

NEIL F. FLYNN & ASSOCIATES  

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ATTORNEYS AT LAW

**Special Session 2020**  
**End of Session Report for ICCVB**  
**May 26, 2020**

## **Overview**

The General Assembly officially convened their 2020 spring session and the second year of the 101st General Assembly on January 28, but the House and Senate spent only fifteen days in Springfield before the COVID-19 public health emergency disrupted the normal session calendar.

When both chambers returned to Springfield for special session on May 20, the environment and conditions under which the General Assembly made their return had drastically changed. The House convened in a downtown convention center to accommodate social distancing; face masks were required on both the House and Senate floors; lobbyists and advocacy groups were not allowed to interact with lawmakers in-person; and public access to both buildings was granted under limited terms.

Additionally, the process by which lawmakers developed the policy issues to be tackled during the limited special session did not follow the normal committee process. Neither the House nor the Senate had convened a traditional committee meeting since early March and instead used “legislative working groups” – 18 total in the House and 17 in the Senate – that met virtually, but were closed to public input.

All of this culminated into a scheduled three-day special session that was extended an additional day so that lawmakers could complete work on an ambitious policy agenda that targeted passage of a new budget and borrowing authority, COVID-19 response packages for health care, economic and essential worker relief, as well as addressing continuity of government operations and voting procedures for the November election, among other items.

Lawmakers concluded their work in the early morning hours of Sunday, May 24<sup>th</sup> after passing 22 bills in total – all of which are expected to be signed by Governor Pritzker in the coming weeks.

John Groh recently asked if we “could provide a written narrative on the substantive items that passed that concern tourism”. This report is our best attempt to be responsive to that request.

**STATE BUDGET AND BORROWING AUTHORITY**

Lawmakers in both chambers spent the final hours of the special session approving a new spending plan for the new 2021 fiscal year, scheduled to begin on July 1 (See SB 264 (Harmon/Harris G.) and the corresponding budget implementation bill HB 357 (Harmon/Harris G.). These bills authorize \$40 billion in general revenue spending for FY 2021 and holds spending essentially level with the current 2020 fiscal year budget.

SB 264 appropriates money for tourism (including grants to convention bureaus) at the Governor's recommended levels. See Page 244. As it relates to tourism, the FY 21 budget is the same as the FY 20 tourism appropriation.

**FY 21**

Bureaus outside Chicago	\$18,073,000
Chicago	\$3,967,000
<b>TOTAL</b>	<b>\$22,040,000</b>

It is important to remember that an appropriation is the authority to spend, not the ability to spend. As you know, in Illinois, tourism spending is directly tied to state hotel tax receipts, a percentage of which are deposited into dedicated funds which can only be spent for tourism purposes. However, hotel tax receipts cannot be expended (or granted to convention bureaus), if the dedicated funds have insufficient balances to satisfy the enacted spending authority. Considering current room rates and occupancy levels, it is certainly very possible, if not likely, that hotel tax revenues in FY 21 will be much less as compared to FY 20 levels.

*Budget Implementation Bill ("BIMP")*

HB 357 is the legislation that implements the budget for FY 21. However, it can, and often does, include other items. For example, this year's BIMP included language that lowers the LTCB matching funds requirement to 25% in FY 21. In FY 22, the LTCB matching requirement will return to 50%. Further, HB 357 authorizes DCEO to adopt emergency rules to further implement the relief that ICCVB sought this session.

## End of Session Report for ICCVB

**OTHER ISSUES OF GENERAL INTEREST TO “TOURISM”**

## PANIC BUTTONS – DELAYED EFFECTIVE DATE

The Illinois Hotel and Lodging Association proposed legislation to delay the effective date of the “panic button” legislation that was passed in 2019. That law required all Illinois hotels to install a “panic button system” by July 1, 2020. However, due to COVID 19, the ability to safely implement and install these systems became impractical. As such, HB 2174 pushed the effective date of this requirement to March 1, 2021.

## GAMING

The General Assembly also passed legislation to clarify the gaming expansion bill that passed in 2019. While this was generally referred to the “Chicago casino bill”, the legislation also dealt with other gaming related issues.

**LOOKING AHEAD – 2020 FALL VETO SESSION**

The General Assembly is scheduled to return to Springfield for the two-week Fall Veto Session on November 17 – 19 and December 1 – 3. Currently, there is no real expectation that the Governor will veto any of the bills that the General Assembly has passed this session. As such, there will likely be very few, if any, bills for the General Assembly to act upon during the veto session.

The environment in which lawmakers are scheduled to return for the Fall Veto Session is also far from certain given the series of unknowns about how the budget, the state’s finances, the possibility of further COVID 19 related federal assistance, the November election, and how the public health emergency will unfold in the weeks and months to come. Given the intensely compressed time frame in which lawmakers met to tackle policy issues they deemed to be a priority during this special session, a number of key policy issues that may have otherwise been the focus of legislative activity this spring were not considered.