

ICCTA Legislative Report

May 4, 2020

Capital Update

Last Friday, May 1, marked the first day of Gov. JB Pritzker's newly issued disaster proclamation and newly filed [Executive Order 2020-32](#) extending the stay-at-home order, with modifications, through May 30. During the Governor's daily press briefings, he continues to reiterate that we will remain under the stay-at-home guidance until Illinois experiences a consistent drop in newly reported cases over 14 days. This could also mean a decrease in positive tests as a percentage of total tests, as the state has increased its testing capability over a 24-hour period in excess of 10,000 tests during the preceding week. Testing will need to continue to increase as outbreaks persist at long-term care facilities and manufacturing facilities. While it appears Illinois has plateaued, it is not yet clear if we have peaked. Gov. Pritzker has alluded that he is looking at multiple factors to determine how he will proceed with a phased-in reopening. However, the specific criteria he will use when determining which direction to follow remains unknown. A more detailed roadmap from the administration could be coming soon.

The Illinois General Assembly has not yet convened during the pandemic, nor are they scheduled to return to Springfield. Before the end of Fiscal Year 2020 (June 30), members will need to pass a budget for FY 21 and take up other crucial measures. It is not yet clear when they will return or for how long. Several possibilities exist. Legislators could return to Springfield for the final two weeks of May, thereby needing only a simple majority to pass the budget. Although legislators are considered essential under the Governor's stay-at-home order, they could wait until after the stay-at-home order expires in June, when they would need a super-majority of votes to pass a budget. Yet another possibility would be for the members to return for one day to vote to enable remote voting. We expect more clarity on this in the coming days.

House Cancels Session This Week – From the Speaker's Chief of Staff, Jessica Basham: "First, please note that the session days scheduled for next week (Tuesday, May 5 through Friday, May 8) are cancelled. The deadline for House Bills out of Committees, which had previously been rescheduled for May 7, will be extended to Friday, May 15. The 3rd Reading deadline for House Bills, which had previously been rescheduled for May 15, will be extended to Friday, May 22. The deadline for Senate Bills out of Committees will be extended from May 15 to Friday, May 29, and the 3rd Reading deadline for Senate Bills will be extended from May 22 to Sunday, May 31."

COVID-19 Update

- **Contact Tracing** – Gov. Pritzker says that contact tracing – a way to track, warn, and quarantine individuals with significant contact with newly diagnosed COVID-19 patients – is critical to reopening Illinois. The biggest problem to implementation is finding enough workers and getting the technology set up. Dr. Ngozi Ezike, director of the Illinois Department of Public Health, cited estimates that there needs to be 30 contact tracers for every 100,000 people. That means more than 3,800 interviewers to handle necessary investigations to trace contacts during this pandemic.

- **IDPH Workplace Health and Safety Guidance** – Pursuant to Executive Order 2020-32 (the stay-at-home order), the [Illinois Department of Public Health issued guidance](#) instructing employees that their employers are required to comply, to the greatest extent feasible, with social distancing requirements. The following links were provided by IPDH for specific audiences:
 - [Businesses](#)
 - [Colleges & Universities](#)
 - [Community Settings](#)
 - [EMS & First Responders](#)
 - [Healthcare Facilities & Workers](#)
 - [Home](#)

- [Local Health Departments](#)
 - [Long Term Care Facilities](#)
 - [Schools](#)
 - [Tourism & Travel](#)
- **Illinois Department of Financial and Professional Regulation Updates** – [Here are updates on recent Department actions related to COVID-19.](#)
 - **Lawmakers File Lawsuits Challenging Pritzker’s Authority to Issue a Successive Disaster Proclamation** – Lawsuits have been filed by State Rep. Darren Bailey in Clay County and State Rep. John Cabello in Winnebago County challenging the stay-at-home order on the grounds that the order exceeds Pritzker’s legal authority under the state Emergency Management Agency Act by extending the order beyond 30 days. The lawsuits are similar and are filed by the same attorney. In the Bailey lawsuit, the Clay County judge issued a temporary restraining order exempting Bailey, and only Bailey, from Pritzker’s executive order. The Illinois Attorney General’s office argued the lawsuit erroneously interprets the Act and “contradicts the long-standing practice by numerous governors of issuing multiple and often successive emergency disaster proclamations that have allowed them to continue exercising emergency powers for the duration of the disaster.” The AG’s office filed an appeal with the Illinois 5th District Appellate Court on Wednesday seeking to overturn the Clay County judge’s ruling.
 - **Federal Lawsuit Filed by a Church** – A federal judge has denied a temporary restraining order sought by Beloved Church in Lena. The church’s pastor had [filed suit](#) against Gov. Pritzker and other local law enforcement agencies, alleging that the government violated First Amendment rights by restricting residents and churches from meeting. The plaintiff, represented by former GOP Representative Peter Breen, also held in-person services on Sunday in defiance of the order. On the same day the lawsuit was filed, Pritzker modified his stay-at-home order to list the exercise of religion as an essential activity for which leaving the house is permitted -- but that all religious gatherings are still limited to 10 people or less.
 - **Lawsuit Filed in Cook County by the Town of Cicero** – A Cicero-based nursing home, the Illinois Department of Public Health, and Gov. Pritzker are named in a lawsuit filed by the Town of Cicero over an uncontrolled COVID-19 outbreak in the long-term care facility. They further allege IDPH “failed to act” despite being alerted two weeks ago. On April 1, City View reported its first two confirmed COVID-19 cases. By April 30, 175 residents and 41 staff have tested positive. Nine residents and one staff member have died. The plaintiff is seeking an injunction against the facility and wants IDPH to move patients out of the facility and into either the recently reopened Westlake Hospital in Melrose Park or the underutilized McCormick Place field hospital.

For community college-specific information on the COVID-19 crisis, visit the Illinois Community College Board's [Coronavirus: Updates and Resources](#) page.

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