training video on CPR and AEDs. **The bill,**

**opposed by the Alliance, was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

**SB 2178 (Harris, D-Harvey)** requires public school districts that have a high school to provide catastrophic accident insurance coverage with a maximum of \$7.5 million or 15 years of coverage for student athletes who sustain an accidental injury while participating in school-sponsored athletic events sanctioned by the Illinois High School Association (IHSA) that results in medical expenses in excess of \$50,000. **The bill was approved** by the Senate Insurance Committee and was sent to the Senate floor for further consideration. The Alliance has been working on the legislation to lessen the burden on local school districts.

### **EMPLOYMENT-RELATED BILLS THAT MOVED THIS WEEK**

**HB 1264 (Sosnowski, R-Rockford)** would require a three-fourths vote of a teachers' union to approve a teacher's strike. **The bill was defeated** in the House Labor and Commerce Committee.

**HB 2689 (Ives)** requires school districts to place in writing and publish on the website the terms of a collective bargaining agreement once the agreement is reached between the school district and the teachers' union. **The bill, opposed by the Alliance, was defeated** in the House State Government and Administration Committee.

**HB 2846 (Golar, D-Chicago)** creates the Best Candidate for the Job Act to provide that private and public employers (including school districts) shall properly consider for employment and licenses persons previously convicted of one or more criminal offenses. **The bill, opposed by the Alliance, was approved** by the House Labor and Commerce Committee and was sent to the House floor for consideration.

**HB 3005 (Mayfield, D-Waukegan)** prohibits employers from conducting a criminal history inquiry with respect to a candidate for employment until after the employer has received an application from and interviewed the candidate. **The bill was approved** by the House Labor and Commerce Committee and was sent to the House floor for consideration.

**HB 3058 (Willis, D-Northlake)** provides that an employer shall provide each employee who is a veteran with paid or unpaid time off for Veterans Day, November 11, if the employee would otherwise be required to work on that day. **The bill was approved** by the House Veteran's Affairs Committee and was sent to the House floor for further consideration.

**SB 2339 (Mulroe, D-Chicago)** provides that if a joint insurance pool requires a member to submit written notice in order for the member to withdraw from a qualified pool, then the period in which the member must provide the written notice cannot, except in certain circumstances, be greater than 90 days. **The bill was approved** by the Senate Insurance Committee and was sent to the Senate floor for further consideration. Further amendments to this bill are expected.

### **PROPERTY TAX LEGISLATION THAT MOVED THIS WEEK**

**HB 89 (Franks, D-Woodstock)**, for school districts under the Property Tax Extension Limitation Law (PTELL), provides that if the total equalized assessed value (EAV) of all taxable property in the taxing district for the current levy year is less than the total EAV of all taxable property in the taxing district

for the previous levy year, then the extension limitation is (a) 0% or (b) the rate of increase approved by voters. **The bill, opposed by the Alliance, was approved** by the House Revenue and Finance Committee and was sent to the House floor for further consideration.

**HB 160 (Osmond, R-Gurnee)** gives more flexibility regarding interfund transfers to school districts who are under the limitations of PTELL and contains provisions that only apply to Zion Elementary School District. **The bill, supported by the Alliance, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 1039 (Tryon, R-Crystal Lake)** provides that the property tax bill shall contain a separate statement for each taxing district showing the amount of tax due that will be used by the taxing district to pay the employees' contributions to a public pension fund and that this amount must be certified to the county clerk. **The bill was approved** by the House Revenue and Finance Committee and was sent to the House floor for further consideration.

**HB 1053 (Sullivan, R-Mundelein)** provides that land containing hotels, lodging facilities, club houses, banquet facilities, tennis courts, swimming pools, commercial or industrial facilities, retail shops or land and parking areas serving those improvements shall be valued at its fair cash value, not as open space land. **The bill, supported by the Alliance, was approved** by the House Revenue and Finance Committee and was sent to the House floor for further consideration.

**HB 1188 (Burke, D-Chicago)** provides that a taxing district obtaining referendum approval for an increased limiting rate under PTELL on March 20, 2012, the limiting rate for 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition. **The bill was approved** by the Senate and will be sent to the Governor for further consideration.

**HB 3041 (Kifowit, D-Aurora)** allows for zero growth in the property tax extension for school districts in counties under the PTELL if the overall EAV has decreased from the previous year's EAV. **The bill, opposed by the Alliance, was approved** by the House Revenue and Finance Committee and was sent to the House floor for further consideration.

**HB 3218 (Crespo, D-Streamwood)**, where a property tax payer has knowingly received an erroneous homestead exemption, directs the county clerk to assess the arrearage of taxes against the property with 10% interest for each year it should have been corrected. **The bill was approved** by the House Revenue and Finance Committee and was sent to the House floor for further consideration.

**SB 1894 (Hutchinson)** increases the Senior Citizens Homestead Exemption to \$5,000 in Cook County, \$4,000 for all others, and increases it to \$5,000 permanently after 2013. It also increases the General Homestead Exemption to \$7,000 in Cook County and \$6,000 in all other counties. **The bill, opposed by the Alliance, was approved** unanimously by the Senate and was sent to the House of Representatives for further consideration.

**SB 2257 (Harmon, D-Oak Park)**, as amended, would eliminate the ability of PTELL taxing districts to ask the voters for a limiting rate increase after January 2014. It provides instead for a new referendum question based upon an increase in the aggregate extension. **The bill was approved** by the Senate Revenue Committee and was sent to the Senate floor for further consideration.

**SB 2345 (Jacobs, D-Rock Island)**, as amended, changes how certain commercial property is classified for property taxation to detrimentally impact taxing bodies having these properties as a part of their

equalized assessed valuation. **The bill was approved** by the Senate Revenue Committee and was sent to the Senate floor for further consideration.

### **MORE HOT BILLS THAT MOVED THIS WEEK**

**HB 1205 (Sente, D-Lincolnshire)** limits full-contact hitting football practice to two days per week and provides many other limitations on football practice for high schools and organized youth football leagues. The bill also requires all coaches to complete an online concussion training program. **The bill, opposed by the Alliance, was defeated** in the House Elementary and Secondary Education Committee.

**HB 2267 (Gordon-Booth, D-Peoria)** makes numerous changes regarding school district reorganization, dissolution, and consolidation to facilitate school districts that wish to do so. **The bill, supported by the Alliance, was approved** by the House of Representatives and was sent to the Senate for further consideration.

**HB 2660 (Davis, W., D-Hazel Crest)**, an **Alliance initiative**, adjusts the school funding formula for school districts with State-authorized Charter Schools. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 3232 (Gordon-Booth)**, an **Alliance initiative**, allows for a local bidder preference. It allows school boards to choose a qualified bidder that is not the lowest responsible bidder if the vendor is within 2% of the lowest responsible bid and is located in the same county as the school district. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**SB 1625 (Collins, D-Chicago)**, as amended, requires school districts to conduct at least one school shooter drill per year, with participation by local law enforcement agencies. **The bill, opposed by the Alliance as drafted, was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration. The Alliance has been meeting with the Office of the Governor, the Illinois Emergency Management Agency, and others to reach agreement on a final bill.

**SB 1877 (Manar, D-Bunker Hill)** makes numerous changes regarding school district reorganization, dissolution, and consolidation. **The bill, supported by the Alliance, was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

**SB 2321 (Bertino-Tarrant, D-Plainfield)**, an **Alliance initiative**, provides that a school board may excuse pupils in grades 9 through 12 enrolled in a show choir program for credit from engaging in physical education courses if those pupils request to be excused for ongoing participation in such show choir program. **The bill was approved** by the Senate Education Committee and sent to the Senate floor for further consideration.

**SB 2258 (Harmon)** includes the components of an earlier comprehensive Tax Increment Financing (TIF) law reform bill including veto power for the Joint Review Board and penalties for municipalities that do not submit annual TIF reports, among many other provisions. **The bill was approved** by the Senate Revenue Committee and was sent to the Senate floor for further consideration.

## **OTHER BILL ACTION**

**HB 16 (Flowers)** authorizes school boards to create a committee on the retention of students to review retention decisions for students determined by the school to not qualify for promotion to the next higher grade and the reason for that determination. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 17 (Flowers)** urges, under a school board's policies and rules concerning infectious disease, school boards to allow students to wash their hands with a soap or detergent. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 192 (Jackson, Sr., D-East St. Louis)** provides that, in addition to all other authority to issue bonds, Smithton Community Consolidated School District 130 may issue bonds with an aggregate principal amount not to exceed \$15,000,000 if certain conditions are met. **The bill was approved** by the Senate Revenue Committee and was sent to the Senate floor for further consideration.

**HB 1288 (Gabel, D-Evanston)** requires the Illinois State Board of Education (ISBE) to adopt procedures that allow for written complaints with the ISBE alleging that a school district has violated the rights of one or more children with disabilities. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 2009 (Leitch, R-Peoria)** provides that the Department of Public Health, in conjunction with the ISBE, shall develop educational material on streptococcal infection for distribution in elementary and secondary schools. **The bill was approved** by the House of Representatives and was sent to the Senate for further consideration.

**HB 2322 (Chapa La Via)** allows for School Social Work to include services for establishing and delivering anti-bullying programs. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 2747 (Conroy, D-Villa Park)** authorizes written FOIA requests to be submitted to a public body by electronic mail and requires each public body to post an email address where requests for public records may be directed. **The bill was approved** by the House of Representatives and was sent to the Senate for further consideration.

**HB 2768 (Welch, D-Westchester)** requires principals to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use or possession of weapons or by illegal gang activity. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 2930 (Unes, R-Pekin)** authorizes and, in some circumstances requires, a public body to respond by electronic mail to requests for public records that it has received by electronic mail. **The bill was approved** by the House of Representatives and was sent to the Senate for further consideration.

**HB 3053 (McAsey, D-Romeoville)** allows a school board to excuse a pupil from engaging in a physical education course if the pupil is a child with a disability, is participating in an athletic program outside of the school setting that is equivalent to a varsity athletic program, and documents such participation. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 3090 (Chapa La Via)** provides that federal funds received for supplemental educational services under Title I of the federal Elementary and Secondary Education Act may only be used to fund supplemental educational services and prohibits the ISBE from applying for a waiver from the federal government to use funds received for supplemental educational services under Title I for other programs. **The bill was defeated** in the House Elementary and Secondary Education Committee.

**HB 3112 (McAsey)** provides that a National Board Certified teacher shall be automatically renewed for the period of time equal to the validity of the National Board certification with a requirement of receiving at least five hours of professional development each year. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**HB 3152 (Durkin, R-Western Springs)** allows Lyons THSD 204 to withdraw from the authority of the Lyons trustees and township treasurer. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

**SB 1274 (Silverstein, D-Chicago)** requires the Department of Public Health and the ISBE to develop and post on their publicly accessible Internet websites guidelines and other relevant materials to inform and educate students participating in an athletic activity, their parents, and their coaches about the nature and warning signs of sudden cardiac arrest. **The bill, opposed by the Alliance, was discussed** in the Senate Education Committee but no vote was taken and the bill remains in Committee.

**SB 2157 (Cunningham, D-Chicago)** provides that, if requested, a school board is authorized to excuse a pupil from engaging in a physical education course if the pupil has an intellectual or physical disability, is participating in an athletic program outside of the school setting, and documents such participation as determined by the school board. **The bill, supported by the Alliance, was approved** by the Senate Education Committee and sent to the Senate floor for further consideration.

*The legislative report is written and edited by the lobbyists of the Illinois Association of School Boards to provide information to the members of the organizations that comprise the Statewide School Management Alliance.*

**Alliance Legislative Reports:**  
**Bill Text/Status: Illinois General Assembly**

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