

New laws coming to Illinois - Here's what you need to know for 2019

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SPRINGFIELD – New Years equals new laws in each state in the Union, and Illinois is no exception.

With more than 200 laws set to take effect on Jan. 1, 2019, many are language corrections and minor amendments, but several could change the way people across the state go about their hobbies and daily lives – especially if they are a nursing mother, hunter, suffering from a chronic illness or are looking to buy firearms in the coming year. So what should Illinoisians expect in 2019?

Firearms/Violence



With some of the strictest gun laws of any state on the books, Illinois is continuing regulation of firearms with even more new regulations. On top of requiring a Firearm Owner Identification (FOID) card, potential purchasers of firearms will have to wait an additional 72 hours before they are handed a weapon – and this law applies to all firearms, not just handguns.

Senate Bill (SB) 3256 is an amendment to a bill, which decreases bail owed by a subject in jail by \$30 for every day that person is incarcerated. Added to that bill is the firearm law, which amends the current law currently allowing delivery of a weapon after 24 hours of its purchase application. Anyone violating this law is subject to being charged with a Class 4 Felony.

Another Illinois law set for the books in 2019 would allow authorities to temporarily remove someone's firearms from their possession. House Bill (HB) 2354 would establish the “Lethal Order of Protection Act,” which would remove someone's ability to possess firearms if a person files a affidavit or verified pleading “alleging that the respondent poses an immediate and present danger of causing personal injury to or another by having in custody or control, owning, purchasing, possessing or receiving a firearm.” The petitioner is asked to describe the type and location of any firearms currently in that person's property.

While not directly related to firearm purchases, SB3411 was inspired by the gruesome school shooting in Parkland, Florida earlier in 2018. This bill allows schools, churches and businesses to petition the court for protection from an individual they believe to be stalking a location. Previously, these protections were only allowed to other individuals under the law. This law extends it to public places.

SB3411 also extends the definition of stalking to unwanted messages sent via social media – a protection not previously in place for victims of harassment.

Another law potentially inspired by the wave of mass shootings portrayed in the media across the country is SB2350, which requires all Illinois schools to hold active shooter safety drills. These will have to take place within 90 days of the school year starts and has to be done on days where students and staff are in the building. Everyone must participate and law enforcement is required to observe it.

Hunters who are sick of the typical bright orange required by Illinois law to be worn by hunters will now be able to choose a flamboyant “blaze pink” as well. As of now, other bright neon hues are not regulation for hunters.

Healthcare



To bridge the gap between laws regarding violence prevention and healthcare, HB4100 establishes violence prevention programs to protect medical staff. This law is a reaction to a 2017 incident in which an inmate held two nurses hostage in a standoff. The law also protects healthcare workers considered “whistleblowers” who may otherwise face retaliation for sharing information.

Protections for people facing stage four, advanced metastatic cancers are in HB4821. This law will ensure insurance companies do not force people at this advanced, and often terminal, juncture of cancer to complete or try a certain medication before they are allowed to try another. The law states people no longer have to “fail” one treatment before attempting another under their insurance policies.

Even more protections for patients facing serious illnesses are included in HB2617. This mandates insurance policies cover fertility preservation for patients facing illnesses and /or treatments, which could directly result in their future infertility.

In an effort to combat the rampant opioid epidemic, which has already claimed a record number of lives in Madison County in 2018, SB2777 mandates doctors who are able to

prescribe controlled substances – including opioids – must complete at least 10 hours in continuing education regarding the safety measures in prescribing such potent drugs.

Non-opiate prescriptions will also be eligible for refilling as long as 15 months after being prescribed under SB3170. That law allows prescriptions not containing controlled substances. Kids will also be able to bring their asthma medication to the class under SB3015, which prescribes the medication under the school's name and places asthma medication for students under the care of school nurses. Before their ninth grade year, students are also required to have a dental examination, according to HB4908.

Students will also (hopefully) be instructed by even more qualified teachers, as HB4658 requires all licensed personnel inside of a facility working with students in grades K-12 to receive instruction every other year with the goal of identifying and helping students who may have mental illness or even suicidal tendencies. The training also aims to help staff know what to do if such issues are identified.

Animal Rights



The rights of animals are held to high regard by many people, and furry friends in Illinois are receiving even more protections under the law once Jan. 1, 2019, comes and

goes. SB2270 allows police to take at least temporary custody of an animal deemed to be in danger – especially in cases of extreme heat (like being left in hot cars in the summer) and extreme cold (like being left outside in the winter). Officers may take custody of the animal deemed to be in danger only after contact has at least been attempted with the animal's owner. That owner is also responsible for all costs of veterinary care.

Police are also responsible for the safety and health of their own dogs. HB1671 mandates police vaccinate dogs against rabies before entering service. Dogs are also required to be transported in vehicles, which alert officers if temperatures exceed 85 degrees Fahrenheit within the vehicle while the dog is inside.

Bad dog owners will also be held responsible for the behaviors of their animals. Someone deemed as a “reckless dog owner” will not be allowed to own a dog for one to three years. This designation can be attained by issues such as someone's dog killing another person's animal(s).

While not furry, and also not of Illinois, additional protections are being given to endangered elephants through HB4843, which officially makes ivory products illegal in Illinois. There are exemptions, of course, and those include guns and knives over a century in age and musical instruments produced prior to 1975. Ivory use for “scientific purposes” is also covered in the law.

Rules of the Road



With Jesse White still in office for yet another term, Illinois motorists will have the same portrait to stare at while waiting at the Department of Motor Vehicles (DMV), but a handful of new laws to learn.

Out-of-state drivers will be required to carry proof of insurance for their vehicles while traveling in Illinois, and school buses are now allowed to take anyone under the age of 18 to any legal activity.

More important road laws include HB4377, which requires children under two, weighing less than 40 pounds and measuring less than 40 inches, to be secured in a rear-facing car seat. Studies have shown children of that age and size are much less likely to be injured in a car crash if their child restraint device is facing towards the rear of the vehicle – hence the law.

Drivers in Illinois will also be asked to learn the “Dutch Reach.” For those not in the know or with other ideas, the Dutch Reach is utilized to prevent collisions between car doors and cyclists. Drivers check the rear view mirror, side mirror, and turning to open the driver's side door with their right hand, which prevents the hitting of cyclists.

Social Justice



Those two words evoke a lot of emotion in people politically, but Illinois passed laws regarding civil rights and social justice, meaning protections have been extended to people who would have otherwise been marginalized.

Nursing moms are now prevented from facing jury duty through HB5745, and are given special places within courtrooms under SB3505, which mandates each circuit court have a public lactation room or area by June 1, 2019. That room must have a chair, table, electrical outlet and a sink with running water (when possible). Also, the room cannot be a restroom.

Police departments across Illinois will also be mandated to adopt a written “use of force” policy regarding internal reviews of officer-involved shootings. These policies must be public information.

Victims of domestic and sexual violence will also be allowed to secretly change their names. Under previous laws, Illinois residents had to publish that name change in a notice – like through a local news outlet. SB2330 allows survivors of such abuse to not register that notice, and instead be able to confidentially change their names in order to seek more protections.

Black History will also be mandated in every publicly-funded institute of higher education through HB4346. Also, elected positions will be given gender-neutral titles, such as councilperson instead of councilman.

Defies Categorization



Carnival workers in Illinois will now be subject to background checks. SB3240 threatens to revoke the permits of and fine carnivals, attractions and fairs not submitting to the law of background checks for every ride operator. Fines for the violations are \$1,000-\$5,000 for the first offense and a maximum of \$10,000 for number two. Like a good game of baseball, strike three results in the revocation of the attraction's permit.