



Fall Veto Session Update: November 17, 2022

The Illinois General Assembly convened in Springfield this week for the first week of the Fall Veto Session. Legislative activity was very light, and lawmakers left town a day early after legislative leaders in both chambers cancelled the Thursday (November 17th) session day. Both chambers will return to Springfield on November 29th for the second and final week of the 2022 Fall Veto Session. There is also a general expectation that the Illinois General Assembly will convene for a 2023 Lamé Duck Session (i.e. days between January 1-11, 2023).

It is anticipated that when the Senate and House return to Springfield on November 29th, the primary legislative focus will be on changes to the Safety, Accountability, Fairness and Equity-Today Act, also known as the SAFE-T Act. The SAFE-T Act is a controversial law that was approved in early 2021. The SAFE-T Act made sweeping changes to the criminal justice system and includes a provision ending cash bail which goes into effect January 1, 2023. Interested parties are urging the approval of legislation aimed at clarifying the legislative intent of the underlying law.

Another important issue awaiting a legislative fix is the ongoing Unemployment Insurance Trust Fund deficit. Negotiators representing the business community and organized labor resumed negotiations this week. Stakeholders described the negotiation process as “moving along” and were hopeful that an agreement could be reached soon. In addition, Governor Pritzker announced several revenue actions he intends to pursue with the help of the legislature. Among Governor Pritzker’s recommendations is making an additional lump-sum contribution toward the UI Trust Fund deficit, however, the specific dollar amount of the proposed contribution was not made clear. The trust fund deficit is currently \$1.3 billion.

It is possible that other legislative matters may be considered, such as the budget, reproductive health, crime and gun control, but that remains to be seen. In the meantime, IMSCA will continue to monitor issues that are of particular importance to Illinois subcontractors.

The proposed “Workers’ Rights” constitutional amendment has been declared approved by voters. There are two paths to passage for a constitutional amendment. The first method is that the amendment will become effective if it receives “yes” votes from 60% of those who vote on the question. The second method calls for a constitutional

amendment to take effect if it is approved by more than 50% of all voters who cast ballots in a general election. Recent election results show the proposed “Workers’ Rights” amendment received the support of 53% of those who cast ballots in the November 8th election.

The amendment will add Section 25 to the Bill of Rights Article of the Illinois constitution. This new section will guarantee workers the fundamental right to organize and to bargain collectively and to negotiate safety conditions, wages, hours, working conditions, and economic welfare. The amendment prohibits the passage of any new law within the State that restricts or prohibits workers from engaging in collective bargaining with their employer over wages, hours, and other terms and conditions of employment, like safety protocols or training. This amendment will become the 15th amendment to Illinois’ 1970 constitution. In addition, it is reported to be the first of its kind passed in the United States and may serve as a national model. It is possible the language could still face legal challenges from interested parties who opposed the amendment.

Senate and House Republicans will have new leaders when the 103rd General Assembly is inaugurated in January. Republicans in both chambers met privately this week to make their selections. Senate Republicans informally selected Senator John Curran (R-Downers Grove) as the new Senate Republican Leader. Curran will be the chamber’s fourth leader in five years. Curran succeeds Leader Dan McConchie (R-Hawthorn Woods). Senator Curran was appointed to the Senate in 2017, won re-election to keep the seat in 2018 and was unopposed in the 2022 general election.

House Republicans informally selected State Representative Tony McCombie (R-Sterling) as the next House Republican Leader. Representative McCombie succeeds House Republican Leader Jim Durkin who announced that he wouldn’t be seeking re-election as the minority leader. Leader Durkin supported McCombie’s ascension to the leadership role. McCombie’s leadership position is historic – she will be the first woman to serve in a top leadership position in the Illinois House. She is also the first House Republican Leader from outside the Chicago media market since the 1960’s. State Representative McCombie was elected to the Illinois House in 2016.

Senate President Don Harmon and House Speaker Chris Welch will maintain their current posts in the 103rd General Assembly.

If you have questions regarding information contained in this report, please do not hesitate to contact Jessica Newbold Hoselton by calling 217.523.4361 or by email at jnewbold@boldnewstrat.com