**Illinois Updates – December 30, 2022**

Judge Rules Part of SAFE-T Act Unconstitutional

A Kankakee County judge has ruled on the consolidated lawsuit filed by 60-plus State’s Attorneys against the SAFE-T Act in favor of the plaintiffs. While parts of the case, including arguments that the legislation violated the single subject rule were thrown out, the judge agreed that the provisions regarding cash bail are unconstitutional. The reasoning given in the ruling is that the ability to require bond in an arrest is established in the Illinois Constitution, and that legislation to abolish or amend the requirement cannot be done through legislation, but rather should be addressed by a constitutional amendment.

The effect of the ruling is not entirely clear. The counties that were party to the suit will not implement the cash bail provisions of the Act on January 1, 2023. Counties that did not take part in the case may proceed with the pretrial provisions of the SAFE-T Act, but some State’s Attorneys in counties that did not participate have said they will abide by the ruling. Proponents of the act named in the lawsuit including Senate President Don Harmon, House Speaker Chris Welch and Governor JB Pritzker have said they intend to appeal the ruling to the Illinois Supreme Court.

Bennett’s Wife Will Fill Out Term

Stacy Bennett, the widow of the late Senator Scott Bennett has been appointed to fill out the remaining three weeks of his term in the current 102nd General Assembly. In making the appointment the Champaign County Democratic Committee emphasized Bennett’s own political qualifications as a former White House staffer. Representative Carol Ammons (D-Champaign) has announced she will apply for the permanent appointment to the 52nd Senate District. The decision will be made by the Democratic leadership of Champaign and Vermilion Counties, with Champaign County having the majority vote. The appointment must be made within 30 days of the seat becoming vacant which will be January 8, 2023. Senator Bennett died unexpectedly of a brain tumor on December 8, 2022.

Bush Resigns Early

Senator Melinda Bush (D-Grayslake) resigned her seat on December 24, 2022, creating a vacancy in the 31st Senate District. Lake County Democratic leaders will meet on January 2, 2023 to make a short-term appointment to fill the seat for the remainder of the 102nd General Assembly which is scheduled to meet in lame duck session next week. Former Representative Mary Edly-Allen ran successfully for the newly-drawn senate district but does not qualify for the temporary appointment because she does not live within the district’s current boundaries. Bush did not run for reelection to the 103rd General Assembly.

New Laws Take Effect

January 1 of each year hundreds of new laws passed during previous general assemblies take effect. This is because bills passed without an immediate or otherwise stated effective date default to an effective date of the following January 1st. A sampling of the 200 laws that will take effect on 1/1/23 includes:

* Illinois’ minimum wage will increase to $13 per hour.
* Coroners and medical examiners will be required to notify the FBI if they are unable to identify a body within 72 hours.
* The state’s gasoline tax will increase by 3.1 cents to 42.3 cents per gallon.
* The Eastern Milk Snake will become the official state snake.
* Dolostone will become the state rock.

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