



**ILLINOIS
CHAMBER**

102nd
General Assembly

2021-2022 **Legislative Ratings**

**STRONGER BUSINESS
STRONGER ILLINOIS**

About the Illinois Chamber of Commerce Legislative Ratings

The Illinois Chamber ratings are based on each legislator's votes on the key business-related legislation of the 102nd General Assembly as determined by staff and the Illinois Chamber's Government Affairs Committee. **The votes in the Senate and House** have been selected because of their impact the business community.

None of the bills used in the report are weighted, as there were an adequate number of bills voted on during this General Assembly.

Legislators were given a positive, color-coded green highlight on their scorecard for bills in which they voted in favor with the Illinois Chamber. Legislators were given a negative, red highlight where they voted against the position of the business community. Illinois Chamber position is provided on the top row of the scorecard for both the House and Senate.

In cases where more than one roll call was taken on a bill, the vote that best **demonstrates support for employers' vital interests was chosen. If employers are to change and improve the culture in Springfield, they must educate themselves on the record of their representatives and hold them accountable for it.** These ratings provide such a measure of accountability.

To view the breakdown of members of the House of Representatives, click [here](#).

To view the breakdown of members of the Senate, click [here](#).

The 2021-2022 Champions of Free Enterprise

The Illinois Chamber of Commerce is proud to recognize legislators who have made special contributions to the defense of free enterprise, and the furtherance of economic opportunities for Illinoisans. Legislators with Illinois Chamber ratings averaging 85% or better over the previous two General Assemblies have demonstrated their commitment to legislation that frees the entrepreneurial spirit and qualify for the award. The Illinois Chamber would also like to thank freshmen legislators from each house who provided outstanding voting records in their first two years of office. Freshmen legislators serving in this General Assembly will be eligible for the Free Enterprise awards after the 103rd General Assembly. The Champions of Free Enterprise Awards are given biennially.

SENATE AWARD WINNERS

*Senate Republican Leader
Dan McConchie*

Senator Darren Bailey

Senator Jason Barickman

Senator Terri Bryant

Senator Donald DeWitte

Senator Dale Fowler

Senator Steve McClure

Senator Chapin Rose

Senator Dave Syverson

Senator Jil Tracy

Outstanding Freshmen of the Year

Senator Sally Turner

Representative Amy Elik

House Award Winners

*House Republican Leader
Jim Durkin*

*Representative Thomas
Bennett*

*Representative Avery
Bourne*

*Representative Mark
Batinick*

Representative Dan Brady

Representative Tim Butler

*Representative Dan
Caulkins*

*Representative Andrew
Chesney*

*Representative C.D.
Davidsmeyer*

Representative Tom Demmer

Representative Deanne Mazzochi

Representative Ryan Spain

Representative Randy Frese

Representative Tony McCombie

Representative Daniel Swanson

Representative Amy Grant

Representative Charles Meier

Representative Dan Ugaste

Representative Norine Hammond

Representative Chris Miller

Representative Tom Weber

Representative Brad Halbrook

Representative Dave Severin

Representative Keith Wheeler

Representative Jeff Keicher

Representative Keith Sommer

Representative Patrick Windhorst

Representative Michael Marron

Representative Joe Sosnowski

Legislation Used for the 102nd General Assembly Legislative Ratings

[HB 118](#): (Rep. Guzzardi/Sen. Villa) Penalty Increases for Unpaid Wages

HB 118 amends the Wage Payment & Collection Act to provide that an employee is entitled to recover damages of 5% (rather than 2%) of the amount of any underpayments in wages for each month following the date of payment during which such underpayments remain unpaid.

Chamber Position: Oppose

House Vote: 68-44-0

Senate Vote: 40-15-0

Outcome: **Public Act** [102-0050](#)

[HB 559](#) (Durkin)- Chamber BIPA Initiative

HB 559 is the Illinois Chamber's BIPA language. If within the 30 days the private entity actually cures the noticed violation and provides the aggrieved person an express written statement that the violation has been cured and that no further violations shall occur, no action for individual statutory damages or class-wide statutory damages may be initiated against the private entity. A prevailing party may recover

against a private entity that negligently violates the Act, actual damages (rather than liquidated damages of \$1,000 or actual damages, whichever is greater; or against a private entity that willfully violates the Act, actual damages plus liquidated damages up to the amount of actual damages. The Chamber supports this legislation to prevent frivolous and costly lawsuits which number over 1,000. For the first time, a BIPA bill passed out of a legislative committee but unfortunately was prevented from being called on the House floor.

Chamber Position: Support

House Committee Vote 10-5-1

House Vote: NA

Senate Vote: NA

Outcome: Held in the House

[HB 716](#) (Hoffman/Harmon) **Judicial Election Financing**

HB 716 creates the Public Financing of Judicial Elections Task Force. Provides that the Task Force shall study the feasibility of implementing a system of campaign finance that would allow public funds to be used to subsidize campaigns for candidates for judicial office in exchange for voluntary adherence by those campaigns to specified expenditure limitations. Provides that a political committee that is self-funding and is established to support or oppose a candidate for the Supreme Court, the Appellate Court, or the Circuit Court may not accept contributions from any single person, other than the judicial candidate or the candidate's immediate family, in a cumulative amount that exceeds \$500,000 in any election cycle. Provides that an independent expenditure committee established to support or oppose a candidate for the Supreme Court, the Appellate Court, or the Circuit Court may not accept contributions from any single source that exceed \$500,000 in any election cycle. Provides that certain contributions to political committees from committees, associations, or other entities that are not required to disclose their contributors are considered anonymous donations, unless the political committee reports to the State Board of Elections all persons who have contributed in excess of \$500 during the same election cycle to the committee, association, or other organization or group making the contribution.

Chamber Position: Oppose

House Vote: 71-43-0

Senate Vote: 40-18-0

Outcome: Passed Both Houses

[HB 2411](#) (Davis/Sims) **Data Centers**

HB 2411 extends to a qualifying data center 2 years (currently, 90 days) to certify that it is carbon neutral or has attained other specified certification. This bill passed both chambers unanimously.

Chamber Position: Support

House Vote: 110-0-0

Senate Vote: 59-0-0

Outcome: **Public Act** [102-0427](#)

[HB 3090](#) (Harper) **Environmental Justice**

HB 3090 creates the Environmental Justice Act. Creates the Illinois Environmental Justice Advisory Council to provide independent advice and recommendations to the Governor, the Environmental Protection Agency, and the other State agencies about broad, cross-cutting issues related to environmental justice and on policies, practices, and specific actions. Requires the Agency to: (1) develop and implement a strategy prioritizing enforcement in neighborhoods with environmental justice populations; (2) compile an annual report detailing the number and types of enforcement actions in neighborhoods with environmental justice populations; (3) establish and maintain a supplemental environmental project bank with specified requirements; (4) publish a progress report on environmental justice no less often than every 5 years; and (5) work with the Department of Public Health to establish health risk assessment guidelines and develop an online mapping that identifies specified information. Contains requirements for environmental impact reports. Requires the Director of the Agency to appoint a Director of Environmental Justice within the Agency to perform specified duties. Provides that State agencies shall (1) designate an environmental justice coordinator for each State agency to perform specified actions and (2) develop a specific policy or strategy to promote environmental justice. Establishes the Interagency Environmental Justice Working Group to maximize State resources, research, and technical assistance to further the purposes of the Act and of environmental justice in the State. Provides that environmental justice coordinators shall serve as their State agency's representative to the Interagency Environmental Working Group.

Chamber Position: Oppose

House Committee Vote: 18-11-0

House Vote: NA

Senate Vote: NA

Outcome: Held in the House

[HB 3308](#) (Jones) **Telehealth**

HB 3308 does a variety of things, including the following. Coverage is mandatory (instead of permissive) for clinically appropriate and medically necessary telehealth services. Benefits for in-person and telehealth services must be covered at parity (existing provisions are strengthened to further prohibit insurers from placing unnecessary barriers to obtaining coverage for clinically appropriate, medically necessary telehealth services). Permanent payment parity for behavioral health with physical health payment parity subject to a 5-year sunset. Payment parity provisions are explicit that if the service

cannot be billed as an in-person service, then it is not subject to parity. Additionally, provisions allow for negotiation of alternative reimbursement rates. Originating site reimbursement is permissive and may be considered (rather than shall) if the site is a facility.

Chamber Position: Support

House Vote: 118-0-0

Senate Vote: 59-0-0

Outcome: **Public Act [102-0104](#)**

[HB3437](#) (Walsh/Hastings) Refineries/Contractors

HB 3437 is a return of last session's SB 1407, which would require that refineries, ethanol plants, and other chemical facilities utilize only contractors and subcontractors in the building and construction trades on site, got through the House and out of committee in the Senate before opposition to a late amendment derailed its passage. The Chamber has opposed this legislative overreach and will continue to work with the lengthy list of opponents whenever its sponsors decide to push forward again.

Chamber Position: Oppose

House Vote: 71-43-0

Senate Vote: NA

Outcome: Held in the Senate

[HB 3697](#) (Hoffman) BIPA/Workers Comp

HB 3697 provides the Workers' Compensation Act does not preempt or prevent an employee from recovering under the Biometric Information Privacy Act. There was ongoing litigation on this issue. The IL Chamber strongly opposed this bill as it was the only piece of legislation that worsened the state's broken BIPA law.

Chamber Position: Oppose

House Vote: 74-41-2

Senate Vote: NA

Outcome: Held in the Senate

[HB 3743](#) (Walsh/Hastings) Small Cell Wireless/Telecom Law Extensions.

This bill as amended, is the Telecom omnibus bill. This bill extends the emergency telephone systems act with upgraded 911 services. The small wireless Facilities Deployment Act is extended to December 31st, 2024. It also expands prevailing wage for certain jobs contracted by a public utility. The Chamber

supports this bill as it extends three critical communication laws that bolster Illinois broadband networks and video services. This bill is critical for greater 5G expansion and innovation in the state.

Chamber Position: Support

House Vote: 96-12-1

Senate Vote: 53-5-0

Outcome: **Public Act** [102-0009](#)

[HB 3940](#) (Walsh/Belt) Warranties/Dealerships

HB 3940 was pushed by the AFL-CIO for the benefit of maintenance technicians and the auto dealers by greatly increasing the amount auto manufacturers must reimburse the dealerships for warranty work. The manufacturers must pay a dealer no less than the amount a retail customer pays the dealer for the same services. Authorizes the use of agreed upon time guides. Applies to warranty work and factory recalls. Establishes manner of determining effective labor rates in a way that would make Illinois the most expensive state in the country.

Chamber Position: Oppose

House Vote: 85-24-6

Senate Vote: 58-0-1

Outcome: **Public Act** [102-0232](#)

[HB 4093](#) (Harper/Villanueva) Environmental Justice

HB 4093 would impose numerous new requirements on environmentally permitted facilities both in and out of EJ communities. The Chamber opposed the bill's numerous significant concerning provisions.

Chamber Position: Oppose

House Vote: 64-38-0

Senate Vote: NA

Outcome: Held in the Senate

[HB 5412](#) (Evans/Castro) Contractors

HB 5412, under the Illinois Wage Payment and Collection Act, shifts liability for unpaid wages by a lower tiered construction contractor to the primary/general contractor.

Chamber Position: Oppose

House Vote: 62-36-0

Senate Vote: 38-18-0

Outcome: Passed both Houses

[HB 5555](#) (Yednock/Villivalam) **Permitting Improvements**

A joint initiative of the Chamber and IERG, is a bipartisan bill aimed at improving the permitting process. The bill does two things. First, it builds an online permit tracking database. Second, it requires coordination among agencies during the environmental permit process for businesses looking to build or expand on projects over \$20 million. The Chamber looks forward to pushing this initiative in the Senate during this fall's veto session.

Chamber Position: Support

House Vote: 104-0-0

Senate Vote: NA

Outcome: Held in the Senate

[SB 72](#) (Harmon/Hoffman) **Prejudgment Interest**

This bill, which the Chamber opposes, does the following: Provides for pre-judgment interest in personal injury and wrongful death cases. Interest shall begin to accrue at 6% rate when the case is filed (HB 3360 interest began at notice of the injury. Prior versions were at 9 and 7 percent). Interest does not apply to punitive damages, sanctions, statutory attorney's fees and statutory costs. If the judgment is greater than the amount of the highest written settlement offer made by the defendant, interest shall only apply to the difference between the amount of judgment and the settlement offer. Prejudgment interest capped at 5 years (no cap in previous versions of the bill) The Illinois Chamber sent a veto request within 24 hours of passage to the Governor.

Chamber Position: Oppose

House Vote: 67-40-0

Senate Vote: 37-17-3

Outcome: **Public Act** [102-0006](#)

[SB 157](#) (Hastings/Zalewski) **Tax Credit Omnibus**

SB 157 was a tax credit omnibus bill. Some of the provisions included in the bill are as follows. The EDGE credit sunset date for new agreements is extended to June 30, 2027. The sunset dates for the Hospital income tax credit available to for-profit hospitals and the sales tax exemption for not-for-profit hospitals are extended to December 31, 2027. Individual Income income tax rebates - \$50 for individuals and \$100 for a joint return, and \$100 for each dependent up to 3 dependents. The earned income credit is

increased to 20% of the federal earned income tax credit and is expanded. Coal and aggregate mining equipment exemption sunset is extended to July 1, 2028. establishes Manufacturing Illinois Chips for Real Opportunity Act.

Chamber Position: Support

House Vote: 110-0-4

Senate Vote: 55-1-0

Outcome: Passed both Houses

[SB 1099](#) (Collins/Tarver) **Lawsuit Lending**

This bill creates the Consumer Legal Funding Act. Sets forth provisions concerning consumer legal funding contract requirements, right of rescission, and consumer legal funding company prohibitions. The Chamber has concerns with this legislation regarding a lack of required disclosure of contract to defendants so that all parties are dealing with same information and a cap on interest rates.

Chamber Position: Oppose

House Vote: 67-42-2

Senate Vote: 39-17-0

Outcome: Passed both Houses

[SB 1847](#) (Hunter/Harper) **Equal Pay Certificate**

The Council and other business groups working with the Illinois Department of Labor (IDOL) agreed to amendments that make several important changes to the Equal Pay Act mandate for Illinois employers of 100 or more. Current law requires extensive wage and personnel data to IDOL and certify compliance with federal and Illinois equal pay and discrimination laws. The legislation's positive changes include 1) delaying the effective date 2) providing privacy protection to individual corporate and employee data and 3) replacing the 1% of gross profit with a definitive penalty.

Chamber Position: Support

House Vote: 117-0-0

Senate Vote: 59-0-0

Outcome: **Public Act [102-0036](#)**

[SB 2182](#) (Sims/Walker) **Data Centers**

This bill began as an Illinois Chamber initiative. As introduced, it amended the Data Center exemption legislation to address implementation issues identified by taxpayers and the Department of Commerce

and Economic Opportunity. The bill was hijacked in the House and amended to insert a requirement of a “labor peace agreement” as a new condition for receiving a data center tax exemption agreement or renewal of an agreement. We opposed the amendment.

Chamber Position: Oppose Amended Bill

House Vote: 65-42-1

Senate Concurrence Vote: NA

Outcome: Held in the Senate

[SB 2408](#) (Harmon/Evans) Omnibus Energy Package

This bill creates the Energy Transition Act. The Illinois Chamber of Commerce urged legislators to oppose this proposal that will dramatically increase costs and call reliability into question. There are a number of provisions which the Chamber believes are extraordinarily troublesome. This includes the following. Emission limits on gas peaker plants will force the closure of plants that are essential to meeting peak demand when our most sensitive residents need it the most. The arbitrary closure of Prairie State and Springfield’s CWLP. Electricity generation and steam production for industrial or commercial users for on-site use would be shut down. Controlling the overall program cost was also a concern.

Chamber Position: Oppose

House Vote: 83-33-0

Senate Vote: 37-17-3

Outcome: **Public Act** **[102-0662](#)**

[SB 2531](#) (Stoller/DeLuca) SALT Cap Workaround

This bill is an Illinois Chamber Tax Institute legislative initiative. It is a Federal SALT cap work around for owners of pass-through entities. Amends the Illinois Income Tax Act to tax income of partners of partnerships and S Corporation shareholders at the entity level to work around the federal \$10,000 SALT deduction cap.

Chamber Position: Support

House Vote: 116-0-0

Senate Vote: 59-0-0

Outcome: **Public Act** **[102-0658](#)**

[SB 2981](#) (Villivalam/Evans) Design Build

This legislation will provide IDOT with the much-needed design-build authority. Illinois lags almost every other state in this area and the Chamber is very supportive of this bill. Other state practice has shown design build to be much faster and much cheaper than the traditional design-bid-build. This process won't be used for every project, of course. It works best on bigger, more complex projects but it's definitely a tool that the state should be utilizing.

Chamber Position: Support

House Vote: 111-0-1

Senate Vote: 51-0-0

Outcome: Passed both Houses

[SJRC 11 \(Villivalam/Evans\) Labor Constitutional Amendment](#)

SJRC 11 would add to the Bill of Rights Article of the Illinois Constitution that employees shall have the fundamental right to organize and to bargain collectively through representatives of their own choosing for the purpose of negotiating wages, hours, and working conditions, and to protect their economic welfare and safety at work. It prohibits any law state or local that interferes with, negates, or diminishes the right of employees to organize and bargain collectively over their wages, hours, and other terms and conditions of employment and workplace safety, including any law or ordinance that prohibits the execution or application of agreements between employers and labor organizations that represent employees requiring membership in an organization as a condition of employment. It now will be placed on the November 2022 ballot. It would be effective upon approval by 60% of those voting on the amendment or a majority of those voting in the election.

Chamber Position: Oppose

House Vote: 80-30-0

Senate Vote: 49-7-0

Outcome: Adopted Both Houses