# STATE OF ILLINOIS LEGISLATIVE INFORMATION SYSTEM 103rd GENERAL ASSEMBLY

## **DAILY**

**Synopsis of Legislation** 

**Legislation Passed Both Houses with Last Action** 

For day of May 20, 2024

#### Legislative Information System 103rdGeneral Assembly Synopsis of Legislation Passed Both Houses For day of May 20, 2024

SB 03367 Sen. Lakesia Collins, Michael E. Hastings, Adriane Johnson, Mary Edly-Allen and Kimberly A. Lightford (Rep. Terra Costa Howard-Debbie Meyers-Martin)

20 ILCS 505/9.1 from Ch. 23, par. 5009.1 20 ILCS 505/9.3 from Ch. 23, par. 5009.3

Amends the Children and Family Services Act. In a provision concerning children accepted for care and training under the Juvenile Court Act of 1987 or through a voluntary placement agreement, provides that the parents or guardians of such children (rather than the parents or guardians of the estates of such children) shall only be liable for the sums representing the charges for such care and training. Requires the Department of Children and Family Services to establish a standard by which the ability of parents or guardians to pay for the care and training of the child shall be measured on an individual basis. Requires such standards and rules to provide: (i) that no liability exists if the family's annual income is under \$100,000 or 400% of the federal poverty guidelines, whichever is greater; and (ii) that any liability shall not be contrary to the best interests of the child and shall not negatively impact the family's ability to participate in services to achieve reunification or in parent or child visitation. Requires the Department to adopt rules no later than July 1, 2025. In a provision concerning the referral of Title IV-E foster care maintenance cases to the Department of Healthcare and Family Services for child support enforcement services, provides that such cases shall only be referred if the Department of Children and Family Services has conducted a thorough individualized review of the family's circumstances, including, but not limited to, the impact the referral may have on the child's best interest and the ability to achieve permanency or participate in visitation. In a provision concerning liability for parents or guardians who make false written declarations to the Department concerning their income or ability to pay for their children's Department-sponsored care and training, provides that such parents and guardians will be liable to Department to the extent liability is consistent with the standards and rules set forth in the amendatory Act.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause. Amends the Children and Family Services Act. Removes a provision making parents monetarily liable for the cost of care and training provided by the Department of Children and Family Services for children placed with the Department under a voluntary placement agreement. Instead provides that the Department shall adopt rules no later than January 1, 2026 regarding referral of Title IV-E foster care maintenance cases to the Department of Healthcare and Family Services for child support enforcement services under Title IV-D of the Social Security Act. Provides that it is the policy of the State that in order to preserve the financial security of a child's parent seeking reunification, the Department will not refer cases for child support enforcement services or seek an assignment of rights of child support regarding any child prior to the permanency goal of return home being ruled out by the court in accordance with the Juvenile Court Act of 1987. Permits the Department to refer cases for child support enforcement services, consistent with rules, after the permanency goal of return home has been ruled out by the court in accordance with the Juvenile Court Act of 1987. Requires the Department to adopt rules by January 1, 2026 establishing additional policies or criteria to consider to ensure compliance with this Section and federal law regarding referral for child support enforcement or assignment of rights of child support for children where a return home goal has been ruled out in accordance with the Juvenile Court Act of 1987. In a provision concerning liability for parents or guardians who make false written declarations to the Department concerning their income or ability to pay for their children's Department-sponsored care and training, provides that such parents and guardians will be liable to Department to the extent liability is consistent with the standards and rules set forth in the amendatory Act. Effective immediately.

SB 03389

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**(D** 

Sen. Ram Villivalam-Donald P. DeWitte and Laura M. Murphy

(Rep. Eva-Dina Delgado-Dan Ugaste, Brad Stephens and Elizabeth "Lisa" Hernandez)

70 ILCS 1707/10

70 ILCS 1707/15

70 ILCS 1707/25

70 ILCS 1707/60

70 ILCS 1707/62

70 ILCS 1707/63 rep.

70 ILCS 1707/70 rep.

Amends the Regional Planning Act. Removes provisions relating to the Chicago Metropolitan Agency for Planning's Wastewater Committee. Provides that approval of four-fifths of the Board of the Chicago Metropolitan Agency for Planning members in office is necessary for the Board to take action regarding the Agency's budget and work plan, a regional plan, the annual federally funded program, the legislative agenda, and any matter regarding the executive director, but action on all other matters shall be taken in accordance with the Board's bylaws. Provides that the Board shall continue directly involving local elected officials in federal program allocation decisions for any other federally suballocated funding as required by law (rather than only directly involving local elected officials in federal program allocation decisions for the Surface Transportation Program and Congestion Mitigation and Air Quality funds). Repeals provisions relating to succession and transfers related to the Northeastern Illinois Planning Commission and a transition period of the Board. Provides that each General Assembly shall appropriate dedicated funding to the Chicago Metropolitan Agency for Planning to fulfill those functions and programs authorized by the Act (rather than additional funding shall be provided to the Agency to support those functions and programs authorized by the Act). Makes other changes.

Senate Committee Amendment No. 1

Deletes reference to:

70 ILCS 1707/62

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes. Provides that concurrence of four-fifths of the Board members of the Chicago Metropolitan Agency for Planning in office is necessary for the Board to take any action, except for decisions with regard to contracts, excluding contracts pertaining to the employment of the Executive Director, grants, purchase agreements, and meeting minutes, which shall require a simple majority vote of the Board members in office (rather than concurrence of four-fifths of the Board members in office is necessary for the Board to take action regarding the Agency's budget and work plan, a regional plan, the annual federally funded program, the legislative agenda, and any matter regarding the executive director and that action on all other matters shall be taken in accordance with the Board's bylaws). Removes changes requiring each General Assembly to appropriate dedicated funding to the Chicago Metropolitan Agency for Planning to fulfill those functions and programs authorized by the Act.

May 20 24 S Passed Both Houses

SB 03405

Sen. Chapin Rose

(Rep. Chris Miller and Adam M. Niemerg)

55 ILCS 5/5-1189 new

Amends the Counties Code. Provides that, notwithstanding any other provisions of law, a county may use funds designated by law or ordinance for transportation purposes to fund rides for persons to attend problem-solving courts. Allows a county to enter into an intergovernmental agreement with another unit of local government for the purposes of the provisions. Defines "problem-solving court" as a court program regulated under the Drug Court Treatment Act, the Juvenile Drug Court Treatment Act, the Mental Health Court Treatment Act, or the Veterans and Servicemembers Court Treatment Act.

May 20 24 S Passed Both Houses

SB 03406

Sen. Steve McClure-Chapin Rose and Laura M. Murphy

(Rep. Christopher "C.D." Davidsmeyer-Wayne A Rosenthal-Dan Swanson, Jason Bunting, Joyce Mason and Sharon Chung)

625 ILCS 5/2-112

from Ch. 95 1/2, par. 2-112

Amends the Illinois Vehicle Code. Requires the Secretary of State to include, in the Illinois Rules of the Road publication, information pertaining to the transportation of hazardous materials. Provides that the information shall include an image and description that details the various hazardous material placards used on vehicles that transport hazardous materials.

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For day of May 20, 2024

SB 03407

Sen. Patrick J. Joyce, Andrew S. Chesney, Mary Edly-Allen and Jason Plummer

(Rep. Lawrence "Larry" Walsh, Jr.-Harry Benton, Wayne A Rosenthal, Charles Meier, Dan Swanson, Lance Yednock, Adam M. Niemerg, Jason Bunting, Paul Jacobs, Dave Severin, Kevin Schmidt, Joyce Mason and Sharon Chung)

520 ILCS 5/2.36 from Ch. 61, par. 2.36

Amends the Wildlife Code. Deletes provisions that require a meat processor to be a member of the Illinois Sportsmen Against Hunger program in order for the meat processor to donate deer meat that the meat processor has processed. Provides that if a properly tagged deer is processed at a licensed meat processing facility and if the owner of the deer (i) fails to claim the processed deer within a reasonable time or (ii) notifies the licensed meat processing facility that the owner no longer wants the processed deer or wishes to donate the deer, then the deer meat may be given away by the licensed meat processor to another person or donated to a charitable organization or community food bank that receives wild game meat. Requires meat processors who donate deer meat to a charitable organization or community food bank that receives wild game meat to keep written records of all deer received.

May 20 24 S Passed Both Houses

SB 03420 Sen. Don Harmon, Mattie Hunter, Mary Edly-Allen, Javier L. Cervantes, Mike Simmons and Adriane Johnson (Rep. Terra Costa Howard)

New Act

Creates the Prohibition of Unfair Service Agreements Act. Provides for the characteristics of unfair service agreements and sets forth exceptions to the Act. Provides that if a service agreement is unfair under the Act, it is unenforceable and shall not create a contractual obligation. Provides that entering into an unfair service agreement with a consumer constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Provides that all remedies, penalties, and authority granted to the Attorney General by the Consumer Fraud and Deceptive Business Practices Act shall be available to the Attorney General for the enforcement of the Act. Provides that no person shall record or cause to be recorded an unfair service agreement or a notice or memorandum of the unfair service agreement. Provides that a person who records or causes to be recorded an unfair service agreement or a notice or memorandum of the unfair service agreement shall be guilty of a Class A misdemeanor. Provides that, if an unfair service agreement or a notice or memorandum of the unfair service agreement is recorded, any person with an interest in the real property that is the subject of that agreement may apply to a court in the county where the recording exists to record a court order declaring the agreement unenforceable and that person may recover actual damages, costs, and attorney's fees as may be proven against the service provider who recorded the agreement. Effective immediately.

Senate Committee Amendment No. 1

Provides that no person shall knowingly record or knowingly cause to be recorded (rather than record or cause to be recorded) an unfair service agreement or a notice or memorandum of the unfair service agreement. Removes provision concerning criminal penalties.

May 20 24 Passed Both Houses

SB 03429

Sen. Bill Cunningham

(Rep. Maurice A. West, II-Sharon Chung and Camille Y. Lilly)

70 ILCS 2805/32a.5

from Ch. 42, par. 443a.5

Amends the Sanitary District Act of 1936. Provides that contiguous territory located within the boundaries of a sanitary district organized under the Act and upon the border of the district may become disconnected from the district without following specified procedures by ordinance or resolution of both the sanitary district and the unit of local government within which the territory is located if there are no outstanding bond payments or debts to be repaid. Effective immediately.

Senate Committee Amendment No. 1

Provides that contiguous territory located within the boundaries of a sanitary district organized under the Act and upon the border of the district may become disconnected from the district without following specified procedures by ordinance or resolution of both the sanitary district and the unit of local government or another sanitary district within which the territory is located if (i) there are no outstanding bond payments or debts to be repaid or (ii) the acquiring sanitary district process of wastewater treatment exceeds the acquiree wastewater treatment process as defined by the United States Environmental Protection Agency's Primer for Municipal Wastewater Treatment Systems or a successor document.

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SB 03430

Sen. Chapin Rose and Laura M. Murphy

(Rep. Amy Elik-Norine K. Hammond-Jackie Haas-Charles Meier-Anna Moeller, Dave Severin, David Friess, Wayne A Rosenthal, Lindsey LaPointe, Kelly M. Cassidy, Barbara Hernandez, Yolonda Morris, Suzanne M. Ness, Kevin Schmidt, Patrick Windhorst, Dan Swanson, Dagmara Avelar, Debbie Meyers-Martin, Travis Weaver, Matt Hanson and Dave Vella)

305 ILCS 5/12-4.59 new

Amends the Administration Article of the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services to develop, post, and maintain on its official website a comprehensive informational guide that explains the Medicaid 5-year look-back period as it applies to eligibility for long-term care coverage under the medical assistance program. Provides that the informational guide must be posted within 6 months after the effective date of the amendatory Act. Provides that the contents of the informational guide must include a detailed explanation of the 5-year look-back period, including its purpose and relevance to eligibility for medical assistance; clear information on how the 5-year look-back period affects eligibility criteria, including income and asset requirements; step-by-step guidance on how the 5-year look-back period is calculated, including the start date and end date considerations; explanation of the consequences and implications of transfers or gifts made during the 5-year look-back period; information on exceptions and exemptions to the 5-year look-back period, clarifying circumstances where certain transfers or assets may not be subject to scrutiny; guidance on the documentation individuals may need to provide or maintain to demonstrate compliance with the 5-year look-back period; tips and considerations for individuals and families on how to plan for eligibility for medical assistance, taking into account the 5-year look-back period; information on the process for appeals and dispute resolution related to decisions made based on the 5-year look-back period; and other matters. Provides that to ensure user-friendly navigation and visibility, the Department shall post on the main page of its official website detailed information on how users can easily access the comprehensive guide on the website and a hyperlink that directs users to the comprehensive guide. Requires the Department to develop and implement strategies and initiatives to promote awareness and utilization of the guide, including outreach efforts through community organizations, healthcare providers, and other relevant channels.

Senate Floor Amendment No. 1

Requires the Department of Healthcare and Family Services to develop, post, and maintain on and after July 1, 2025 (rather than within 6 months after the effective date of the amendatory Act) the informational guide on the Medicaid 5-year look-back period. Requires the Department to post the information guide on its official website (rather than on the main page of its official website). Removes a provision requiring the Department to develop and implement strategies and initiatives to promote awareness and utilization of the informational guide.

May 20 24 S Passed Both Houses SB 03432 Sen. Laura M. Murphy

(Rep. Terra Costa Howard-Katie Stuart-Lindsey LaPointe)

20 ILCS 1705/4.4

105 ILCS 5/2-3.195

110 ILCS 805/2-27

Amends the Mental Health and Developmental Disabilities Administrative Act. In a provision requiring the Department of Human Service' Division of Mental Health to implement a direct support professional credential pilot program, delays the pilot program's start date to Fiscal Year 2025 (rather than Fiscal Year 2024). Amends the School Code. Provides that beginning with the 2026-2027 school year (rather than the 2025-2026 school year) and continuing for not less than 2 years, the State Board of Education shall make available a model program of study that incorporates the training and experience necessary to serve as a direct support professional. Provides that by July 1, 2025 (rather than by July 1, 2023) the Department of Human Service must submit recommendations to the State Board of Education for the training that would be required in order to complete the model program of study. Amends the Public Community College Act. Provides that by July 1, 2026 (rather than by July 1, 2025), the Illinois Community College Board shall submit recommendations for a model program of study, for credit, that incorporates the training and experience necessary to serve as a direct support professional to the Department of Human Services. Effective immediately.

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SB 03434 Sen. Celina Villanueva and Mary Edly-Allen

(Rep. Maurice A. West, II)

20 ILCS 3305/5

from Ch. 127, par. 1055

Amends the Illinois Emergency Management Agency Act. Authorizes the Illinois Emergency Management Agency and office of Homeland Security to adopt rules for the implementation of its State-funded grant programs.

Senate Committee Amendment No. 1

Changes a provision regarding allowing the Illinois Emergency Management Agency and Office of Homeland Security to adopt rules. Provides that the Agency shall do all things necessary, incidental, or appropriate for the implementation of the Act, including the adoption of rules (rather than only adopt rules for the implementation of its State-funded grant programs).

May 20 24 S Passed Both Houses

SB 03451

Sen. Mike Simmons and Donald P. DeWitte-Ram Villivalam

(Rep. Matt Hanson-Kelly M. Cassidy-Kam Buckner-Eva-Dina Delgado-Dave Vella, Kevin John Olickal, Nabeela Syed, Hoan Huynh, Abdelnasser Rashid, Sharon Chung, Suzanne M. Ness, Mary Beth Canty, Will Guzzardi, Lance Yednock, Dan Ugaste, Marcus C. Evans, Jr., Theresa Mah, Aaron M. Ortiz, Kimberly Du Buclet, Michelle Mussman, Diane Blair-Sherlock, Christopher "C.D." Davidsmeyer, Norine K. Hammond, Tony M. McCombie, Mary Gill, Ann M. Williams, Margaret Croke, Jaime M. Andrade, Jr., Brad Stephens, Michael J. Kelly, Fred Crespo, Edgar Gonzalez, Jr., Justin Slaughter and Bob Morgan)

5 ILCS 225/7.5 new

20 ILCS 2705/2705-423 new

45 ILCS 105/8.5 new

70 ILCS 3615/5.15 new

Amends the Transportation Cooperation Act of 1971, the Department of Transportation Law of the Civil Administrative Code of Illinois, the Bi-State Development Agency Act, and the Regional Transportation Authority Act. Provides that a railroad passenger service, a Transportation Service Association, the Department of Transportation, the Regional Transportation Authority, the Chicago Transit Authority, and the Commuter Rail Division of the Regional Transportation Authority shall issue an annual report on or before December 31 of each year containing all rail safety recommendations made by the National Transportation Safety Board during the previous 12 months and the status of the entity's implementation of those recommendations. Provides that the Federal Railroad Corporation (also known as Amtrak) and the Bi-State Development Agency may issue a similar report. Provides that a report issued under the provisions shall be made publicly available on the website of the entity. Effective July 1, 2024.

May 20 24 S Passed Both Houses

SB 03452 Sen. Robert F. Martwick and Mary Edly-Allen

(Rep. Nabeela Syed and Anthony DeLuca)

35 ILCS 130/18a

from Ch. 120, par. 453.18a

35 ILCS 135/25

from Ch. 120, par. 453.55

35 ILCS 143/10-5

35 ILCS 143/10-20

35 ILCS 143/10-56

410 ILCS 705/65-42

Amends the Cigarette Tax Act, the Cigarette Use Tax Act, the Tobacco Products Tax Act of 1995, and the Cannabis Regulation and Tax Act. In provisions concerning administrative hearings regarding the seizure of certain contraband products, provides that the Department of Revenue is not required to hold a hearing if a waiver and consent to forfeiture has been executed by the owner of the property and by the person in whose possession the property was found. Further amends the Tobacco Products Tax Act of 1995. Removes provisions providing that the bonding requirement for a distributor's licensee does not apply to an applicant for a distributor's licensee who is already bonded under the Cigarette Tax Act or the Cigarette Use Tax Act. Removes provisions providing that the distributor's licenses are valid for a period not to exceed one year after issuance unless sooner revoked, canceled, or suspended. Provides that the Department of Revenue shall discharge any surety and shall release and return any bond provided to it by a distributor within 90 days after (i) the taxpayer becomes a prior continuous compliance taxpayer or (ii) the taxpayer has ceased to collect receipts on which he is required to remit the tax under this Act to the Department, has filed a final tax return, and has paid to the Department an amount sufficient to discharge his remaining tax liability. Effective immediately.

## **Legislative Information System** 103rdGeneral Assembly **Synopsis of Legislation Passed Both Houses**

For day of May 20, 2024

SB 03455

Sen. Robert F. Martwick, Patrick J. Joyce, Jason Plummer, Andrew S. Chesney, Erica Harriss, Dan McConchie, Mattie Hunter-Sally J. Turner, Seth Lewis and Paul Faraci

(Rep. Mary Beth Canty-Nabeela Syed-Stephanie A. Kifowit-Suzanne M. Ness)

20 ILCS 2505/2505-815 new

Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. Provides that the Department of Revenue, in consultation with the Department of Commerce and Economic Opportunity, shall conduct a study to evaluate the property tax system in the State. Provides that the Department may also determine whether the existing property tax levy, assessment, appeal, and collection process is reasonable and fair and may issue recommendations to improve that process.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill. Provides that the Department of Revenue may determine the scope of the historical data necessary to complete the study, but in no event shall the scope or time period be less than the 10 most recent tax years for which the Department has complete data. Provides that the study need not be limited to certain specified factors. Removes provisions from the introduced bill providing that the study shall include an analysis of the use of technology in data collection. Provides that the Department of Revenue may (in the introduced bill, shall) consult with Illinois institutions of higher education in conducting the study. Provides that the Department of Revenue may also consult with units of local government. Makes other changes.

May 20 24 S Passed Both Houses

SB 03460

Sen. Michael W. Halpin, Mary Edly-Allen and Jason Plummer

(Rep. Terra Costa Howard and Anthony DeLuca)

770 ILCS 95/2 from Ch. 114, par. 802 770 ILCS 95/4 from Ch. 114, par. 804 770 ILCS 95/7 from Ch. 114, par. 807

Amends the Self-Service Storage Facility Act. Provides that a rental agreement may be delivered and accepted by electronic mail. Provides that if the occupant does not sign a written rental agreement that the owner has tendered to the occupant, the occupant's continued use of the storage space shall constitute an acceptance of the rental agreement with the same effect as if it had been signed by the occupant. Defines "default" as the failure to perform any obligation or duty set forth in the rental agreement or the Act. Includes a trailer in the types of property for which specified towing remedies are available. Provides that an occupant may not use a self-service storage facility after the owner has delivered a written notice of termination or non-renewal of the occupant's rental agreement. Provides that notice must be in person, by verified mail, or by electronic mail. Allows the owner to place reasonable restrictions on the occupant's use of the self-service storage facility before removal of personal property, including denying access to the self-service storage facility, except for the occupant to remove personal property during the owner's normal business hours. Provides that the owner may dispose of any personal property remaining at the self-service storage facility after the date provided in the written notice.

Senate Committee Amendment No. 1

Provides that the rental agreement may be delivered and accepted by electronic mail or by any other electronic record pursuant to the Uniform Electronic Transactions Act.

Senate Committee Amendment No. 2

Provides that an occupant may not use a self-service storage facility after the owner has delivered written notice in person or by verified mail (rather than in person, by verified mail, or by electronic mail) of the termination or non-renewal of the occupant's rental agreement.

May 20 24 S Passed Both Houses

SB 03471

Sen. Elgie R. Sims, Jr., Mary Edly-Allen, Rachel Ventura, Christopher Belt, Laura Ellman, Willie Preston, Mattie Hunter and Michael E. Hastings

(Rep. Jehan Gordon-Booth-Barbara Hernandez-Kevin Schmidt-Michael J. Kelly, Joyce Mason, Kevin John Olickal, La Shawn K. Ford and Matt Hanson)

625 ILCS 5/3-820

from Ch. 95 1/2, par. 3-820

Amends the Illinois Vehicle Code. Allows the Secretary of State to issue a new set of license plates to an owner of a vehicle whose plates were stolen. Provides that the new set of plates shall be issued without a fee. Requires the Secretary to assign a new number plate or plates in lieu of a duplicate of the plate or plates that were stolen. Make changes to the registration fee for lost or destroyed plates.

#### Legislative Information System 103rdGeneral Assembly Synopsis of Legislation Passed Both Houses For day of May 20, 2024

SB 03475

Sen. Elgie R. Sims, Jr.-Sara Feigenholtz

(Rep. Maurice A. West, II-Jehan Gordon-Booth)

35 ILCS 145/6

from Ch. 120, par. 481b.36

Amends the Hotel Operators' Occupation Tax Act. Makes changes concerning the distribution of proceeds under the Act. Effective immediately.

May 20 24 S Passed Both Houses

SB 03479

Sen. Mike Porfirio-Michael E. Hastings-Craig Wilcox-Julie A. Morrison, Sally J. Turner, Michael W. Halpin, Jil Tracy, Mary Edly-Allen, Christopher Belt, Meg Loughran Cappel, Adriane Johnson, Laura Ellman, Elgie R. Sims, Jr. and David Koehler

(Rep. Stephanie A. Kifowit-Mark L. Walker-Dan Swanson-Wayne A Rosenthal-Kevin Schmidt, Joyce Mason, Sharon Chung, Martin McLaughlin, Gregg Johnson, Maurice A. West, II, Bob Morgan, Jay Hoffman, Jenn Ladisch Douglass, La Shawn K. Ford and Janet Yang Rohr)

#### 815 ILCS 505/2YYY

Amends provisions of the Consumer Fraud and Deceptive Business Practices Act concerning deceptive practices targeting veterans and military members. Changes the definition of "veteran or military benefits services" to any services offered or provided to a veteran, military member, or family member who is entitled to receive benefits under federal, State, or local law, policy, or practice as a result of, at least in part, qualifying military service. Such services include assistance, consulting or coaching in the preparation, presentation, or prosecution of claims or other attempts to obtain benefits, increase benefits, or appeal a decision related to obtaining or increasing benefits. Adds a veterans services disclosure to be made by any person providing veteran or military benefits services. Makes it an unlawful practice for any person providing veteran or military benefits services to fail at the outset of the business relationship to clearly provide, both orally and in writing, veterans services disclosures when veteran or military benefits services are provided in exchange for any financial compensation, benefit or thing of value. Makes other changes.