



ILLINOIS LEGISLATION EFFECTIVE JANUARY 1, 2017

Public Act 99-609 (House Bill 4697): Creates a new “Land Trust Beneficiary Rights Act,” but only to clarify that the rights of beneficial owners under a land trust are not impaired when the identity of the trustee changes due to corporate acquisition, assignment, etc. [Effective Date: January 1, 2017]

Public Act 99-610 (House Bill 4999): Amends the Right to Privacy in the Workplace Act to prohibit an employer or prospective employer from demanding access to, or a user name or password for, an employee’s or job applicant’s personal online account. Job applicant cannot be denied employment, and current employee cannot be disciplined, for refusal to grant such access; exceptions for compliance with applicable laws or regulations, investigation of unauthorized transfer of employer’s confidential data to the employee’s personal online account, investigation of alleged violation of laws or regulations, and prohibition against use of personal online account during business hours. [Effective Date: January 1, 2017]

Public Act 99-743 (Senate Bill 2842): Amends the Trusts and Trustees Act to clarify that a transfer of real property to a trust must include transfer of legal title to the trustee documented by a written instrument of conveyance and acceptance by the trustee; also, if the transferor of real property to a trust is himself/herself a trustee, the real property only becomes trust property after the instrument of conveyance is recorded in the county where the property is located. [Effective Date: January 1, 2017]

Public Act 99-753 (Senate Bill 3166): Amends the Forcible Entry and Detainer section of Illinois’ Code of Civil Procedure to change terminology from “landlord” to “plaintiff” when a mortgagee is attempting to evict a tenant/occupant from foreclosed-upon property. The section provides that a plaintiff’s order of ejectment expires if it has not been enforced within 120 days, and ejectment after the 120 days requires another court hearing with the mortgagee-plaintiff obligated to give the occupant notice of the hearing, including the fact that the occupant can defeat the expired, unenforced ejectment order

by attending the hearing and proving one of three grounds upon which ejection after 120 days can be denied. [Effective Date: January 1, 2017]

Public Act 99-841 (House Bill 6162): Creates the “Employee Sick Leave Act,” requiring that employers who offer unpaid personal leave time to employees must allow employees to use such time (up to one-half of annual unpaid personal leave days of the employee) for illness, injury and appointments of a spouse, child, sibling, parent, mother-in-law, father-in-law, grandchild or grandparent. [Effective Date: January 1, 2017]

Public Act 99-860 (Senate Bill 3163): Creates a new “Illinois Freedom to Work Act” to prohibit an employer is prohibited from enforcing a non-compete restrictive covenant against a “low wage employee” (defined as earning the *greater* of the applicable State, federal or local minimum wage or \$13 per hour. [Effective Date: January 1, 2017]

For further information or to obtain a copy of any of these new laws, please contact CBAI General Counsel Jerry Cavanaugh by phone (1/800-736-2224 from within Illinois) or by email at (jerryc@cbai.com).