



MANAGER'S MEMORANDUM

Prepared for: **Naperville City Council**

By: City Manager's office

3/20/2025

A. MANAGER'S MEMORANDUM

Source:

1. Marcie Schatz,
Assistant to the City
Manager

Subject:

Legislative Positions
Week of 3-17-25

Action:

FYI

CITY OF NAPERVILLE MEMORANDUM

DATE: March 20, 2025

TO: Doug Krieger, City Manager

FROM: Marcie Schatz, Assistant to the City Manager

SUBJECT: Legislative positions – Week of March 17, 2025

Purpose:

At the January 21, 2025, meeting, the City Council approved the 2025 legislative priorities and the legislative review process which includes reporting on any legislative actions or positions in the Managers Memorandum.

Discussion:

Week of March 17, 2025

City staff took the following positions this week on bills related to the approved legislative priorities and positions previously approved by or communicated to the City Council:

Bill No.	Title	Position	Basis
HB1024	Local Closed Door Tax Increase	Oppose	Usurps municipal authority
HB1046	Pension–Police and Fire	Oppose	Legislative Priority - Sustainable pensions
HB1282	Income Tax – LGDF Transfers	Support	Legislative Priority - LGDF
HB1310	Pensions-Downstate Fire–Tier 2	Oppose	Legislative Priority – Sustainable pensions
HB1321	Property Tax-Tax District Surplus	Oppose	Usurps municipal authority
HB1403	Law Enforcement Camera Grants	Support	Assists with previous unfunded mandate
HB1497	PTELL Freeze	Oppose	Usurps municipal authority
HB1709	Local Accessory Dwelling Units	Oppose	Usurps municipal authority
HB1813	Accessory Dwellings	Oppose	Usurps municipal authority
HB1814	Middle Housing	Oppose	Usurps municipal authority
HB1833	Metropolitan Mobility Authority Act	Oppose	Legislative Priority- Responsible transit reform
HB2334	FOIA - Cybersecurity	Support	Cybersecurity protection
HB2540	Pensions - Various	Oppose	Legislative Priority – Sustainable Pensions
HB2711	Pensions – Tier 2 Benefits	Oppose	Legislative Priority – Sustainable Pensions

HB2779	Pensions – Police and Fire	Oppose	Legislative Priority – Sustainable Pensions
HB2856	Pensions – Police and Fire	Oppose	Legislative Priority – Sustainable Pensions
HB2883	FOIA – Public information	Support	Legislative Priority - Electronic Publications
HB2890	Open Meetings – Notice of Changes	Support	Legislative Priorities- Electronic Publications
HB2914	Publication Notices- Newspapers	Support	Legislative Priority - Electronic Publications
HB3069	Notices-Electronic Publication	Support	Legislative Priority – Electronic Publications
HB3084	Pension – Downstate Fire Reciprocal Act	Oppose	Legislative Priority – Sustainable Pensions
HB3515	FOIA Commercial Purposes	Support	Legislative Priority- Body Worn Camera Privacy
SB1380	County and Municipal Utility Poles	Support	Supports public safety efficiency and resources

Additionally, staff took the following new bill positions

Bill No.	Title	Position	Basis
HB3256	People Over Parking Act	Oppose	Usurps Municipal Authority
HB3265	Residential Automated Solar Platform	Oppose	Usurps Municipal Authority
HB3288	Affordable Communities Act	Oppose	Usurps Municipal Authority
HB3552	Accessory Dwelling Units	Oppose	Usurps Municipal Authority
SB1767	Municipal EMS Vehicle Funds	Oppose	Usurps Municipal Authority

BILL SUMMARIES

HB1024 – LOCAL CLOSED DOOR TAX INCREASE

Requires a referendum for increasing a levied tax and establishment of a sunset clause.

HB1046 - PENSION POLICE AND FIRE

For public safety employees, removes Tier 2 limitations on the amount of salary for annuity purposes; provides that the automatic annual increases to a retirement pension or survivor pension are calculated under the Tier 1 formulas; and provides that the amount of and eligibility for a retirement annuity are calculated under the Tier 1 provisions.

HB1282 - INCOME TAX LGDF TRANSFERS

Amends the Illinois Income Tax Act and increases the amount transferred from the General Revenue Fund to the Local Government Distributive Fund.

HB1310 – PENSIONS DOWNSTATE FIRE TIER 2

Provides that the pension of a Tier 2 firefighter with 20 years of service at age 50 shall not be reduced as in current law. Provides that Tier 2 pension increases shall be 3% instead of the lesser of one half of the unadjusted percentage of CPI or 3%.

HB1321 – PROPERTY TAX – TAX DISTRICT SURPLUS

No taxing district may hold more than 150% of the previous year's levy in cash or cash equivalents.

HB1403 – LAW ENFORCEMENT CAMERA GRANTS

Provides \$80M from General Revenue to the Law Enforcement Camera Grant Fund.

HB1497 – PTELL FREEZE

Home rule communities would have their property tax levy frozen for 5 years without a referendum.

HB1709 – LOCAL-ACCESSORY DWELLING UNITS

Creates the Local Accessory Dwelling Unit Act. Defines terms. Provides that a unit of local government may not prohibit the building or usage of accessory dwelling units in the unit of local government. Provides that a unit of local government may provide reasonable regulations relating to the size and location of accessory dwelling units similar to other accessory structures unless a regulation would have the effect of prohibiting accessory dwelling units. Limits home rule powers. Effective immediately.

HB 1813 - ACCESSORY DWELLINGS

Provides that a municipality may not prohibit the building or usage of accessory dwelling units in the municipality. Provides that a municipality may provide reasonable regulations relating to the size and location of accessory dwelling units similar to other accessory structures unless a regulation would have the effect of prohibiting accessory dwelling units. Limits home rule powers.

HB1814 - ZONING-MIDDLE HOUSING

Provides that, for all new development after January 1, 2026, each city with a population of 25,000 or more shall allow the development of all middle housing types on lots or parcels with a total area greater than 5,000 square feet and that are zoned for any type of residential use. Provides that municipalities may regulate siting and design of middle housing provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Limits home rule powers.

HB1833 - METROPOLITAN MOBILITY AUTHORITY ACT

Creates the Metropolitan Mobility Authority Act. Provides that the Chicago Transit Authority, the Commuter Rail Division and the Suburban Bus Division of the Regional Transportation Authority, and the Regional Transportation Authority are consolidated into the Metropolitan Mobility Authority with specified governance and the Service Boards are abolished.

HB1893 – HOUSEHOLD HAZARDOUS WASTE

Creates the Household Hazardous Waste Stewardship Act. Requires a producer funded program to support and expand collection of household hazardous waste throughout the state. Manufacturers of covered products that result in Household Hazardous Waste will be required to provide a stewardship program to collect these wastes.

HB2334 – FOIA – CYBERSECURITY

Amends the Freedom of Information Act. Provides that electronic requests for public records must appear in their entirety within the body of the electronic submission and that no public body shall be required to open electronically attached files or hyperlinks to view or access the details of such a request. Effective immediately.

HB2540 – PENSION – VARIOUS

Amends the Budget Stabilization Act. Provides a transfer of specified amounts from the General Revenue Fund to the Pension Stabilization Fund for fiscal years 2031 through 2041. Amends the Illinois Pension Code. Makes changes to the Tier 2 calculation of final average salary; the Tier 2 retirement age; and the amount of the automatic annual increases to Tier 2 annuities. Provides that, for a person who has reached the maximum percentage of salary allowed under the applicable system and who is within 5 years of the normal retirement age applicable for that member or participant, the reduction under provisions that reduce the retirement annuity due to age shall be 0%.

HB2711- PENSION TIER 2 BENEFITS

Amends the Illinois Pension Code. Provides that the Retirement Systems Reciprocal Act (Article 20 of the Code) is adopted and made a part of the Downstate Police, Downstate Firefighter, Chicago Police, and Chicago Firefighter Articles. Makes changes to the minimum retirement annuity payable to a firefighter with 20 or more years of creditable service, the minimum disability pension, and the minimum surviving spouse's pension. Makes other changes.

HB2779 – PENSION POLICE AND FIRE

Amends the Illinois Pension Code. Provides that the Retirement Systems Reciprocal Act (Article 20 of the Code) is adopted and made a part of the Downstate Police, Downstate Firefighter, Chicago Police, and Chicago Firefighter Articles. Makes other changes.

HB2856 – PENSION – POLICE AND FIRE

Provides that the Retirement Systems Reciprocal Act (Article 20 of the Code) is adopted and made a part of the Downstate Police, Downstate Firefighter, Chicago Police, and Chicago Firefighter Articles. Makes other changes.

HB2881- FOIA COMMERCIAL PURPOSES

Amends the Freedom of Information Act. Provides that, as used in the Act, the term "commercial purpose" means, among other things, the use of any part of a public record or records, or information derived from public records, in any form for any use or purpose that furthers the commercial, trade, or profit interests of the requester or the person on whose behalf the request is made.

HB2883 – FOIA – PUBLIC INFORMATION

Amends the Freedom of Information Act. Provides each public body shall post a brief description of itself and other specified information on its website (rather than at each of its administrative or regional offices). Provides that, if a public body does not maintain a website, it shall also post that information at each of its administrative or regional offices.

HB2890 – FOIA – OPEN MEETINGS – NOTICE OF CHANGES

Amends the Open Meetings Act. In provisions regarding notice of changes to regular meeting dates, deletes requirements for publication in a newspaper or, in certain cases, posting in at least 3 prominent places within the governmental unit. Adds a requirement that notice of changes to regular meeting dates shall also be posted on the website of the public body.

HB2914 – PUBLICATION – NOTICES - NEWSPAPERS

Provides that in counties with a population of less than 3,000,000, if a unit of local government, community college, or school district is required to provide notice in a newspaper by law, order of court, or contract, those entities may publish the notice on its official government website instead of in a newspaper. Provides that the official Internet website of the entity must prominently display a link to the notice web page. Provides that if an individual is unable to access an electronic publication of a legal notice, the entity must provide a copy of the notice to the individual free of charge.

HB3069 – NOTICES-ELECTRONIC PUBLICATION

Provides that whenever a municipality is required to provide notice by publication in a newspaper by law, order of court, or contract, the municipality may publish the notice on an official municipal website instead of in a newspaper if the notice published on the official municipal website is also published electronically on a searchable online database website and that website provides independent certification of the publication. Provides conditions concerning the availability and format of the searchable online database website. Effective immediately.

HB3084 – PENSIONS- DOWNSTATE FIRE RECIPROCAL ACT

Amends the Downstate Firefighter Article of the Illinois Pension Code. Provides that the Retirement Systems Reciprocal Act is adopted and made a part of the Downstate Firefighter Article, but only with respect to a person who, on or after the effective date of the amendatory Act, is entitled under the Downstate Firefighter Article to begin receiving a retirement annuity or survivor's annuity and who elects to proceed under the Retirement Systems Reciprocal Act.

HB3256 – PEOPLE OVER PARKING ACT

Creates the People Over Parking Act. Provides that, except as otherwise provided in the Act, a unit of local government may not impose or enforce any minimum automobile parking requirements on a development project if the project is located within one-half mile of a public transportation hub. Limits the concurrent exercise of home rule powers. Effective June 1, 2025.

HB3265- RESIDENTIAL AUTOMATED SOLAR PLATFORM

Creates the Residential Automated Solar Permitting Platform Act. Provides that on or before July 1, 2026, municipalities with a population of more than 5,000 residents and all counties must adopt a residential automated solar permitting platform. Provides that a person or entity aggrieved by a violation of the Act or any rule adopted under the Act may file a civil action in the county in which the alleged offense occurred or where any person who is party to the action resides, without regard to exhaustion of any alternative administrative remedies provided in the Act.

HB3288 AFFORDABLE COMMUNITIES ACT

Creates the Affordable Communities Act. Defines "zoning unit" as a county, municipality, or township that has adopted zoning regulations. Provides that, on and after June 1, 2026, for a zoning unit with a population equal to or greater than 100,000, regulations may not prevent the development of any middle housing types permitted in the zoning unit through unreasonable costs, delay, or procedural requirements. Allows zoning units to regulate middle housing to comply with protective measures adopted under statewide land use planning goals. Requires adoption of zoning ordinances and zoning maps consistent with the Act by June 1, 2026 for zoning units with a population equal to or greater than 100,000. Provides that the Illinois Housing Development Authority shall develop a model middle housing ordinance that must be used if a zoning unit fails to adopt the required ordinance or zoning map. Limits the concurrent exercise of home rule powers. Grants the Authority emergency rulemaking authority to implement the Affordable Communities Act. Effective immediately.

HB3515- FOIA COMMERCIAL PURPOSES

Amends the Freedom of Information Act. Provides that, for purposes of the Act, "commercial purpose" includes any use or purpose that furthers the commercial, trade, or profit interests of the requester or the person on whose behalf a request is made. Provides that, for purposes of the Act, "news media" does not include Internet sites, social media channels, or other sites or applications that post law enforcement videos in exchange for compensation based on the number of views. Amends the Law Enforcement Officer-Worn Body Camera Act. Provides that requests for a commercial purpose, as defined in the Freedom of Information Act, are not subject to provisions of the Act requiring the release of body-camera footage that has been flagged for specified reasons.

HB3552 – ACCESSORY DWELLING UNITS

Creates the Local Accessory Dwelling Unit Act. Provides that a unit of local government may not prohibit the building or usage of accessory dwelling units in the unit of local government. Provides that a unit of local government may provide reasonable regulations relating to the size and location of accessory dwelling units similar to other accessory structures unless a regulation would have the effect of prohibiting accessory dwelling units. Requires the unit of local government to either approve or deny the application to create or serve an accessory dwelling unit within 60 days from the date the unit of local government receives a completed application if there is an existing single-family or multi-family dwelling on the lot. Provides that, if the unit of local government has not approved or denied the completed application within 60 days, then the application shall be deemed approved unless the Act provides for additional time. Limits home rule powers.

SB1380 – COUNTY AND MUNICIPAL UTILITY POLES

Provides that a county or a municipality may use a utility pole that is owned by the State or a unit of local government or a public right-of-way that is owned by the State or a unit of local government for public safety purposes, including, but not limited to, the placement of equipment associated with public safety. Provides that any fee charged by the owner of a utility pole for use by a county or municipality shall be at the lowest rate charged by the owner and shall not exceed the owner's costs.

SB1767 – MUNICIPAL EMS VEHICLE FUNDS

Amends the Illinois Municipal Code. Provides that a municipality must set aside, in a dedicated account, 25% of the funds the municipality receives from an insurer on account of ambulance or fire services provided by the municipality. Provides that the municipality may only use the funds in the dedicated account for purchasing and maintaining ambulances, fire engines, and other vehicles used to provide emergency services.

Recommendation:

Please include in the March 20, 2025, Manager's Memorandum.