**Illinois Updates – January 6, 2023**

Supremes Issue Stay on SAFE-T Act

The Illinois Supreme Court has issued a stay on the implementation of the controversial SAFE-T Act following a ruling in Kankakee County that maintained the provisions to eliminate cash bail are unconstitutional. A Kankakee County judge ruled on the consolidated lawsuit filed by 60-plus State’s Attorneys against the SAFE-T Act in favor of the plaintiffs, finding that legislation to abolish or amend the constitutional right to post bond cannot be done through legislation and should be addressed by a constitutional amendment.

The Supreme Court issued the stay to maintain consistent pretrial services throughout the state. While the Kankakee judge’s ruling would effectively halt implementation of the act in the counties party to the lawsuit, it was unclear what the impact would be in counties that did not sign on the suit. Proponents of the act including Senate President Don Harmon, House Speaker Chris Welch, Governor JB Pritzker and Attorney General Kwame Raoul are urging the state’s highest court to expedite their review of the case. The Supreme Court is expected to make their ruling no sooner than March.

Bennett Replacement Drama

The vacancy created by the death of Sen. Scott Bennett has quickly become contentious. State Representative Carol Ammons (D-Champaign) announced her intention to apply for the appointment in late December, along with nine other candidates including Champaign County Democratic Chair Mike Ingram. Ingram has recused himself from the selection process and the appointment will be made by the vice chairs with input from an advisory committee. Dr. Stacy Bennett, who is filling her late husband’s remaining term in the 102nd General Assembly, identified four candidates that she believes would carry out his legacy but did not name either Ammons or Ingram. Ammons and her husband Aaron, who is the Champaign County Clerk, have made statements publicly and on social media claiming that attempts to block her appointment to the seat are rooted in racism and sexism. Additionally, sources claim that Senate President Don Harmon does not support the appointment of Ammons, believing she is not moderate enough for the rural parts of the district. The appointment must be made by January 9, 2023.

Coffey Named to 95th House Seat

Springfield restaurant owner Mike Coffey has been appointed to fill out the term of Representative Tim Butler (R-Springfield). Butler has resigned to take a leadership position with the Illinois Railroad Association. Coffey serves on the Springfield Metropolitan Exposition and Auditorium Authority and ran unsuccessfully for mayor in 2011. Coffey cited his legislative priorities as working across party lines and making the 95th District supportive of small businesses. Former State Representative Sandy Hamilton, who lost her bid for the Illinois Senate against Senator Doris Turner (D-Springfield) chose not to apply for the appointment.

Lame Duck Week One Highlights

The House passed two key pieces of legislation during the first week of the Lame Duck Session of the 102nd General Assembly. The Patient and Provider Protection Act was a comprehensive bill intended to protect abortion access in Illinois post-Dobbs as well as protect healthcare providers from legal action for serving patients from states that have banned or restricted access to reproductive and gender affirming healthcare. The version that ultimately passed late Thursday evening differed from a similar bill that was proposed in the Illinois Senate on Tuesday. The Senate version was significantly broader than the House version and reproductive health advocates including Planned Parenthood Illinois favor the House language that was filed as an amendment to Senate Bill 1534. The Senate plans to adjourn early today and it is uncertain if the two separate bills will be reconciled next week.

Representatives narrowly passed legislation to ban assault weapons, a stated goal of Democratic lawmakers since the July 4th Highland Park mass shooting. Dubbed the Protect Illinois Communities Act, the bill that passed Thursday differed from previous versions, removing language that would raise the age to apply for a FOID card to 21, and allowing Illinois gun manufacturers to continue making weapons that are legal in other states. Other provisions of the bill will allow gun owners to keep weapons that will be banned going forward, but require them to register the serial numbers of those firearms with the Illinois State Police. The bill also made changes to the Firearm Restraining Order act to increase the duration of orders from six months to one year. The Senate Democrats have indicated they may file their own version of an assault weapon ban, again raising questions regarding cooperation between the two chambers.

Legislators also acted on several other bills, including a measure to allow county clerks to compare signatures on mail-in ballots to ballot applications in addition to the voter signature on file. This legislation stems from a lawsuit filed by Representative Deanne Mazzochi following her narrow loss to Jenn Ladisch Douglass in the race for the new 45th House District. Mazzochi’s suit claimed the DuPage County Clerk was violating state law in using the signature from the ballot application, although it is common practice by election officials.

Dates to Remember

* January 4-10, 2023 – “Lame Duck” Session, 102nd General Assembly
* January 11, 2023 - Inauguration of the 103rd General Assembly
* February 15, 2023 – Governor’s Budget and State of the State Address
* February 28, 2023 – Consolidated Primary Election
* May 19, 2023 – Scheduled Adjournment