FIRST READING

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E-Cigarettes Prove Popular, Controversial

Electronic cigarettes (e-cigarettes) have grown from a cottage industry in the U.S. several years ago to sales near $2 billion in 2013. In 2011, about 21% of adult smokers of tobacco cigarettes had used e-cigarettes. The percentage of middle and high school students who had used e-cigarettes, although much smaller, more than doubled from a 2011 survey to a 2012 survey.

An e-cigarette is a vaporizer containing a battery that heats a liquid from a small cartridge, making a water-based mist or vapor that is inhaled. The liquid cartridges may contain various amounts of tobacco-derived and/or synthetic nicotine (or no nicotine at all), along with flavorings.

E-cigarette use is rising worldwide. Annual sales have reached $650 million in Europe, and were projected at $1.7 billion to $2 billion in the U.S. in 2013. A recent study found that 76.3% of the middle and high school students who used e-cigarettes within the past 30 days also smoked regular cigarettes in the same period.

Concern about e-cigarettes has risen along with their popularity. No one disputes that they are less toxic than traditional cigarettes. But some critics question the belief that e-cigarettes may be a more effective smoking cessation aid than traditional nicotine replacement therapies. Indeed, there is concern that e-cigarettes may be a more palatable drug-delivery system that can get users hooked on nicotine.

The U.S. Food and Drug Administration has announced that it intends to regulate e-cigarettes as tobacco products. A proposed rule extending FDA's tobacco product regulatory powers beyond cigarettes to other products including e-cigarettes and cigars is reportedly forthcoming.

In 2013 Illinois became one of 27 states banning distribution of "alternative nicotine products" such as e-cigarettes to persons under 18. The Chicago City Council has passed an ordinance banning e-cigarette sales to minors. It also bans their use in restaurants, sports venues, and other settings where cigarette smoking is prohibited.

Since e-cigarettes only vaporize a liquid, they do not make smoke from combustion like traditional tobacco cigarettes. Nor do they create the sticky by-product of burning tobacco that is commonly known as "tar." But the various brands being marketed can vary with respect to types of nicotine solutions, capacity of the cartridges containing them, the battery and heating element, types of additives and flavorings, and the potential toxicants in the vapor.

Rates of use

E-cigarettes first appeared in European and American markets less than 10 years ago. Use of e-cigarettes is rising in the U.S. and elsewhere, with annual sales

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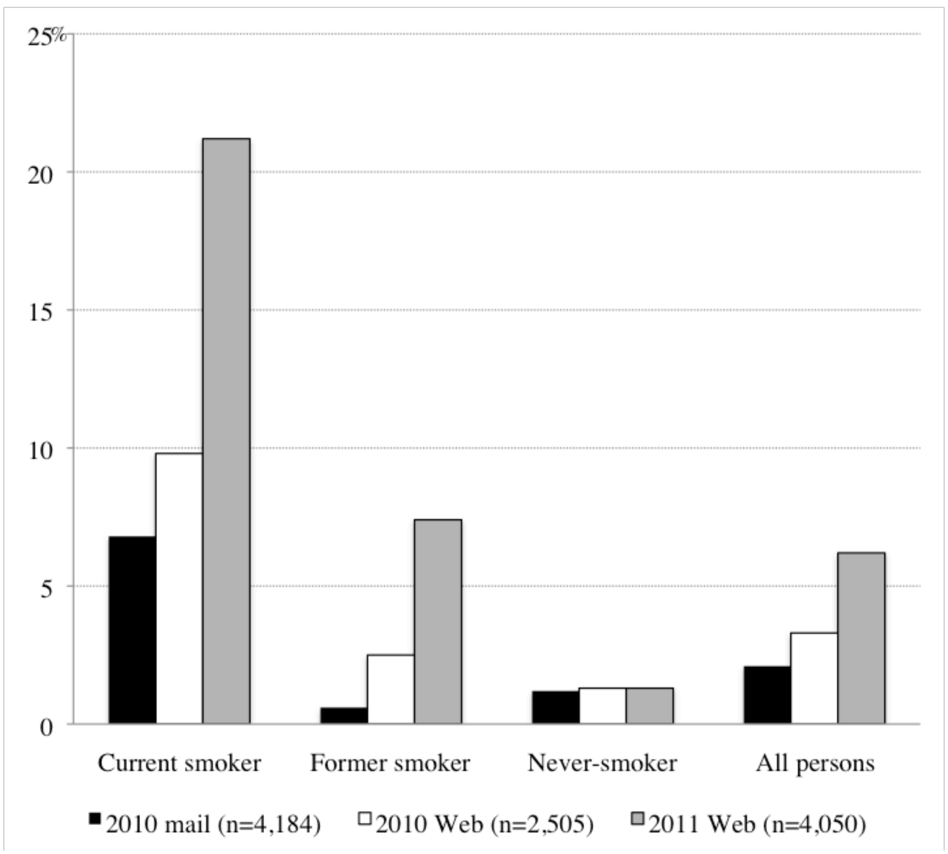
reaching $650 million in Europe and a projected $1.7 billion to $2 billion in the U.S. in 2013. Some financial analysts have projected that sales could exceed $10 billion by 2017.

A 2013 report by researchers at the U.S. Centers for Disease Control and Prevention (CDC) examined the prevalence, awareness, and past use of e-cigarettes among U.S. adults in 2010-2011. Using both mail (2010) and Web surveys (2010 and 2011), they found that the percentage of persons who had used e-cigarettes was significantly higher among current smokers than among either former smokers or those who had never smoked. In 2010, about 6.8% (mail survey) or 9.8% (Web survey) of adults who smoked traditional cigarettes had tried e-cigarettes. By the 2011 Web survey that number had grown to about 21%. Among all respondents, about 6% reported having tried e-cigarettes. Figure 1 gives details.

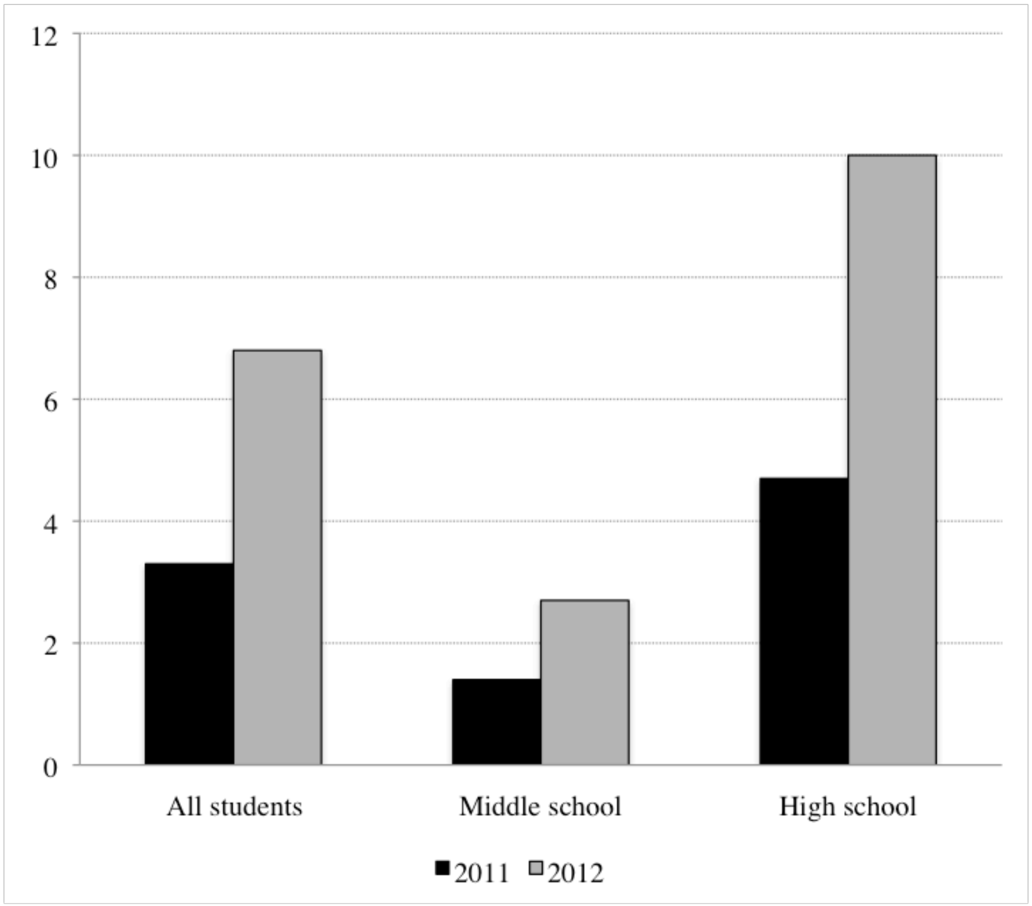
Figure 1: Percentages of U.S. Adults Who Had Used E-Cigarettes, 2010-2011



Source: Prepared by Legislative Research Unit from King et al., "Awareness and Ever Use of Electronic Cigarettes Among U.S. Adults, 2010-2011," *Nicotine and Tobacco Research*, vol. 15, no. 9, p. 1625 (Sept. 2013).

Among the nation's youth, the CDC finds that the percentage of U.S. middle and high school students who use e-cigarettes more than doubled from 2011 to 2012. The findings from the National Youth Tobacco Survey show that the percentage of high school students who reported using an e-cigarette increased from 4.7% in 2011 to 10.0% in 2012. Reported use also doubled among middle school students—from 1.4% to 2.7%. Altogether, more than 1.78 million middle and high school students had tried e-cigarettes in 2012. (See Figure 2.) The study also found that 76.3% of the middle and high school students who used e-cigarettes within the past 30 days also smoked regular cigarettes in the same period.

Figure 2: Percentages of U.S. Middle and High School Students Who Used Electronic Cigarettes, 2011-2012



Source: Prepared by Legislative Research Unit from Corey et al., "Notes from the Field: Electronic Cigarette Use Among Middle and High School Students—United States, 2011-2012," *Morbidity and Mortality Weekly Report*, vol. 62, no. 35, p. 729 (Sept. 6, 2013).

Arguments for and against

E-cigarettes are the subject of a public health dispute that has grown as their popularity has increased. For current smokers, they may offer a *less unhealthy* alternative to traditional cigarettes. However, studies tend to show that most e-cigarette users are "dual users"—using both e-cigarettes and tobacco cigarettes.

Some have touted e-cigarettes as a more effective smoking cessation aid than conventional nicotine replacement therapies (patch, gum, etc.) for smokers who want to quit. This idea is still open for debate. A trial that compared e-cigarettes to nicotine patches found no statistically significant difference in the ability of smokers to quit using those two products. On the other hand, some studies do suggest that many e-cigarette users treat them as a cessation aid. In one case they were reported to compare favorably to nicotine replacement therapies in reducing the likelihood of returning to smoking within 6 months after a cessation attempt.

Another problem mentioned by some e-cigarette opponents is that they could help promote a public image for smoking as normal, acceptable behavior, undermining several decades of efforts to change that image.

Many of the arguments regarding e-cigarettes can be summarized as follows:

<u>Benefits</u>

- Ability to deliver nicotine to user with fewer of the toxicants and chemicals of a regular burned cigarette.
- Near-absence of secondhand smoke.

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- Resemblance to regular cigarettes, which provide the look and feel—holding them in a familiar way, a glowing tip, blowing exhaled vapor, etc.—that smokers have become used to or even dependent on.
- Potential for aiding cigarette smokers seeking to quit.

Concerns

- Lack of scientific data about their safety. Users cannot be sure of what they are inhaling due to the numerous brands made by many different companies with unknown quality assurances in production processes.
- Lack of thorough studies on effectiveness as smoking cessation aids and data on ability to deliver nicotine sufficient to satisfy withdrawal and cravings.
- Few studies on the effects of secondhand vapor from e-cigarettes.
- Lack of information on whether using e-cigarettes encourages smokers who might otherwise have quit to keep smoking, using e-cigarettes only where smoking is prohibited.
- Lack of data on whether youth may use e-cigarettes as an introduction or gateway to smoking traditional cigarettes.

Legal regulation

Between 2008 and 2010, the U.S. Food and Drug Administration (FDA) sought to regulate e-cigarettes as unapproved drug delivery devices under the Food, Drug and Cosmetic Act. In 2008 the agency blocked the import of new e-cigarette shipments into the country. E-cigarette companies sued, claiming that the agency had no authority over e-cigarettes as drugs or drug delivery devices.

E-cigarette makers argued that because their products use nicotine derived from tobacco, e-cigarettes should be regulated as tobacco products and thus subject to fewer restrictions than drug delivery devices. The U.S. District Court for the District of Columbia issued a preliminary injunction blocking the FDA from regulating e-cigarettes as drug delivery devices and stopping their importation, which was affirmed by the U.S. Court of Appeals for the District of Columbia Circuit.

The FDA has since announced an intent to extend its regulatory authority to e-cigarettes as tobacco products under the Family Smoking Prevention and Tobacco Control Act (2009). The agency intends to propose a rule extending its tobacco product authority beyond cigarettes, cigarette tobacco, roll-your-own tobacco, and smokeless tobacco to other products such as e-cigarettes, hookahs, cigars, and pipe tobacco. A "Unified Agenda" for the proposed rulemaking was published in fall 2013. Final rules have not been issued.

The Family Smoking Prevention and Tobacco Control Act expressly allows state and local governments to regulate sale and use of tobacco products, which includes e-cigarettes. The National Conference of State Legislatures reports that some 27 states, including Illinois, have already prohibited sales to minors of e-cigarettes and alternative tobacco products.

Illinois Public Act 98-350 (2013), enacted by S.B. 1756 (Mulroe-Collins et al.—Willis-Martwick et al.), prohibits distribution of any "alternative nicotine product" to a person under 18. Such a product is defined (subject to exceptions described below) as:

> a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means.

The definition excludes products approved by the FDA as non-tobacco products and offered for sale as tobacco-cessation aids, tobacco dependence products, or for other medical purposes, and marketed and sold for that approved purpose.

On January 10, 2014, the Chicago City Council passed an ordinance regulating e-cigarettes as tobacco products. The ordinance bans the distribution and sale of e-cigarettes to minors. To restrict minors' access further, it allows them to be sold only from behind the counter. In addition, the ordinance amends the definition of "smoke" or "smoking" to include use of electronic cigarettes, thereby banning their use in restaurants, sports venues, and wherever cigarettes are now prohibited under the Chicago Indoor Air Ordinance of 2008. ❑

Robert L. Bayless
Senior Staff Scientist

Earned Income Tax Credits: A Primer

The federal Earned Income Tax Credit (EITC) was enacted in 1975 to reduce the income tax burden on low-income workers. It can reduce an eligible worker's federal income tax liability, even below zero (resulting in a "refund" to the worker). The IRS reportedly paid $63 billion in EITC to over 27 million people in 2012.

Half the states, including Illinois, also offer state EITCs. Most are based on the federal credit, reducing state income tax liabilities of persons getting the federal credit by percentages ranging from 3.5% in Louisiana to 50% in Maryland. This article gives details on the federal EITC and state EITCs where they are offered.

Federal Requirements

A taxpayer must meet four requirements to qualify for the federal EITC:

(1) have a Social Security number;
(2) be a citizen or resident alien;
(3) have earned income, but not over the maximum adjusted gross income allowance; and
(4) have $3,000 or less of investment income.

The taxpayer cannot use "married filing separately" status; file a Form 2555 or 2555-EZ (for foreign earned income); or be a qualifying child of another person.

Adjusted gross income limits

Table 1 shows adjusted gross income (AGI) limits for EITC eligibility.

Table 1: Maximum AGI for EITC Eligibility

Filing status	*Number of children*	*AGI limit*
Single, Head of Household, Qualifying Widow(er)	0	$14,340
	1	37,870
	2	43,038
	3 +	46,227
Married filing jointly	0	19,680
	1	43,210
	2	48,378
	3 +	51,567

Qualifying child

As the table shows, a worker with no children can qualify for the federal EITC; but qualifying children greatly increase the AGI limit. To be a "qualifying child," a person must meet requirements for (a) relationship, (b) age, and (c) residency.

To meet the relationship requirement, a child must be the taxpayer's child, grandchild, sibling, niece, or nephew—including adopted, foster, "half," and "step" relatives.

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To meet the age requirement, a child must be younger than the taxpayer (or the taxpayer's spouse) and also be one of the following:

(1) under 19;
(2) under 24 and a full-time student; or
(3) permanently and totally disabled.

To meet the residency requirement, a child must have lived with the taxpayer for more than 6 months of the tax year for which the credit is claimed. The taxpayer must also file Schedule EIC with the tax return to receive credit for the qualifying child.

Amounts

The maximum tax credit is as follows:

Children	*Maximum credit*
0	$ 487
1	3,250
2	5,372
3 +	6,044

Many taxpayers are eligible for less than the maximum amount of EITC. The amount of a taxpayer's EITC is based on the amount of earned income and the number of qualifying children. The earned income of a taxpayer filing as single, head of household, or qualifying widow(er) with one qualifying child must be between $9,550 and $17,549 to qualify for the maximum EITC. For a married couple filing jointly with one qualifying child, earned income must be between $9,550 and $19,999 to qualify for the maximum credit. Those with earned income either lower or higher than these ranges get smaller EITCs.

Special situations

Members of the military and military spouses can, but need not, report nontaxable combat pay as earned income. (This is an all-or-nothing choice; a taxpayer cannot report part of such pay.) Depending on a taxpayer's financial situation, reporting that pay as earned income may qualify the taxpayer for EITC.

Members of the clergy may be eligible for EITC based on their compensation that is counted as earned income. The value of a clergy housing allowance counts as earned income because it is included in net earnings from self-employment.

Illinois Earned Income Tax Credit

The General Assembly enacted a state EITC in 2000. To qualify for it, a taxpayer must be eligible for the federal EITC. Illinois' EITC law originally allowed a reduction of a taxpayer's state tax liability by 5% of the taxpayer's federal EITC—but not below zero.

In 2003 the General Assembly made the EITC a "refundable" credit for taxpayers getting Temporary Assistance to Needy Families (TANF) benefits. For example, if such a worker had Illinois income tax liability before the credit of $100, but was eligible for a $400 credit, the worker would pay no tax and get a "refund" of $300—the excess of the credit over the $100 tax liability. This change was meant to help the state meet a maintenance-of-effort requirement to get federal TANF block grant funds. In 2007 the General Assembly made the state EITC refundable for all taxpayers.

The Illinois Department of Revenue reports that over 900,000 tax returns claimed the Illinois EITC for tax year 2011 (the last for which numbers are available). It saved workers (and cost the state) around $106 million that year—including nearly $80 million paid as refunds of the credit.

A 2012 act raised the percentage of the federal EITC offered to 7.5% for tax year 2012, and 10% starting in tax year 2013. These increases are not yet reflected in the reported data. But since the amount claimed at the 5% rate was $106 million, each 1-point change in the percentage of the federal EITC that Illinois allows as state EITC could change the amount claimed per year by about $21 million. It may be expected that due to the doubling of the credit since 2011, around $212 million will be claimed for tax year 2013.

Other States' EITCs

States with EITCs, and the percentage of the federal EITC offered by each, are shown below.

State	*Credit Percentage*
Colorado	10 % (currently suspended)
Connecticut	25
Delaware	20
Illinois	**10**
Indiana	9
Iowa	14
Kansas	17
Louisiana	3.5
Maine	5
Maryland	25 or 50
Massachusetts	15
Michigan	6
Minnesota	33
Nebraska	10
New Jersey	20
New Mexico	10
New York	30
Ohio	5
Oklahoma	5
Oregon	8
Rhode Island	25
Vermont	32
Virginia	20
Washington	10
Wisconsin	4, 11, or 34 (based on number of children)

EITCs of 20 states are fully refundable. Maryland allows a taxpayer to claim 50% of the federal EITC to reduce tax liability, but will refund only 25%; Rhode Island allows a taxpayer to claim 25% of the federal EITC to reduce tax liability, but will refund only 15%. Delaware, Ohio, and Virginia do not pay tax refunds of EITC. ❑

Ashley N. Musser
Research Associate

Minimum-Wage Laws Get Renewed Attention

Recent proposals in Washington and Springfield have focused attention on the federal and Illinois minimum wages. This article describes their history; compares them to minimum wages in other states; and summarizes a recent Congressional Budget Office report predicting effects of two proposals for increasing the federal minimum wage.

Federal Minimum Wage

The Fair Labor Standards Act of 1938 set the first federal minimum wage at 25¢ per hour. It is now $7.25. The Bureau of Labor Statistics reports that among U.S. workers 16 or older, 75.3 million were paid at hourly rates in 2012. Of those, nearly 1.6 million (2.08%) got the federal minimum wage and just under 2 million (2.64%) got less. Thus a total of 4.7% of hourly workers were paid no more than the federal minimum wage. Just over half of those were under age 25.

Several categories of employees are exempt from the minimum wage and overtime pay requirements of the Fair Labor Standards Act, including: executive, administrative, and professional employees (including school teachers), seasonal amusement and recreational establishment employees, employees of small newspapers, employees of fishing operations, newspaper delivery employees, casual babysitters, and farm workers on small farms. But some state minimum wage laws may apply to some of those persons. Figure 1 on page 10 shows which states have minimum wages above, at, or below the federal minimum.

Illinois Minimum Wage

The U.S. Department of Labor reports that about 3.07 million Illinois workers were paid by the hour in 2012, of whom 21,000 (0.7%) were paid the federal minimum wage and 64,000 (2.1%) were paid less. Thus about 2.8% of Illinois hourly workers were paid at or below the *federal* minimum wage. (Both the federal and Illinois minimum wage laws apply to most hourly workers in Illinois; but each law excludes some categories of work. If a worker is subject to both, that worker's minimum wage is the state one because it is the higher of the two.) Unfortunately, no state agency collects data on how many Illinois workers are paid the state's minimum wage.

Illinois' current minimum wage was raised to $8.25 on July 1, 2010. It is the highest minimum wage among Midwestern states. Missouri is second ($7.50), followed by Michigan ($7.40).

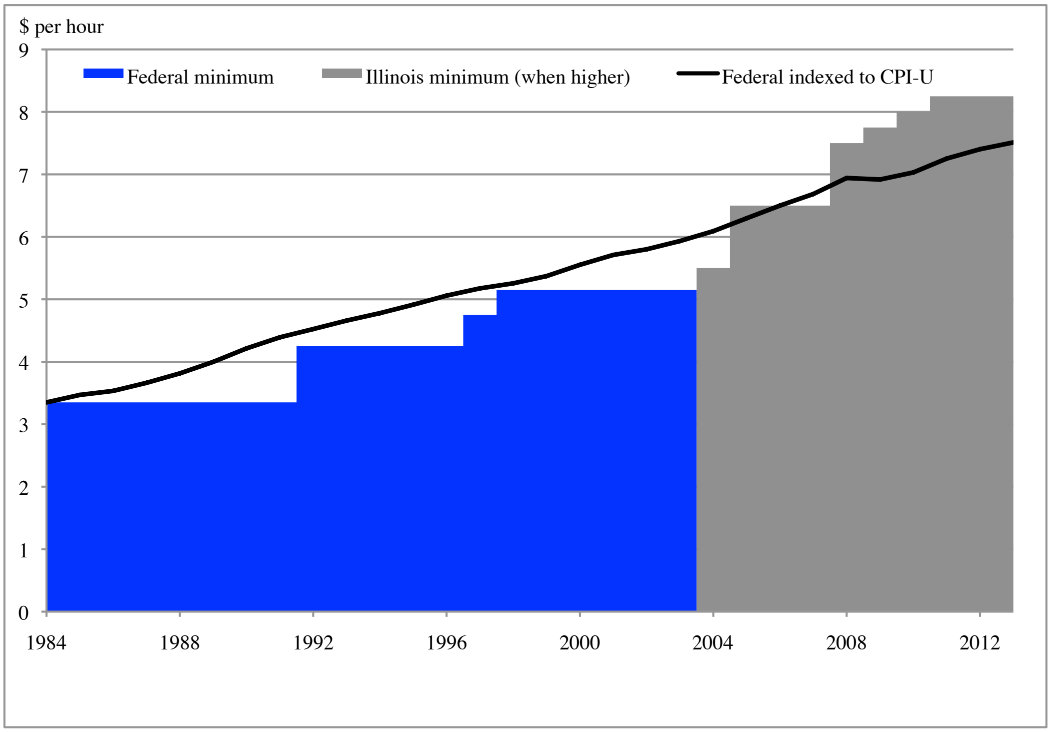
Other States' Minimum Wages

As of January 2014, 21 states had minimum wages above the federal minimum wage; 19 states had minimum wages equal to it; and 4 states had minimum wages below the federal level. Table 1 on page 10 gives the numbers by state from highest to lowest. Six other states had no state minimum wage—including New Hampshire, which repealed its state minimum wage in 2011, leaving the federal minimum wage as the only one in effect. Washington has the highest state minimum wage ($9.32), followed by Oregon ($9.10). California, Connecticut, and New York are scheduled for increases in 2014 through 2016; 11 states link their minimum wages to inflation indexes.

Some states apply different minimum wages based on an employer's annual sales, or whether it provides health insurance. Minnesota has a lower minimum wage of $5.25 for employers with annual sales up to $625,000; Ohio applies a lower rate of $7.25 to employers grossing up to $283,000 annually. Nevada applies a lower rate of $7.25 if an employee has health benefits; if not, the employee must be paid at least $8.25 an hour. Oklahoma's normal state rate of $7.25 applies to any employer with at least $100,000 in gross annual sales (or at least 10 full-time-equivalent employees at one location).

Figure 2 shows changes in the federal and Illinois minimum wages over the last 30 years. The federal minimum was higher than Illinois' until 2004, but Illinois' minimum has exceeded the federal one since then. The black line shows the federal minimum wage of 1984, indexed to increases since then in the Consumer Price Index for All Urban Consumers, All Items (CPI-U)—one indicator often used as an approximation of inflation. The area shaded in blue represents the time when the federal minimum wage was higher than Illinois'. The area shaded in gray represents the time since then, when Illinois' minimum wage exceeded the federal minimum wage.

Figure 2: Federal and Illinois Minimum Wages, 1984-2013



Recent Actions and Proposals

President Obama recently issued an executive order raising the minimum wage for workers on federal contracts, starting in 2015, to $10.10. Governor Quinn's State of the State address urged legislators to increase the state minimum wage to $10. A February 2014 Chicago City Council resolution urged legislators to raise the minimum wage to $10.65 over 3 years.

A February 2014 Congressional Budget Office report sought to predict the effects of raising the federal minimum wage. The report considered two options: (a) raising the minimum to $9.00 over 3 years and keeping it there; or (b) raising it to $10.10 over 3 years and then linking it to inflation. The study predicted both positive and negative effects of each option. It said option (a) would reduce the number of people in poverty by 300,000 and option (b) by 900,000—and increase the incomes of millions of others. But it also predicted that each option would reduce employment, by ranges of numbers that centered on 100,000 for option (a) and 500,000 for option (b). The study thus provided support for both supporters and opponents of further increases in the federal minimum wage. ❑

Cameron L. Mosher
Research Assistant

Figure 1: State Minimum Wage Laws

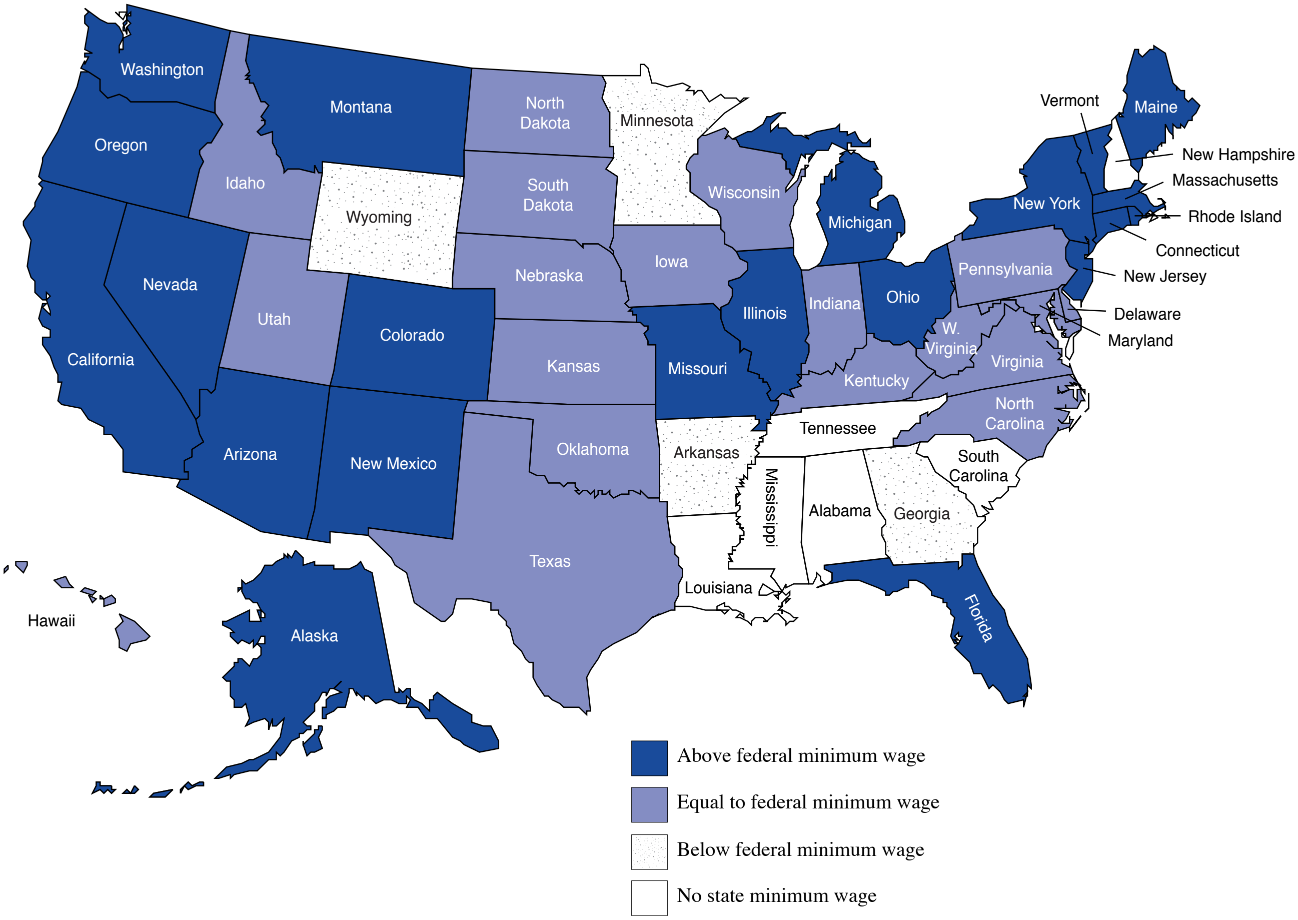


Table 1: State Minimum Wages (January 2014) (highest to lowest)

State	*Amount*	*State*	*Amount*	*State*	*Amount*
Washington	9.32*	Michigan	7.40	Arkansas	6.25
Oregon	9.10*	Delaware	7.25	Minnesota	6.15
Vermont	8.73*	Hawaii	7.25	Georgia	5.15
Nevada	8.25*	Idaho	7.25	Wyoming	5.15
New Jersey	8.25*	Indiana	7.25	Alabama	-
Colorado	8.00*	Iowa	7.25	Louisiana	-
Ohio	7.95*	Kansas	7.25	Mississippi	-
Florida	7.93*	Kentucky	7.25	New Hampshire	-
Arizona	7.90*	Maryland	7.25	South Carolina	-
Montana	7.90*	Nebraska	7.25	Tennessee	-
Missouri	7.50*	North Carolina	7.25		
Connecticut	8.70	North Dakota	7.25		
Illinois	**8.25**	Oklahoma	7.25		
California	8.00	Pennsylvania	7.25		
Massachusetts	8.00	South Dakota	7.25		
New York	8.00	Texas	7.25		
Rhode Island	8.00	Utah	7.25		
Alaska	7.75	Virginia	7.25		
Maine	7.50	West Virginia	7.25		
New Mexico	7.50	Wisconsin	7.25		

- These states have no separate state minimum wage.

* Current level. The amount is annually adjusted based on an index of inflation.

Source: LRU analysis of National Conference of State Legislatures, "State Minimum Wages," downloaded Feb. 10, 2014 from NCSL Internet site.

States Try Various Remedies for Dangerous Dogs

Dogs that lack proper training, or that have been trained to fight, and that are genetically predisposed to be aggressive or predatory, can create serious threats to public safety if not kept responsibly. The Centers for Disease Control and Prevention (CDC) report that about 800,000 people seek medical attention for dog bites in the U.S. each year. Of those, about 386,000 need emergency medical treatment and about 16 die. State laws seek to prevent dog attacks and to hold dog owners responsible for attacks when they occur.

The American Society for the Prevention of Cruelty to Animals (ASPCA) advocates laws holding dog owners responsible for physical harm or other damage by their pets. It says that people who breed dogs for aggressiveness, or train dogs to be aggressive or to fight, should be civilly liable for damage done by their dogs, and criminally liable under any laws prohibiting such behavior. The ASPCA recommends that laws promote spay and neuter programs; require dogs to be leashed and microchipped; prohibit tethering, cruel treatment, and animal fighting; and hold owners liable for harm from their dogs.

Illinois, like most states, imposes special restrictions on the owners of dogs that have been declared "dangerous" or "vicious" by an administrative body. Illinois is among at least 17 states imposing criminal penalties (along with civil liability) on owners of dangerous dogs that injure others. At least 16 states penalize owners of dogs even if not previously found dangerous or vicious.

Some states also ban or regulate ownership of some breeds of dogs, or authorize local governments to do so; however, many groups oppose such bans. Illinois is among at least 13 states discouraging or prohibiting local governments from regulating ownership of specific breeds of dogs.

Laws of Illinois and other states on dangerous and vicious dogs are described below.

Illinois

Potentially dangerous dogs

The Animal Control Act authorizes any animal control warden or the local animal control administrator to deem any dog found running at large and unsupervised with at least three other dogs a "potentially dangerous dog." Such a dog, if reclaimed by its owner, is to be sterilized and microchipped within 14 days. Noncompliance will result in impoundment of the dog or a $500 fine. But a designation of "potentially dangerous dog" expires 1 year after the latest violation.

Dangerous dogs

The Act defines a "dangerous dog" thus:

> "Dangerous dog" means (i) any individual dog anywhere other than upon the property of the owner or custodian of the dog and unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal or (ii) a dog that, without justification, bites a person and does not cause serious physical injury.

If the county administrator (who normally is a veterinarian) or the Director of Agriculture determines "by a preponderance of evidence" that a dog is a "dangerous dog," the owner must (1) pay a public safety fine of $50 to go to the Pet Population Control Fund; (2) pay to have the dog sterilized within 14 days; (3) have the dog microchipped; and (4) have the dog evaluated by a veterinary behaviorist, and/or keep the dog under the direct supervision of an adult whenever the dog is on public property. Dangerous dogs can also be ordered muzzled when on public property. Knowingly or recklessly allowing a dangerous dog to leave its owner's premises while unleashed and not under control by another recognized method is unlawful (it apparently is a Class

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States Try Various Remedies for Dangerous Dogs

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C misdemeanor if a first offense and a Class B misdemeanor if a repeat offense).

An owner of a "dangerous dog" who fails to comply with an order regarding the dog, and whose dog inflicts serious physical injury on a human or a companion animal, commits a Class 4 felony (punishable by 1-3 years in prison and a fine up to $25,000). If a dangerous dog kills a person, the owner can be convicted of a Class 3 felony (punishable by 2-5 years in prison and a fine up to $25,000).

Vicious dogs

The Act defines a "vicious dog" as follows:

> "Vicious dog" means a dog that, without justification, attacks a person and causes serious physical injury or death[,] or any individual dog that has been found to be a "dangerous dog" upon 3 separate occasions.

The procedure for declaring a dog "vicious" is that the administrator, his deputy, or a law enforcement officer gives notice to the owner of whatever infraction is suspected; conducts an investigation by interviewing witnesses and gathering medical and veterinary records and/or behavioral evidence; and then reports to the state's attorney and the owner recommending a finding that the dog is a vicious dog. A complaint seeking to have the dog declared vicious can be filed in court by the administrator, state's attorney, Director of Agriculture, or any citizen of the county. The standard of proof for such a determination is "by clear and convincing evidence"—higher than the standard in ordinary civil cases of "a preponderance of the evidence" but lower than the standard in criminal cases of "proof beyond a reasonable doubt."

If a dog is found vicious by a court, the owner must
(1) pay a $100 fine, (2) have the dog sterilized within 10 days, (3) have the dog microchipped, and (4) keep the dog in an enclosure (a fence or other structure that is at least 6 feet high and is kept securely locked). Noncompliance brings a $500 fine and a requirement to pay fees for impounding the dog. The court can also order a vicious dog to be euthanized.

It is unlawful to keep or maintain a vicious dog outside an enclosure unless (1) the dog is being transported for veterinary care; (2) the dog must be moved in an emergency or natural disaster to protect its life; or (3) a court has ordered that the dog can be moved, and the dog is kept muzzled and restrained on a leash not over 6 feet long.

The owner of a vicious dog can be convicted of a Class 3 felony if (1) the owner fails to maintain the dog in the enclosure or fails to sterilize the dog within the prescribed time; (2) the dog inflicts serious physical injury or causes the death of another person; and (3) the attack is unprovoked and in a place where the person is acting peaceably and is lawfully present. An owner in such a situation who knowingly allowed the dog to run at large, or failed to take steps to keep the dog in an enclosure, is guilty of a Class 2 felony, punishable by 3-7 years in prison.

Penalties for other violations

Violating any provision of the Act for which no other penalty is stated is a Class C misdemeanor (first offense) or Class B misdemeanor (repeat offense). A Class C misdemeanor is punishable by up to 30 days in jail and/or a fine up to $1,500. A Class B misdemeanor is punishable by up to 6 months in jail and/or a fine up to $1,500.

An owner of any dog, whether or not declared a dangerous dog, is civilly liable for injury from an unprovoked attack, attempted attack, or injury by the dog to anyone who was acting peaceably and in any place where the person could lawfully be.

Other States

Ownership restrictions

At least 28 other states, like Illinois, impose special restrictions by law on owners of dogs that have been declared "dangerous" or "vicious":

California
Colorado
Delaware
Florida
Georgia

Idaho
Kentucky
Louisiana
Maine
Maryland

Massachusetts
Michigan
Minnesota
Nebraska
Nevada

New Jersey
New Mexico
New York
North Carolina
Ohio

Oklahoma
Oregon
Pennsylvania
Rhode Island
South Carolina

Texas
Virginia
Washington

In Arizona, a person who owns an "aggressive dog" must take reasonable care to keep the dog confined in an enclosed area and control the dog to prevent it from biting or attacking a person or domestic animal. An "aggressive dog" is defined as any dog that has bitten a person or domestic animal, or has a known history of unprovoked attacks. The law does not require the dog to have received any such declaration by an administrative body. Hawaii requires the owner of any dog that has bitten a person to take reasonable steps to prevent another attack. In West Virginia, anyone keeping a dog "generally considered to be vicious" for the purpose of protection must have a special license from the county assessor and keep the dog properly secured to prevent injury.

Civil liability

At least seven states' laws impose civil liability on owners of "dangerous" or "vicious" dogs that cause injury to persons:

Alabama
Maine
Massachusetts
New York
North Carolina

Oregon
Rhode Island

At least 25 other states, like Illinois, impose such liability on the owner of any dog that injures a person, regardless of whether the dog has previously been declared "dangerous" or vicious":

Arizona
California
Colorado
Connecticut
Delaware

Florida
Georgia
Hawaii
Iowa
Indiana

Kentucky
Massachusetts
Michigan
Minnesota
Montana

New Hampshire
New Jersey
Ohio
Oklahoma
South Carolina

Tennessee
Utah
Washington
West Virginia
Wisconsin

In Wisconsin, a dog owner is liable for twice the total amount of damage caused by a dog injuring persons or property if the owner knew that the dog previously caused such injuries.

Criminal Liability

At least 17 other states, like Illinois, impose criminal penalties on owners of dogs that have been declared "dangerous" or "vicious" if their dogs kill or injure a person:

Florida
Georgia
Idaho
Louisiana
Minnesota

Nebraska
Nevada
New Mexico
New York
North Carolina

Ohio
Oregon
Pennsylvania
South Carolina
Texas

Virginia
Washington

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States Try Various Remedies for Dangerous Dogs

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At least 16 states' laws impose criminal penalties on owners of dogs that injure or kill people even though the dogs were not declared "dangerous" or "vicious" based on prior attacks:

Arizona	Indiana	Mississippi	Washington
Arkansas	Kentucky	New Mexico	
California	Louisiana	Oklahoma	
Colorado	Michigan	Tennessee	
Florida	Minnesota	Texas	

Breed-specific laws

Breed-specific laws and ordinances generally declare one or more breeds of dogs, or dogs thought to be mixes including those breeds, as inherently dangerous. Often, such provisions come about after news reports of dog-biting incidents. Breed-specific provisions are opposed by many groups, including the American Humane Association, ASPCA, American Veterinary Medical Association, and American Bar Association.

The ASPCA opposes laws that define specific breeds of dogs as "dangerous" without considering the behavior of a specific dog. It contends that breed-specific laws fail to acknowledge that any dog can bite, and that breeds with "bad reputations" change over time. It also says that breed-specific ordinances in cities that have enacted them have not led to reductions in dog bites. The ASPCA also says that such laws are costly to enforce.

The American Veterinary Medical Association also opposes laws and ordinances regulating specific breeds or classes of animals. It lists as reasons against breed-specific laws the difficulty of determining a dog's breed; the expense of enforcing restrictions and bans; and problems with generalizing behaviors by breed.

Illinois law implies that local governments should not enact breed-specific ordinances, but does not directly prohibit them. At least 13 other states prohibit local governments from regulating ownership of specific dog breeds:

California	Minnesota	Pennsylvania
Colorado	New Jersey	Texas
Florida	New York	Virginia
Maine	Nevada	
Massachusetts	Oklahoma	

In California, local governments may enact ordinances to require that dogs of specific breeds be spayed or neutered. Cities and counties that enact such requirements must study the effect of the mandatory spay or neuter programs and report quarterly to the State Public Health Veterinarian. Florida exempts local breed-specific ordinances that were adopted before October 1, 1990. ❑

Melissa S. Cate
Senior Research Associate

Abstracts of Reports Required to be Filed With General Assembly

The Legislative Research Unit staff is required to prepare abstracts of reports required to be filed with the General Assembly. Legislators may receive copies of entire reports by sending the enclosed form to the State Government Report Distribution Center at the Illinois State Library. Abstracts are published quarterly. Legislators who wish to receive them more often may contact the executive director.

Aging Dept.

Elder Abuse and Neglect Program annual report, FY 2012

Program received 11,840 reports of abuse (up 8.1% from FY 2011). Types of abuse reported (more than one could be reported) were financial exploitation (58%); emotional abuse (44.8%); neglect (37.6%); physical abuse (19.6%); willful deprivation (11.4%); confinement (6.7%); and sexual abuse (3.5%). Among alleged victims, 23% were 86 or older and 68% were women. In 78% of cases the abuser was a spouse, child, or other relative. Department continued Bankers and Seniors Against Financial Exploitation to train bank personnel to identify financial exploitation, and sponsored 25th Annual Elder Rights Conference. (320 ILCS 20/11, March 2013, rec'd Oct. 2013, 3 pp.)

Older Adult Services Act report, 2013

Describes history of Older Adult Services Act; list goals, objectives, and timelines. Accomplishments in 2012 include determining which agencies and programs to include in unified budget; creating a profile of Illinois Department on Aging clients and their needs; updating and maintaining inventory of services and providers; and exploring role of nursing facilities as respite providers. Notes budget constraints as impediments to fulfillment. Recommends: Name a working group to update goals and objectives for reforms in law; create a quality assurance and monitoring process for managed care enrollees; fully fund Community Care Program; create case management services in Division of Rehabilitation Services for persons both physically and mentally disabled; finalize rule changes under P.A. 96-1372 of state agencies and long-term-care providers and advocates; expand Department's Web-based training; and continue search for outside funding. (320 ILCS 45/15(c); undated, rec'd June 2013, 41 pp.)

Agriculture Dept.

Agriculture areas annual report, 2012

Illinois had 117,146 acres reserved from development. Jersey County has the most (9,637). Effingham County added 54 acres. Maps show areas; table shows acres by county. (505 ILCS 5/20.1; Dec. 2012, rec'd June 2013, 4 pp.)

Central Management Services Dept.

Disabled Hiring Initiatives Report, FY 2013

The 446 participants in Successful Disability (SD) Opportunities Program are eligible for over 136 position titles in state government. State agencies hired 45 persons with disabilities in FY 2013, including 15 through SD program. Employees with disabilities are 7.33% of state employees vs. 4.4% of state's total labor force. (20 ILCS 405/405-122; issued & rec'd Sept. 2013, 10 pp.)

Service Disabled Veteran-Owned Small Businesses (SDVOSB) and Veteran-Owned Small Businesses (VOSB) annual report, FY 2012

Veterans Business Program oversees certification of SDVOSB and VOSB to get state contracts to qualified veteran vendors. Efforts were made to develop a marketing plan. CMS also worked with U.S. Department of Veterans' Affairs to expand veteran vendor pool. CMS certified 21 veteran applications and awarded over $700,000 in contracts. (30 ILCS 500/45-57(b); issued & rec'd March 2013, 1 p.)

State employee child care centers, 2013

The state has two on-site child care centers for employees' children: Bright Horizons in Springfield and State of Illinois Child Development Center in Chicago. The Chicago center is preparing for an accreditation visit by the National Association for the Education of Young Children (NAEYC). It has spacious classrooms, a separate Discovery Room, and a large outdoor playground. The Springfield center has a weekly exercise program and focuses on healthy habits and overall well-being. State employees can use their Dependent Care Assistance Program to buy child care. In 2013, 1,680 employees participated. (30 ILCS 590/3; undated, rec'd Jan. 2014, 3 pp.)

Commerce Commission

Cable and video services access, annual report 2013

Three companies sought video and cable services authorization since 2007 (none in 2013). By late 2012, AT&T offered access to 51% of households in its service area (vs. 50% goal for year 5); 35% (30% goal for year 3) were low-income. WideOpenWest Illinois offered service to 309,876 (including 67,979 low-income) households in its area. Highland Communication appears not on track to meet 30% low-income service requirement, serving only 465 such households (8% of those in its area). (220 ILCS 521-1101(k); June 2013, rec'd Sept. 2013, 9 pp. + 5 attachments)

Grade Crossing Safety Improvement Program for FYs 2014-2018

Preliminary data showed 87 public railroad crossing collisions each in

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Abstracts (continued from p. 15)

2011 and 2012. Lists $201 million in proposed safety improvements on local streets funded by Grade Crossing Protection Fund for FYs 2014-2018. Plans (subject to local match) include 24 new or rebuilt grade separations; over 200 automatic warning devices added or upgraded; and lower-cost improvements at over 800 crossings. Lists plans by county. (35 ILCS 505/8(c); Issued & rec'd April 2013, 9 pp. + appendices)

Office of Retail Market Development 2013 annual report
ICC has certified 87 alternative (not electric utility) suppliers for retail electric customers; 57 of them were certified to serve residential and small commercial customers. On May 31, 2013 they provided 81% of ComEd customers' electricity, and these percentages for Ameren customers by zone: CIPS, 68%; CILCO, 82%; and AmerenIP, 80%. Makes no legislative or administrative recommendations. (220 ILCS 5/20-110; June 2013, rec'd July 2013, 42 pp.)

Commerce and Economic Opportunity Dept.
Economic Development for a Growing Economy (EDGE) tax credit report, 2012
Program gives tax credits to eligible firms to increase and retain jobs. Eligibility depends on investment and new jobs, but minimums may be waived. In 2012, 82 projects were approved for $1.1 billion in private investment and a projected 3,581 new and 15,215 retained jobs. Profiles approved projects; updates tax status of past ones. (20 ILCS 620/5(c); issued & rec'd June 2013, 50 pp.)

Energy conservation technical assistance update, 2012
Department's Energy Performance Contracting Program helps fund building improvements for state and local governments, schools, housing authorities, and nonprofit organizations. Ten contract projects were finished in 2012 with expected annual savings of $6.4 million. Department worked with International Energy Conservation Consultants LLC (IECC) to train 1,633 professionals on Illinois Energy Conservation Code. Department also worked with IECC to provide 302 technical assistance interpretations. Smart Energy Design Assistance Center provided technical assistance to 153 local governments, and followup implementations to 85. Lists grantees under Illinois Energy Now program. (20 ILCS 1115/5; undated, rec'd May 2013, 10 pp.)

Energy Efficiency Trust Fund program, 2012
DCEO authorized trust funds for four programs. Energy Efficient Affordable Housing Construction program got about $1.5 million for four projects. Lights for Learning program educated nearly 22,000 students on efficient lighting; students sold 18,500 efficient lighting products for fundraising. University of Illinois Smart Grid program aims to improve power systems; $7 million (in part from a renewable energy trust fund) is being provided over 5 years. The fourth program gave $126,000 to a Midwest Energy Efficiency Alliance working group to increase energy efficiency in building codes. (20 ILCS 687/6-6(e); undated, rec'd May 2013, 7 pp.)

Enterprise Zone, River Edge Redevelopment Zone, and High Impact Business incentives annual report, 2012
DCEO has designated 89 enterprise zones; eight others were authorized under other acts. Enterprise Zone, High Impact Business, and River Edge Redevelopment Zone incentives caused $115 million in foregone state revenues in 2012. Businesses getting the incentives reported investing $3.7 billion and creating 4,671 jobs. (20 ILCS 655/6; issued & rec'd Oct. 2012, 11 pp. + charts and tables)

Commerce Commission
Transportation Regulatory Fund, FY 2013 report
Fund had income of $10.6 million ($6.6 million from regulating motor carriers and $4 million from railroads) and spent $11.2 million ($5 million to regulate motor carriers and $6.2 million for railroads). Fund has 68 employees. (625 ILCS 5/18c-1604; issued & rec'd Sept. 2013, 8 pp.)

Comptroller
Fee imposition report, FY 2012
State collected $8.152 billion in fees to 90 agencies—up $506 million (6.6%) from FY 2011. Secretary of State took in $2.106 billion (25.8%); Healthcare and Family Services $1.754 billion (21.5%); and Toll Highway Authority $823 million (10.1%). Most fee money (93%) went to restricted funds. Lists fees, collections by agency, and disposition. (15 ILCS 405/16.2; April 2013, rec'd Aug. 2013, 12 pp., 5 appendices)

Corrections Dept.
Quarterly report, April 1, 2013
Adult facilities had 49,171 residents on February 28, 2013 (50% over rated capacity but 4% below bedspace); total was projected to rise to 49,356 by March 2014. Adult transition centers held 907 (157 over rated capacity but 49 below bedspace); 108 others were in electronic detention. Average ratio of prisoners to security staff was 4.9. Nearly all were double-celled (69%) or multi-celled (26%), with approximately 33 square feet of actual living area each. Enrollment (unduplicated) in educational and vocational programs was 7,927. No capital projects were funded. (730 ILCS 5/3-5-3.1; issued & rec'd April 2013, 12 tables)

Employment Security Dept.
Women and minorities in Illinois labor force, 2013 report
Employed Illinoisans grew by 65,200 in 2012 to 6 million, still below November 2007 pre-recession level. Workforce participation was lowest among African-Americans (59.9%). Hispanic rate (69.5%) was higher than white (67.1%) but pay was lower. Unemployment was 7.7% for whites, 10.2% for Hispanics, and 16.0% for African-Americans. Median full-time earnings per week were $866

for Asian-Americans, $775 for whites, $615 for African-Americans, and $549 for Hispanics. Women's median pay in 2011 was 77.7% of men's in Illinois vs. 82.2% nationally. Includes IDES online career resources. (20 ILCS 1505/1505-20; issued & rec'd March 2013, 52 pp.)

Environmental Protection Agency
Surface and ground water quality, 2012
EPA assessed 14.7% of stream miles, 47% of lake and pond acres, and 12.8% of Illinois' Lake Michigan water. Major potential causes impairing usage are listed for each type of body of water. EPA surveyed 354 community water supply network wells; 28 were "poor," 90 "fair," and 236 "good" wells. Analysis shows a statistically significant increase in numbers of such wells with volatile organic compounds (VOC) detected. (615 ILCS 5/14(a); Dec. 2012, rec'd June 2013, 163 pp. + appendices)

Government Forecasting & Accountability Commission
Capital Plan Analysis, FY 2014
FY 2014 capital budget proposal had $3.339 billion in new and $18.072 billion in re-appropriations. New appropriations were from bond funds ($71 million); state revenue funds ($3.102 billion); and federal or trust funds ($165 million). No new appropriations were proposed from Transportation A or D bond funds or bond funds for coal and energy development. Transportation B bond funds were to get $71 million in new appropriations. General obligation bond authorization for new projects (except pension and Medicaid Funding bonds) was $28.549 billion; $7.528 was unissued as of April 15, 2013. Refunding bond limit was $4.839 billion; $1.056 billion was unissued. Debt service was projected at $1.523 billion for general obligation bonds, $582 million for pension obligation bonds, $1.051 billion for pension obligation notes, and $385 million for state revenue bonds. Describes current bond topics and bond debt not supported by state. (25 ILCS 155/3(8); April 2013, rec'd May 2013, 70 pp. + 6 appendices)

Liabilities of State Employees' Group Health Insurance Program, FY 2014
Commission projects program's FY 2014 cost at $2.75 billion. Participation is projected at 361,471 in FY 2013 and 365,006 in FY 2014. FY 2014 cost per participant is projected at $7,475. Payment lag of 336 days for preferred and 385 for non-preferred providers was projected to lengthen to 357 days (preferred) and 413 days (non-preferred). (25 ILCS 155/4(b)(2); issued & rec'd May 2013, 17 pp. + 3 appendices)

Human Services Department
Illinois Human Services Plan, 2012-14
Describes accomplishments and future needs of Department's five divisions. Summarizes changes in federal laws and three court decisions. Lists Department's funding by program and line item. It spent $5.25 billion in FY 2012; FY 2013 appropriation was $5.85 billion. (20 ILCS 10/3; undated, rec'd July 2013, 108 pp. + 6 appendices)

Illinois mental health strategic plan, 2013-2018
Priorities include: providing sufficient home- and community-based services to offer care options; improving access to care; reducing regulatory redundancy; maintaining providers' financial viability; ensuring good care; using clinical outcomes to ensure quality of care; and ensuring that hospitals and other institutions can meet current and future demand. Division of Mental Health provides services and supports related to supportive housing, employment, and recovery along with clinical services. Identifies gaps including fragmented services, lack of resources due to state budget cuts, and challenges of shrinking healthcare workforce. (20 ILCS 1705/18.6; undated, rec'd Feb. 2013; 37 pp. + appendices)

Social Services Block Grant Fund and Local Initiative Fund receipts and transfers, FY 2013
The first fund got $69.3 million of federal money. Transfers were $43.5 million to General Revenue Fund, $10.4 million to Special Purpose Trust Fund, and $21.2 million to Local Initiative Fund. The latter fund spent $16.7 million (305 ILCS 5/12-5; issued & rec'd Sept. 2013, 1 p.)

Supportive Housing Program report, FY 2012
Services provided include alcohol and substance abuse counseling, mental health programs, transportation, advocacy, child care, and case management to help low-income homeless persons and families live in community transitional or permanent housing. Support services were provided to 9,862 persons in 6,488 households using a $10.8 million budget. Reports services provided and recipient demographic data. (305 ILCS 5/12-4.5; undated, rec'd Feb. 2013, 20 pp.)

Illinois Film Office
Quarterly report, Jan.-March 2013
Office estimates that it created or retained 7,332 jobs (4,347 technical or office, 390 talent, and 2,595 extras) and that film production brought Illinois $71.2 million in spending. Illinois film tax credit has a diversity requirement. Productions have 2 years to claim credit and report final hiring numbers. It is unclear whether any productions in the quarter satisfied the requirement. (35 ILCS 16/45(b), undated, rec'd May 2013, 1 p.)

Illinois Power Agency
Annual report FY 2012
"Rate stability procurements" in February 2012 locked in prices to consumers for June 2013 to December 2017. Short-term Renewable Energy Credits were also bought in FY 2012. Long-term contracts for renewable resources were bought in 2010 for delivery starting June 1, 2012, so they had little effect on FY 2012. These contracts provided for 600,000 megawatt-hours (MWH) at $50.44 each for Ameren and 1,261,725 MWH at $55.18 each for ComEd. Includes FY 2012 financial statement. (20 ILCS 3855/1-125; Dec. 2012, rec'd Feb. 2013, 18 pp. + appendix)

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Abstracts *(continued from p. 17)*

Costs and benefits of renewable resource procurement, annual report 2013
Illinois generated the fifth highest amount of wind electricity among states in 2012, and had the fourth largest wind generating capacity at the end of 2012. Adding renewable sources to Illinois' electric supply cost well below 1% of the total amounts paid by residential customers. Indeed, wind energy—after its capital costs are 'sunk' by building it—easily undercuts steam power prices due to its free fuel, and so has potential to lower "spot" electric prices enough to harm fuel-fired and nuclear generating companies economically. Another problem is wind's variability, which increases costs of making supply match demand. But these potential problems do not appear to be significant unless wind starts supplying over 10% of electric needs, which Illinois is not yet close to. Also reports evidence that renewable energy brings job creation, economic stimulation, and environmental benefits. (20 ILCS 3855/1-75(c)(5) and 220 ILCS 5/16-115D(d)(4); March 2013, rec'd July 2013, 52 pp.)

Insurance Dept.
Insurance cost containment report, 2013
In 2011, Illinois policyholders paid $19.4 billion in direct written premiums. Losses divided by direct earned premiums rose from 65.2% in 2010 to 66.7% in 2011. Total written premiums for homeowners' coverage were $2.8 billion, up 3.45% from 2010. Illinois medical malpractice losses incurred as a percentage of earned premiums continued a decline that began in 2008; and that market became slightly less concentrated. (215 ILCS 5/1202(d); April 2013, rec'd Aug. 2013, 50 pp.)

Joint Committee on Administrative Rules
Annual report, 2012
JCAR considered 312 general, 37 emergency, 12 preemptory, 10 exempt, and 9 required rulemakings. On the general rulemaking, JCAR actions included 3 filings of prohibitions, 6 objections, and 10 recommendations. Summarizes some rulemakings and related court cases; lists rules and JCAR actions by agency; and gives historical data on rulemaking since 1978. (5 ILCS 100/5-140; Jan. 2013, rec'd April 26, 66 pp.)

Juvenile Justice Dept.
Quarterly report, July 1, 2013
On May 31, 2013 there were 851 youth in all juvenile facilities, below 1,254 rated capacity and 1,509 bedspaces. Number was expected to grow slightly to 890 by June 2014. Ratio of youth to security staff was 1.3:1. All were single-celled (71%) or double-celled (29%), with about 103 square feet of living area each. Enrollment (unduplicated) in educational and vocational programs was 619. No capital projects were funded. (730 ILCS 5/3-5-3.1; issued & rec'd July 2013, 9 tables)

Legislative Inspector General
Quarterly report
One investigation was begun and 3 concluded since last report (March 2013); 7 were pending. One allegation was received since last report, and 1 action was pending before Legislative Ethics Commission. No complaints were forwarded to Attorney General since last report. (5 ILCS 430/25-85; June 2013, rec'd Nov. 2013, 2 pp.)

Law Enforcement Training and Standards Board
Mobile Team Training Units report, FY 2012
Sixteen units trained 41,951 police and criminal justice professionals at average cost of $193.41 each. The $8.88 million cost came from federal, state, and local funds. Units offered 56 mandatory firearms courses to 430 officers. (50 ILCS 720/6; Jan. 2013, rec'd June 2013, 15 pp.)

Public Health Dept.
Diabetes Commission progress report, 2012-2013
Behavioral Risk Factor Surveillance System report of 2011 estimated Illinois' cost of diabetes at $7.3 billion ($4.8 billion in medical costs and $2.5 billion in lost productivity and early deaths). Some 17.6% of Illinois diabetics reported skipping medical care due to cost. Diabetes prevalence more than doubled from 1980 to 2011. By age range, it was: 25-44, 5%; 45-64, 12%; and 65+, 22%. It was 13.1% for African-Americans, 11.3% for other minorities, and 8.9% for whites. (20 ILCS 2310/2310-642(b); July 2013, rec'd Sept. 2013, 15 pp.)

Farmers Market Task Force, annual report 2012
Goals include examining laws and rules banning some products and practices at farmers' markets, and helping Department of Public Health issue regulations. Task Force surveyed farmers, market managers, and local health departments on how to simplify regulation while guarding food safety. An implementation plan will result. (410 ILCS 625/3.3(o); Nov. 2012, rec'd Sept. 2013, 4 pp.)

Illinois abortion statistics, 2012
Illinois had 43,203 reported induced pregnancy terminations (including 3,354 on residents of other or unknown states). Age distribution for Illinois residents: Up to 14, 218; 15-17, 1,995; 18-19, 3,442; 20-24, 12,453; 25-29, 9,819; 30-34, 6,630; 35-39, 3,655; 40-44, 1,355; 45+, 85 (ages of the other 197 were not reported). Classifies abortions by county, woman's age, gestational age, and procedure used. (720 ILCS 510/10(12); Oct. 2013, rec'd Nov. 2013, 14 pp.)

Illinois Health and Hazardous Substance Registry annual report, FY 2012
Registry submitted 6 grant proposals; released 4 epidemiologic reports; and responded to 66 requests for general information and 47 inquiries about perceived cancer excesses in neighborhoods and localities. (410 ILCS 525/18; Sept. 2012, rec'd June 2013, 45 pp.)

Prostate and testicular cancer program report, 2013
Prostate cancer is the cancer most diagnosed in Illinois men, and second only to lung-bronchial cancer in causing cancer deaths to them. Its Illinois mortality rates per 100,000 in 2009 by race or ethnicity were: African-American, 54.9; white, 20.8; Hispanic, 11.0. In 2012, $173,700 in screening grants funded 3,074 prostate cancer blood tests and 311 exams; 220 men were referred for more testing. Of 378 men screened for testicular cancer, none were referred. Grants were not offered in FY 2013 due to state's fiscal condition. (20 ILCS 2310-55.90(b)(4); June 2013, rec'd Aug. 2013, 8 pp.)

Psychiatry Practice Incentive Program annual report, 2011
Outlines eligibility for residency program grants, medical student scholarships, and loan repayment help. No programs were started because no appropriation was received in FY 2011 or FY 2012. (405 ILCS 100/35; March 2012, rec'd June 2013, 3 pp.)

Natural Resources Dept.
Staunton Flood Control Project study
Staunton has been repeatedly flooded by a creek that can flood homes after as little as 1 inch of rain. With $780,000 in improvements, average annual damage could be cut by about $11,900. (615 ILCS 15/5; March 2013, rec'd Sept. 2013, 9 pp., maps, appendices, charts)

Revenue Dept.
Live Theater Tax Credit report, Jan.-March 2013
Department had no new jobs or vendor spending to report. Tax credit has a diversity requirement. Productions have 60 days to claim the tax credit and report hiring, so it is unclear whether any productions in the quarter satisfied the requirement. (35 ILCS 17/10-50(b); undated, rec'd May 2013, 1 p.)

Unified Economic Development Budget, FY 2011
Reports tax incentives to promote economic growth (36 tax credits and 16 subtractions from taxable income) for tax years that ended in FY 2011. Reported tax credits earned (not all necessarily used, since some taxpayers likely lacked enough income to exhaust their credits) totaled about $155 million. Reported subtractions from taxable income totaled about $250 million. However, some amounts were withheld to protect taxpayer confidentiality. (The Department of Commerce and Economic Opportunity reported an additional $5.5 million in three kinds of economic development grants.) (20 ILCS 715/10; issued & rec'd Sept. 2013, 3 pp.)

State Board of Education
Comprehensive Strategic Plan for Elementary and Secondary Education progress report, 2013
Outlines three main goals: for every student to show academic achievement and be supported by highly effective teachers, and for schools to have safe, healthy learning environments. Four ways to meet goals are improving international benchmark learning standards; establishing new system to collect student data; changing policies to improve teacher effectiveness; and supporting the lowest-performing schools. Given details on programs. (105 ILCS 5/2-3.47a(b); June 2013, rec'd July 2013, 45 pp.)

State Police Dept.
Consensual use of eavesdropping devices, 2012
A total of 638 eavesdrop applications were submitted (586 original and 52 extensions). Crimes investigated were 64% narcotics or cannabis, 9% murder-related, 7% theft-related, 6% sex-related, 8% other, and 6% not reported. Eavesdropping brought 280 arrests and 75 convictions; 191 arrests pending and 361 trials were pending. Only 47 counties filed eavesdropping reports required by law; 55 counties failed to report. (725 ILCS 5/108A-11(c); undated, rec'd Aug. 2013, 8 pp.)

Court decisions on FOID cards, 2012
Department received 8 decisions from courts on its denial of Firearm Owners' Identification (FOID) cards: 5 decisions were reversed (4 involving domestic battery, and 1 involving battery and bodily harm); 2 were upheld; and 1 miscellaneous finding was issued (involving battery originally reported as domestic). (430 ILCS 65/11; March 2013, rec'd April 2013, 3 pp.)

Non-consensual eavesdropping device use, 2012
The Department reported 10 non-consensual eavesdrops in 2012—each in Kane or Winnebago County. Department of Homeland Security investigated the four Kane County overhear orders, which involved delivery of a controlled substance and money laundering and led to one arrest. Drug trafficking was involved in the six Winnebago County overhear orders, with multiple arrests pending. (725 ILCS 5/108B-13; March 2013, rec'd Aug. 2013, 6 pp.)

State Universities Retirement System
Economic Opportunity Investment, FY 2013
SURS had $215 million (1.45% of its funds) invested in public equity, $21 million (0.14%) in fixed income, and $54 million (0.36%) in real estate and infrastructure holdings with Illinois firms. It had $95 million (0.64%) in Illinois private equity firms. Fifteen Illinois investment managers handled $3.65 billion of SURS investments. (40 ILCS 5/1-A-108.5(c); issued & rec'd Aug. 2013, 23 pp.)

Transportation Dept.
Fiber-optic network expansion
IDOT worked with CMS and others to issue permits to bury fiber-optic cables on IDOT rights of way. Over 3,000 miles were expected to be in place (in various networks) by mid-2013. Summarizes construction and projected completion through 2014. (605 ILCS 5/9-131; issued & rec'd April 2013, 3 pp.)

Traffic Stop Study annual report, 2012
A total of 923 law enforcement agencies reported 2.1 million stops. They were reported in two racial or ethnic categories as shown in this table on next page:

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Legislative Research Unit
222 South College, Suite 301
Springfield, Illinois 62704

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First Reading

A publication of the Legislative Research Unit

Alan R. Kroner
Executive Director

Jonathan P. Wolff
Associate Director

David R. Miller
Editor

Dianna Jones
Office Administrator
Composition & Layout

Abstracts

(continued from p. 19)

	White	*Minority*
Total stops	66%	34%
Violation(s) causing stop		
Moving	72	67
Equipment	17	21
License/regist.	9	12
Commercial veh.	1	1

Median duration per stop was 10 minutes for each category. About 54% of all stops (1,142,018) resulted in citations; 1% of all stops (24,003) involved consent searches (12,457 white and 11,542 minority). Contraband was found in 26% of white driver consent searches and 17% of minority driver consent searches. Dog sniffs for contraband were done 16,454 times. Appendices include agencies' reports and list of noncomplying agencies. (625 ILCS 5/11-212; June 2013, rec'd July 2013, issued on CD)

Veterans' Affairs Dept.
Discharged Servicemember Task Force annual report, 2013
Lists four areas of concern for transitioning veterans: post-traumatic stress, education, employment, and homelessness. Describes two major needs: for more collaboration among veteran and military organizations, and for veteran advocates and groups to build partnerships with organizations outside the veteran community. Recommendations include expanding train-to-hire programs and creating a directory of homelessness and housing facilities serving veterans. (20 ILCS 2805/20, June 2013, rec'd Oct. 2013, 49 pp. & 4 appendices)

Veteran's Memorial Commission report
Commission made recommendations for changes to county, township, municipal, and special district codes to aid veterans' memorial maintenance and preservation. It also recommended that: (1) "veterans' memorial" be defined; (2) the state announce that it is not directly responsible for memorial maintenance; (3) one state-level agency receive inquiries about memorials in disrepair; and (4) a Memorandum of Agreement allocate responsibility for maintenance and preservation of any new memorial. Commission disbanded July 1, 2012. (20 ILCS 2805/7 [repealed]; May 2012, rec'd March 2013, 10 pp.)