

Attorney General Raoul Highlights New Laws

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CHICAGO - Attorney General Kwame Raoul today highlighted three new laws initiated by his office that will go into effect Jan. 1.

“Whether by protecting vulnerable residents from gas or electric utility service disconnections in excessive heat, increasing oversight of health care transactions, or closing a loophole that allows non-custodial parents to avoid making child support payments, my office has focused on developing measures to enhance public safety throughout the state,” Raoul said. “I look forward to our continued collaboration with law enforcement, legislators and various stakeholders to enact policies that protect residents and communities around Illinois.”

House Bill 1541 protects vulnerable residents from gas or electric utility service disconnections for nonpayment of bills when temperatures are 90 F or above, or when the National Weather Service issues an excessive heat watch, heat advisory or excessive heat warning.

Raoul initiated House Bill 1541, which was sponsored by Sen. Mattie Hunter and Rep. Eva-Dina Delgado, to amend the Public Utilities Act (PUA). Previously, the PUA prohibited disconnections when the temperature is 95 F or hotter. However, it did not account for extreme heat events when the heat index may rise to a dangerous level when temperatures are below 95 F.

According to the Attorney General's office, the protections in the PUA were insufficient to protect the most vulnerable Illinois residents, such as older adults, very young children, people with chronic conditions like high blood pressure, and residents who lack access to air conditioning or fear high electric bills if they use air conditioning.

House Bill 2222 increases oversight of health care mergers and acquisitions that include health care facilities and large provider organizations, which can lead to higher prices for health care services while quality of care worsens or remains stagnant.

Raoul's measure ensures proposed health care facility mergers are reviewed at the state level. State-level review is vital, as many mergers are not scrutinized at the federal level due to a failure to receive timely notice of the transaction or because the merger is too small for federal action. While the Attorney General's office currently works with the federal government to review large-scale transactions, state-level review would fill current gaps that allow mergers to occur without review.

House Bill 2222, which was sponsored by State Rep. Jennifer Gong-Gershowitz and Sen. Ann Gillespie, will:

- Establish a premerger notification program at the state level for transactions that involve health care facilities and large provider organizations.
- Require notice to the Attorney General at least 30 days before the closing date of a proposed merger or acquisition.
- Better equip the Attorney General's office with information necessary to determine whether a proposed transaction warrants an investigation and, when necessary, a challenge for anticompetitive conduct that could substantially lessen competition or harm the public or employees.

A webpage for filers subject to the new law will be live on the Attorney General's website on or before January 1, 2024.

House Bill 3301 closes a loophole that allows non-custodial parents to avoid making child support payments by adding independent contractors to the Illinois Department of Employment Security's New Hire Directory for the purposes of child support enforcement.

Raoul initiated House Bill 3301, which was sponsored by Sen. Mike Halpin and Rep. Terra Costa Howard, to amend the Unemployment Insurance Act to require employers to report independent contractors as new hires. The new reporting requirement ensures that the Attorney General's office is better equipped to hold non-custodial parents employed as independent contractors accountable for meeting their child support obligations.

The Illinois Department of Employment Security maintains the state's federally-mandated New Hire Directory, which is used by Raoul's office and the Illinois Department of Healthcare and Family Services (HFS) to establish, modify and enforce child support orders for non-custodial parents. Prior to Raoul's legislation being signed into law, employers were only required to report new employees to the New Hire Directory, not independent contractors.

According to the Attorney General's office, the significant growth in independent contract work has resulted in a reporting gap that makes it difficult for the office's Child Support Enforcement Division and HFS to identify income that is eligible for child support payments. As a result, Raoul's office was often not able to identify independent contractor income from non-custodial parents who were not paying child support.