

1 AN ACT in relation to utilities.

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

4 Section 1. This Act shall be known and may be cited as
5 the Utility Consumer Impact Note Act.

6 Section 5. Applicability.

7 (a) Every bill that amends the Public Utilities Act, the
8 purpose or effect of which is to directly increase or
9 decrease the retail or wholesale prices of utility products
10 or services, impact the quality of the service of any public
11 utility, or impact jobs in the utility industry shall have
12 prepared for it, before second reading in the house of
13 introduction, a brief explanatory statement or note that
14 shall include a reliable estimate of the anticipated impact.

15 (b) Every proposed rule of an agency, the purpose or
16 effect of which is to directly increase or decrease the
17 retail or wholesale prices of utility products or service,
18 impact the quality of the service of any public utility, or
19 impact jobs in the utility industry, shall have prepared for
20 it, before approval by the Joint Committee on Administrative
21 Rules pursuant to the Illinois Administrative Procedure Act,
22 a brief explanatory statement or note that shall include a
23 reliable estimate of the anticipated impact. As used in this
24 Act, "rule" and "agency" have the same meanings as in the
25 Illinois Administrative Procedure Act.

26 (c) These statements or notes shall be known as utility
27 consumer impact notes.

28 Section 10. Preparation. The sponsor of each bill or
29 the agency proposing a rule to which Section 5 applies shall
30 present a copy of the bill or proposed rule, with the request

1 for a utility consumer impact note, to the Illinois Commerce
2 Commission. The utility consumer impact note shall be
3 prepared by the Illinois Commerce Commission and submitted to
4 the sponsor of the bill or the agency within 5 calendar days,
5 except that whenever, because of the complexity of the
6 measure, additional time is required for the preparation of
7 the utility consumer impact note, the Illinois Commerce
8 Commission may inform the sponsor of the bill or the agency,
9 and the sponsor or agency may approve an extension of the
10 time within which the note is to be submitted, not to extend,
11 however, beyond May 15 following the date of the request.
12 The Illinois Commerce Commission may seek assistance from the
13 Lieutenant Governor in the preparation of a utility consumer
14 impact note. If neither the Illinois Commerce Commission nor
15 the Lieutenant Governor prepares a utility consumer impact
16 note within 15 days of the sponsor's request, the sponsor may
17 draft the utility consumer impact note. If, in the opinion
18 of the Illinois Commerce Commission, there is insufficient
19 information to prepare a reliable estimate of the anticipated
20 impact, a statement to that effect can be filed and shall
21 meet the requirements of this Act.

22 Section 15. Vote on necessity of utility consumer impact
23 notes. Whenever the sponsor of any bill is of the opinion
24 that no utility consumer impact note is required, any member
25 of either house may request that a note be obtained, and in
26 that case the applicability of this Act shall be decided by
27 the majority of those present and voting in the house of
28 which the sponsor is a member.

29 Section 20. Requisites and contents. The note shall be
30 factual in nature, as brief and concise as may be, and shall
31 provide a reliable estimate in dollars, and, in addition, it
32 shall include both the immediate effect and, if determinable

1 or reasonably foreseeable, the long range effect of the
2 measure. If, after careful investigation, it is determined
3 that no dollar estimate is possible, the note shall contain a
4 statement to that effect, setting forth the reasons why no
5 dollar estimate can be given. A brief summary or work sheet
6 of computations used in arriving at utility consumer impact
7 note figures shall be included.

8 Section 25. Comment or opinion; technical or mechanical
9 defects. No comment or opinion shall be included in the
10 utility consumer impact note with regard to the merits of the
11 measure for which the utility consumer impact note is
12 prepared; however, technical or mechanical defects may be
13 noted.

14 Section 30. Appearance of State officials and employees
15 in support of or opposition to measure. The preparation of a
16 utility consumer impact note for any bill or proposed rule
17 shall not preclude or restrict the appearance before any
18 committee of the General Assembly, or before the Joint
19 Committee on Administrative Rules, of any official or
20 authorized employee of the Illinois Commerce Commission who
21 desires to be heard in support of or in opposition to the
22 measure.

23 Section 35. Amendment of bill necessitating statement of
24 fiscal effect of proposed amendment. Whenever any committee
25 of either house reports any bill with an amendment that will
26 substantially affect the figures stated in the utility
27 consumer impact note attached to the measure at the time of
28 its referral to the committee, there shall be included with
29 the report of the committee a statement of the effect of the
30 change proposed by the amendment reported if desired by a
31 majority of the committee. Whenever any bill is amended on

1 the floor of either house to substantially affect the figures
2 as stated in the utility consumer impact note attached to the
3 bill before the amendment, a majority of the members of that
4 house may propose that no action shall be taken on the
5 amendment until the sponsor of the amendment presents to the
6 members a statement of the utility consumer impact of the
7 proposed amendment.