

2023 State Mandates Report

New Mandates on Counties Enacted in 2023

August 21, 2023



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One of the foremost challenges confronting local governments in Illinois is the annual enactment of new requirements uncoupled from the funding necessary to defray the additional costs.

All mandates are not created equal. Some are minor while others are far more substantial. Even so, the annual enactment of unfunded mandates that result from new laws creates a cumulative cost burden on counties and other local governments.

It is probably unrealistic to expect the General Assembly to cease-and-desist in imposing any new mandates on local governments. However, it isn't unreasonable to expect legislators to recognize the financial consequences of these actions with the objective of encouraging them to pause to ask, "what will this cost the local governments in our districts?"

The objective of this report, and future such reports, is to generate awareness about the types of new laws that impose costs on county governments and to remind legislators that someone needs to pay for the mandates imposed. That someone is the local taxpayer. In this respect, voting for state mandates is a hidden tax or service cut, depending on what action a local government must take to offset the added cost.

This report identifies several new laws enacted in 2023 that impose unfunded state mandates on counties. According to the Illinois State Mandates Act (30 ILCS 805), there are five types of mandates:

- Local Government Organization and Structure Mandates
- Due Process Mandates
- Service Mandates
- Tax Exemption Mandates
- Personnel Mandates

In the most general sense, however, a mandate can be defined as something a person or entity is compelled to do without having any real choice in the matter. The new laws listed within this report certainly fit this definition.

The Illinois State Association of Counties (ISACo) will generally oppose new unfunded state mandates. ISACo recognizes some mandates are intended to achieve an important public policy purpose and some mandates are relatively innocuous with respect to impact. In the case of the former, we ask that the General Assembly either provide county governments with the financial resources to defray the cost or work with counties to resolve the issue without the need to compel a costly solution.

Respectfully,



Joe McCoy
Executive Director

New State Mandates – Enacted in 2023

Bill	Title	Nature of Mandate	P.A. Number
County Authority			
SB 2368	Building and Residential Codes	Imposes new requirement	103-0246
Courts			
SB 1463	Minors-No Fees or Fines	Revenue reduction	103-0379
SB 2175	Criminal Proceeding Costs	Revenue reduction	103-0254
Criminal Justice, Law Enforcement and Public Safety			
HB 1496	Code Of Corrections-Demographic Data	Cost associated with staff time	103-0018
HB 2245	Stolen Vehicle Hotline-Cook County	Additional reporting requirement	103-0300
HB 3055	Prisoner Religious Rights	Cost associated with procurement of materials and staff time	103-0331
HB 3326	Vehicle Code-License Plate Reader	Imposes new requirement	103-0540
HB 3903	Automated Traffic Light Enforcement Cameras-Ethics	Restriction on local authority	103-0364
Elections			
SB 2123	Omnibus Elections	Cost associated with facility	103-0467
Firearms			
HB 2412	Firearm Incidents in Schools-Local Law Enforcement	Additional reporting requirement	103-0034
Labor, Personnel and Pensions			
HB 1384	Insurance Coverage-Reconstructive Surgery	Cost associated with increased coverage	103-0123
HB 2390	Law Enforcement-Return to Duty	Restriction on local authority	103-0033
HB 2443	Insurance-Hearing Aid Coverage	Cost associated with increased coverage	103-0530
HB 2845	Prevailing Wage-Biosolids	Increased project costs	103-0327
HB 2847	Insurance-Mental Health Care Access	Cost associated with increased coverage	103-0535

HB 3129	Equal Pay Act-Pay Scale	Additional notification requirement	103-0539
HB 3202	Insurance-Cancer Test	Cost associated with increased coverage	103-0445
HB 3249	Public Safety Employee Benefits Act	Cost associated with enhanced employee benefits	103-0340
HB 3370	Prevailing Wage-Power Washing	Additional project costs	103-0346
HB 3792	Prevailing Wage-Light Poles	Additional project costs	103-0359
HB 3809	Insurance-Health Impaired Children	Cost associated with increased coverage	103-0458
SB 214	Public Employee Disability Act	Cost associated with enhanced employee benefits	103-0063
SB 1282	Health Insurance Benefits Coverage	Cost associated with increased coverage	103-0084
SB 1344	Insurance-Abort/Hormone/HIV	Cost associated with increased coverage	103-0462
SB 1824	Pension Code-IMRF Various	Cost associated with increased personnel duties	103-0464
SB 2034	Child Extended Bereavement	Cost associated with enhanced employee benefits	103-0466
Miscellaneous			
HB 1286	Equitable Restrooms-All Gender	Cost associated with restroom modifications and signage	103-0518
HB 2500	Animal Adoption-Fee Waiver	Cost associated with fee waiver	103-0434
SB 1072	Honor And Remember Flag	Cost associated with implementation	103-0409
SB 1476	Affordable Housing Plans	Restriction on local authority	103-0487
SB 2005	Housing-Veterans Preference	New policy requirement	103-0247
Public Health, Hospital Facilities and Nursing Homes			
HB 3322	Gang Databases-Use-Evidence	New policy requirement	103-0185

HB 3955	Hospitals-Care Before Payment	Imposes operational requirement	103-0213
SB 69	Hospital Licensing-Vaccination	New policy requirement	103-0057
SB 1999	Abandoned Infants	Requirement to provide information	103-0501
Revenue			
HB 2507	Omnibus Property Tax	Revenue reduction	Amendatory Veto
HB 3808	Utility-Video Service Definition	Revenue reduction	103-0360
Transportation and Infrastructure			
HB 2776	EPA-Notice of Lead Pipe Replacement	Additional notification requirement	103-0167
HB 2878	Public Private Partnership Projects/Local Retainage Policy	Restriction on local authority	Amendatory Veto
SB 895	Infrastructure Maintenance Outside County Boundaries	Restriction on local authority	103-0373
SB 1653	Highway Code-Underpass Hazard Bar	Cost associated with construction	103-0099
SB 1710	Vehicle Code-Bicycle Trail Signage	Cost associated with installation of signage	103-0386
SB 2278	Vehicle Code-Truck Max Height/Weight	Additional notification requirement	103-0258