



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB4428**

Introduced 2/3/2020, by Rep. Camille Y. Lilly

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Racial Impact Note Act. Provides that every bill which has or could have a disparate impact on racial and ethnic minorities, upon the request of any member, shall have prepared for it, before second reading in the house of introduction, a brief explanatory statement or note that shall include a reliable estimate of the anticipated impact on those racial and ethnic minorities likely to be impacted by the bill. Specifies the contents and provides for the preparation of each racial impact note. Provides that no comment or opinion shall be included in the racial impact note with regard to the merits of the measure for which the racial impact note is prepared. Provides that the fact that a racial impact note is prepared for any bill shall not preclude or restrict the appearance before any committee of the General Assembly of any official or authorized employee of the responding agency or agencies, or any other impacted State agency, who desires to be heard in support of or in opposition to the measure. Effective immediately.

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1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Racial  
5 Impact Note Act.

6 Section 5. Racial impact note.

7 (a) Every bill which has or could have a disparate impact  
8 on racial and ethnic minorities, upon the request of any  
9 member, shall have prepared for it, before second reading in  
10 the house of introduction, a brief explanatory statement or  
11 note that shall include a reliable estimate of the anticipated  
12 impact on those racial and ethnic minorities likely to be  
13 impacted by the bill. Each racial impact note must include, for  
14 racial and ethnic minorities for which data are available: (i)  
15 an estimate of how the proposed legislation would impact racial  
16 and ethnic minorities; (ii) a statement of the methodologies  
17 and assumptions used in preparing the estimate; (iii) an  
18 estimate of the racial and ethnic composition of the population  
19 who may be impacted by the proposed legislation, including  
20 those persons who may be negatively impacted and those persons  
21 who may benefit from the proposed legislation; and (iv) any  
22 other matter that a responding agency considers appropriate in  
23 relation to the racial and ethnic minorities likely to be

1 affected by the bill.

2 Section 10. Preparation.

3 (a) The sponsor of each bill for which a request under  
4 Section 5 has been made shall present a copy of the bill with  
5 the request for a racial impact note to the appropriate  
6 responding agency or agencies under subsection (b). The  
7 responding agency or agencies shall prepare and submit the note  
8 to the sponsor of the bill within 5 calendar days, except that  
9 whenever, because of the complexity of the measure, additional  
10 time is required for the preparation of the racial impact note,  
11 the responding agency or agencies may inform the sponsor of the  
12 bill, and the sponsor may approve an extension of the time  
13 within which the note is to be submitted, not to extend,  
14 however, beyond June 15, following the date of the request. If,  
15 in the opinion of the responding agency or agencies, there is  
16 insufficient information to prepare a reliable estimate of the  
17 anticipated impact, a statement to that effect can be filed and  
18 shall meet the requirements of this Act.

19 (b) If a bill concerns arrests, convictions, or law  
20 enforcement, a statement shall be prepared by the Illinois  
21 Criminal Justice Information Authority specifying the impact  
22 on racial and ethnic minorities. If a bill concerns  
23 corrections, sentencing, or the placement of individuals  
24 within the Department of Corrections, a statement shall be  
25 prepared by the Department of Corrections specifying the impact

1 on racial and ethnic minorities. If a bill concerns local  
2 government, a statement shall be prepared by the Department of  
3 Commerce and Economic Opportunity specifying the impact on  
4 racial and ethnic minorities. If a bill concerns education, one  
5 of the following agencies shall prepare a statement specifying  
6 the impact on racial and ethnic minorities: (i) the Illinois  
7 Community Colleges Board, if the bill affects community  
8 colleges; (ii) the Illinois State Board of Education, if the  
9 bill affects primary and secondary education; or (iii) the  
10 Illinois Board of Higher Education, if the bill affects State  
11 universities. Any other State agency impacted or responsible  
12 for implementing all or part of this bill shall prepare a  
13 statement of the racial and ethnic impact of the bill as it  
14 relates to that agency.

15 Section 15. Requisites and contents. The note shall be  
16 factual in nature, as brief and concise as may be, and, in  
17 addition, it shall include both the immediate effect and, if  
18 determinable or reasonably foreseeable, the long range effect  
19 of the measure on racial and ethnic minorities. If, after  
20 careful investigation, it is determined that such an effect is  
21 not ascertainable, the note shall contain a statement to that  
22 effect, setting forth the reasons why no ascertainable effect  
23 can be given.

24 Section 20. Comment or opinion; technical or mechanical

1 defects. No comment or opinion shall be included in the racial  
2 impact note with regard to the merits of the measure for which  
3 the racial impact note is prepared; however, technical or  
4 mechanical defects may be noted.

5 Section 25. Appearance of State officials and employees in  
6 support or opposition of measure. The fact that a racial  
7 impact note is prepared for any bill shall not preclude or  
8 restrict the appearance before any committee of the General  
9 Assembly of any official or authorized employee of the  
10 responding agency or agencies, or any other impacted State  
11 agency, who desires to be heard in support of or in opposition  
12 to the measure.

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.