



ILLINOIS LEGISLATION EFFECTIVE JANUARY 1, 2019

Public Act 100-664: Amends Section 48.1 of the Illinois Banking Act, Section 4013 of Illinois' Savings Bank Act, and Section 10 of the Illinois Credit Union Act to include among the exemptions from the prohibition against disclosure of customer bank/CU records disclosure to the Illinois Department of Human Services or Illinois Department of Healthcare and Family Services ("Agency" or "Agencies") of financial information to be used for determination or re-determination of the customer's eligibility for long-term Medicaid or other long-term care programs; requires notarized and witnessed customer signature and includes a statutory model form for this authorization to disclose records to the Agencies; permits revocation of consent; bank/CU is required to deliver the records to the Agency within 10 days after receiving the authorization form, but may delay delivery until after receipt of any fees charged to the customer for search, reproduction and delivery of the records; bank/CU discloses records to the Agency, not to the long-term care provider.

Public Act 100-786: Amends Section 6.5 of Illinois' Trusts and Trustees Act to eliminate the requirement that a transfer of real property to a trust must be "accepted by the trustee."

Public Act 100-809: Amends the Illinois Notary Public Act to require the applicant's business address to be stated on her/his application if notarial duties constitute "any portion" of her/his job responsibilities. Requires notification to Secretary of State within 30 days following change of name or change of business address to avoid lapse of Notary Public commission. Makes other changes regarding violations that may result in suspension or revocation of Notary Public commission by the Secretary of State.

Public Act 100-922: Amends Section 12-1001 of Illinois' Code of Civil Procedure to exempt from judgment and attachment any ABLE funds in an account.

Public Act 100-1044: Enacts the Uniform Powers of Appointment Act, which codifies accepted practices for appointment of a party for future distribution of property in the estate planning context. Prior to this Uniform Law, estate planning appointments were governed only by common law precedents. This Uniform Act was necessary to uniformly codify in statutes definitions such as: “Impermissible appointee” means a person that is not a “permissible appointee.”

Public Act 100-1094: Adds Section 9.5 to Illinois’ Wage Payment and Collection Act, requiring employers to reimburse employees for any expense(s) incurred by the employee while in the scope of her/his employment. Employee must submit compensation request, accompanied by “appropriate supporting documentation” within 30 days of incurring the expense. Employer is not liable for the expense compensation unless (s)he/it authorized the expenditure or assigned the employee to the task at which the expenditure was reasonably necessary. Employee is not entitled to reimbursement if employer has a written expense reimbursement policy and employee failed to comply with the policy. If employer’s written expense reimbursement policy specifies cost guidelines, employer is not liable to the extent that requested reimbursement exceeds those specifications, provided that the specifications are not *de minimis*.

For further information or to obtain a copy of any of these new laws, please contact CBAI General Counsel [Jerry Cavanaugh](#) at (1/800-736-2224 from within Illinois).