

# 2021 State Mandates Report

New Mandates on Counties Enacted in 2021

September 30, 2021



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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 new laws enacted in 2021 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 2021

<b>Bill</b>	<b>Title</b>	<b>Nature of Mandate</b>	<b>P.A. Number</b>
<b>County Facilities</b>			
HB 2408	Fire and Smoke Damper Act	Costs associated with testing requirements	102-0426
HB 3739	Lead Service Line Replacement and Notification Act	Staff time associated with additional reporting requirement	102-0613
<b>County Officers and Officials</b>			
HB 56	Counties – Officer Stipends	Costs associated with additional staff time	102-0048
HB 58	Recorders – Unlawful Covenants	Costs associated with review of restrictive covenant modifications	102-0110
HB 2590	IMDMA – Marriage Certificates	Staff time associated with issuance of new marriage certificates	102-0169
HB 3592	IDPH – Medical Examiner Officers	Costs associated with adherence to federal laws/requirements	102-0488
SB 139	IMDMA – Marriage Certificates	Staff time associated with issuance of new marriage certificates	102-0171
SB 583	FOIA – Clerk of the Circuit Court of Cook County	Costs associated with requirement to accept payments over the Internet	102-0356
<b>Elections</b>			
HB 1871	Election Code – Vote by Mail Funds	Requires acceptance of all vote by mail ballots	102-0001
SB 825	Omnibus Election Legislation	Costs associated with new election requirements	102-0015

<b>Hospital Facilities and Health Care</b>			
HB 68	Hospitals – Female Deaths	Staff time and costs associated with reporting requirements	102-0256
HB 3147	Resident/Patient Call in Nursing Homes	Costs associated with required contact policy	102-0398
HB 3803	Fair Patient Billing Act – Charity Care Options	Costs associated with staff time	102-0504
SB 1840	Hospitals – Financial Assistance	Staff time and costs associated with reporting requirements	102-0581
SB 1908	Surgical Smoke Evacuation	Costs associated with establishment of new policy	102-0533
SB 2137	Nursing Homes – Social Isolation Prevention Policies	Costs and staff time associated with establishment of new protocols/procedures	102-0640
SB 2153	Hospital Written Staffing Plan Corrections	Staff time and costs associated with plan development and submission	102-0641
<b>Personnel and Pensions</b>			
HB 2568	PSEBA Health Plan Bargained	Limitation of employer authority and increased personnel costs	102-0439
HB 3582	Employment – Crime Victim Leave	Costs associated with implementation	102-0487
HB 3662	Workers’ Compensation MRSA Presumption	Costs associated with enhanced employee benefits	102-0493
SB 1847	FOIA – Removes Disclosure Exemption Under Equal Pay Act	Costs associated with increased certification requirements	102-0036
<b>Public Safety and Law Enforcement</b>			
HB 562	Fix the FOID Act	Staff time and costs associated with reporting requirements	102-0237

HB 1739	Sexual Assault Emergency Treatment Act	Costs associated with increased notification requirements	102-0022
HB 2784	Community Emergency Services and Support Act	Limitation of county authority and cost increases	102-0580
HB 3100	ANCRA Mandated Reporter Training	Costs associated with increased training requirements	102-0604
HB 3512	SAFE-T Act	Costs associated with personnel and equipment	102-0694
HB 3513	Juvenile Court Act Changes	Costs associated with reporting requirements	102-0350
SB 561	PFAS Reduction Act	Limitation to local control	102-0290
SB 651	Juvenile Court – Venue Transfer	Staff time associated with transference of records	102-0164
SB 667	Law Enforcement – Immigration	Imposes restrictions and requirements on local law enforcement	102-0234
SB 2339	Privacy of Child Victims	Costs associated with implementation	102-0651
SB 2340	Privacy of Adult Victims	Costs associated with implementation	102-0652
SB 2007	Food Handling – Cottage Food	Staff time and costs associated with registration requirements	102-0633
<b>Reports, Notifications and Meetings</b>			
HB 53	Video Interview Demographics	Costs associated with reporting requirements	102-0047
HB 453	Property Tax – Vendor Report	Staff time and costs associated with reporting requirements	102-0265
HB 2412	Notices – Minority Groups	Costs associated with implementation	102-0592

SB 1845	Property Tax – Notice	Staff time and costs associated with notification requirement	102-0528
<b>Revenue and Finance</b>			
HB 3289	Property Tax – Homestead Exemption	Revenue reduction	102-0136
SB 481	Courts – Fees	Revenue reduction	102-0145
SB 2244	Property Tax – Senior Freeze Income Limitation	Revenue reduction	102-0644
SB 2278	County Mental Health Boards Control Over Revenue	Requirement to establish a new board and costs of necessary staffing	102-0379