



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5465

by Rep. Charles E. Meier

SYNOPSIS AS INTRODUCED:

30 ILCS 608/5-10

Amends the State Facilities Closure Act. Provides that, after the General Assembly receives an advisory opinion filed by the Commission on Government Forecasting and Accountability concerning the recommendation of a State executive branch officer for the closure of a State facility, the General Assembly shall vote by joint resolution to uphold or overturn the opinion. Provides that no action may be taken to implement the recommendation for closure of a State facility until the General Assembly has taken final action of the advisory opinion filed by the Commission by adopting a joint resolution affirming the recommendation for closure (rather than, until 50 days after the filing of any required recommendation). Effective immediately.

LRB098 18734 JWD 53877 b

1 AN ACT concerning finance.

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

4 Section 5. The State Facilities Closure Act is amended by
5 changing Section 5-10 as follows:

6 (30 ILCS 608/5-10)

7 Sec. 5-10. Facility closure process.

8 (a) Before a State facility may be closed, the State
9 executive branch officer with jurisdiction over the facility
10 shall file notice of the proposed closure with the Commission.
11 The notice must be filed within 2 days after the first public
12 announcement of any planned or proposed closure. Within 10 days
13 after it receives notice of the proposed closure, the
14 Commission, in its discretion, may require the State executive
15 branch officer with jurisdiction over the facility to file a
16 recommendation for the closure of the facility with the
17 Commission. In the case of a proposed closure of: (i) a prison,
18 youth center, work camp, or work release center operated by the
19 Department of Corrections; (ii) a school, mental health center,
20 or center for the developmentally disabled operated by the
21 Department of Human Services; or (iii) a residential facility
22 operated by the Department of Veterans' Affairs, the Commission
23 must require the executive branch officers to file a

1 recommendation for closure. The recommendation must be filed
2 within 30 days after the Commission delivers the request for
3 recommendation to the State executive branch officer. The
4 recommendation must include, but is not limited to, the
5 following:

6 (1) the location and identity of the State facility
7 proposed to be closed;

8 (2) the number of employees for which the State
9 facility is the primary stationary work location and the
10 effect of the closure of the facility on those employees;

11 (3) the location or locations to which the functions
12 and employees of the State facility would be moved;

13 (4) the availability and condition of land and
14 facilities at both the existing location and any potential
15 locations;

16 (5) the ability to accommodate the functions and
17 employees at the existing and at any potential locations;

18 (6) the cost of operations of the State facility and at
19 any potential locations and any other related budgetary
20 impacts;

21 (7) the economic impact on existing communities in the
22 vicinity of the State facility and any potential facility;

23 (8) the ability of the existing and any potential
24 community's infrastructure to support the functions and
25 employees;

26 (9) the impact on State services delivered at the

1 existing location, in direct relation to the State services
2 expected to be delivered at any potential locations; and

3 (10) the environmental impact, including the impact of
4 costs related to potential environmental restoration,
5 waste management, and environmental compliance activities.

6 (b) If a recommendation is required by the Commission, a
7 30-day public comment period must follow the filing of the
8 recommendation. The Commission, in its discretion, may conduct
9 one or more public hearings on the recommendation. In the case
10 of a proposed closure of: (i) a prison, youth center, work
11 camp, or work release center operated by the Department of
12 Corrections; (ii) a school, mental health center, or center for
13 the developmentally disabled operated by the Department of
14 Human Services; or (iii) a residential facility operated by the
15 Department of Veterans' Affairs, the Commission must conduct
16 one or more public hearings on the recommendation. Public
17 hearings conducted by the Commission shall be conducted no
18 later than 35 days after the filing of the recommendation. At
19 least one of the public hearings on the recommendation shall be
20 held at a convenient location within 25 miles of the facility
21 for which closure is recommended. The Commission shall provide
22 reasonable notice of the comment period and of any public
23 hearings to the public and to units of local government and
24 school districts that are located within 25 miles of the
25 facility.

26 (c) Within 50 days after the State executive branch officer

1 files the required recommendation, the Commission shall issue
2 an advisory opinion on that recommendation. The Commission
3 shall file the advisory opinion with the appropriate State
4 executive branch officer, the Governor, the General Assembly,
5 and the Index Department of the Office of the Secretary of
6 State and shall make copies of the advisory opinion available
7 to the public upon request.

8 (c-5) After receipt of the advisory opinion filed by the
9 Commission, the General Assembly shall vote by joint resolution
10 to uphold or overturn the opinion.

11 (d) No action may be taken to implement the recommendation
12 for closure of a State facility until the General Assembly has
13 taken final action on the advisory opinion filed by the
14 Commission by adopting a joint resolution under subsection
15 (c-5) affirming the recommendation for closure 50 days after
16 the filing of any required recommendation.

17 (e) The requirements of this Section do not apply if all of
18 the functions and employees of a State facility are relocated
19 to another State facility that is within 10 miles of the closed
20 facility.

21 (Source: P.A. 93-839, eff. 7-30-04; 94-688, eff. 1-1-06.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.