

**ILLINOIS REALTORS®**  
**Governmental Affairs**

**2016 Top REALTOR® Legislative Issues and Outcomes**

- 1. Home Rule Expansion – *OPPOSED: DEAD***
  - Stopped legislation to put a Constitutional Amendment referendum on the ballot to lower the population threshold at which a municipality automatically becomes a home rule unit from 25,000 to 5,000. The constitutional change would add at least 173 new home rule units.
- 2. Smoke Detectors – *OPPOSED: DEAD***
  - Defeated legislation to require owners of single and multiple family dwellings built before July 1, 1988 to replace their currently operable detectors with detectors that have non-removable, 10-year batteries (dwellings built on or after July 1, 1988 have been hard-wired since 1988).
- 3. Radon – *OPPOSED: DEAD***
  - Defeated legislation to enact a new Tenants Radon Protection Act, which went to an unreasonable extreme in providing tenants with disclosures and rights that are beyond what homebuyers receive in a transaction. The bill included a dire warning citing the prevalence of radon in dwellings, and warns tenants it is “the leading cause of death” in homes. Tenants would also be allowed to do their own testing and mitigation, and to break their lease under certain circumstances.
- 4. Lead Paint Mitigation Requirements – *OPPOSED: FIXED***
  - Secured favorable amendments to remove our opposition to the Lead Poisoning Prevention Act. Initially, would have required abatement before sales and rental; now it doesn’t bar sales, and applies only to new leases.
- 5. Expanded Local Government Lien Powers – *OPPOSED: DEAD***
  - Stopped legislation (again) that would allow local governments to go around the lien collection process, and allow them to enforce a lien on an offending property against ALL property of the owners, as if it were a judgment lien.
- 6. Diminishing Local Government Public Notice Requirements – *OPPOSED: DEAD***
  - Derailed legislation that would have eliminated the requirement that local governments publish agendas, notices, etc. in a publication of record, and would have allowed simply posting notice on a public website. Citizens may have no idea how to find this important information.
- 7. Consolidation of Local Governments – *SUPPORTED: SOME PASSED***
  - A wide range of bills were introduced to provide for a process to consolidate local governments where it makes sense to do so. Many stalled, but several REALTOR®-supported bills did pass, including legislation to: expand the DuPage county consolidation process to Lake and McHenry counties; allow for a referendum to dissolve

Water Authorities outside of Chicago; and a resolution to establish a working group in Lake County to identify ways to eliminate barriers to local government consolidation.

**8. Limitation on “Retainage” in Commercial Construction Projects – *OPPOSED: DEAD***

- Successfully opposed legislation that would limit “retainage” to 5% in contracts for commercial construction and residential buildings of more than 12 units.

**9. Real Estate Licensing Rights for Convicted Felons - *OPPOSED: DEAD***

- Worked with the sponsor to discuss the risks and public perception of granting previously convicted felons (even violent offenders) affirmative rights to get certain licenses, including a real estate license. The sponsor remove real estate licenses from the bill.

**10. Prohibit Use of Comps in Valuing Certain Commercial Property – *OPPOSED: DEAD***

- Part of a coalition that defeated legislation that would establish a new and controversial process to value certain commercial properties. The bill would also prohibit the use of comps in valuing such properties (retail, 50,000 sq. ft. or more, improved within last 20 years, original owner or tenant is engaged in selling at retail, and occupies at least 75% of square footage).

**11. Establishment of New Offense: Criminal Building Management - *OPPOSED: DEAD***

- The bill would have made commercial building owners and managers potentially subject to criminal prosecution if there is a code violation on the premises which is a contributing factor in a first responder getting hurt or killed on the premises.

**12. Tax on Advertising, Including Print Advertising – *OPPOSED: NO BILL***

- Part of a coalition to oppose a contemplated tax of advertising, including print advertising.

**13. Tax on Professional Services, Such as Real Estate Brokerage – *OPPOSED: NO BILL***

- Joined a coalition in opposition and contributed to the funding of an economic feasibility study that shows that a contemplated tax on professional services (perhaps to include real estate brokerage) would be bad for jobs and the overall Illinois economy.

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