



Rep. Justin Slaughter

Filed: 4/5/2022

10200HB3215ham003

LRB102 13303 KTG 38328 a

1 AMENDMENT TO HOUSE BILL 3215

2 AMENDMENT NO. _____. Amend House Bill 3215 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Securing All Futures through Equitable Reinvestment (SAFER)
6 Communities and Small Business Act.

7 Section 5. Intent. To reverse the trend of high
8 unemployment among formerly incarcerated individuals and to
9 spur the economic recovery of small businesses in Illinois, it
10 is necessary to provide financial incentives for employers to
11 create new, full-time jobs for individuals with felony
12 conviction records.

13 The intent of this Act is to facilitate the re-entry into
14 society of formerly incarcerated individuals and to create
15 financial incentives, in the form of wage subsidies and small
16 business grants, for employers to hire formerly incarcerated

1 individuals.

2 Section 10. Definitions. As used in this Act:

3 "Applicant" means a person who is operating either: (i) a
4 not-for-profit organization that is tax-exempt under Section
5 501(c)(3) of the Internal Revenue Code; or (ii) a business
6 engaged in interstate or intrastate commerce, located within
7 the State that hires a participant for a position under a union
8 contract or for a position that offers a basic wage and
9 benefits package as compensation. In the case of any person
10 that is a member of a unitary business group as defined in
11 paragraph (27) of subsection (a) of Section 1501 of the
12 Illinois Income Tax Act, "applicant" refers to the unitary
13 business group.

14 "Basic wage" means a minimum of 133% of the local hourly
15 minimum wage.

16 "Benefits package" means the benefits outside of the
17 employee's basic wage including:

18 (1) a minimum of 5 days of earned sick time; and

19 (2) a minimum of 5 days of paid vacation.

20 "Certificate of eligibility" means the certificate issued
21 by the Department under Section 25.

22 "Date of hire" means the first day upon which the
23 participant provides services as an employee of the applicant
24 under a union contract or for a basic wage and benefits package
25 as compensation.

1 "Department" means the Department of Human Services.

2 "Disproportionately impacted area" means a census tract or
3 comparable geographic area that has high rates of arrest,
4 conviction, and incarceration among residents, as determined
5 by the Department of Commerce and Economic Opportunity.

6 "Full-time employee" means an individual who has a
7 position under a union contract or is employed for a basic wage
8 for at least 30 hours each week and receives a benefits package
9 as compensation.

10 "Incentive period" means the period beginning on March 1,
11 2023 and ending on February 29, 2028.

12 "Noncompliance date" means, in the case of an applicant
13 that is not complying with the requirements of this Act, the
14 date upon which the applicant became noncompliant with the
15 requirements of this Act, as determined by the Secretary under
16 Section 40.

17 "Participant" means a full-time employee who:

18 (1) was unemployed or making less than the basic wage
19 before being hired by an applicant;

20 (2) was convicted of a felony crime in Illinois;

21 (3) is registered for the SAFER Communities Wage
22 Subsidy Pilot Program described in Section 20; and

23 (4) is subsequently hired during the incentive period
24 by an applicant for a position under union contract or for
25 a position that offers a basic wage and benefits package
26 as compensation.

1 "Participant" does not include a person who was employed
2 prior to the onset of the incentive period as a full-time
3 employee by the applicant or a related member of the applicant
4 that has more than 15 total employees.

5 "Qualifying returning citizen" means an Illinois resident
6 who has been incarcerated within 10 years prior to the date
7 that a Returning Citizen and Small Business Grant, described
8 in Section 60, is awarded.

9 "Re-entering person" means an individual who is in the
10 physical custody of the Department of Corrections and is
11 scheduled to be released from custody within 12 months.

12 "Secretary" means the Secretary of Human Services.

13 "Small business" means a business located within this
14 State that:

15 (1) is engaged in interstate or intrastate commerce;

16 and

17 (2) employs 100 or fewer employees.

18 "Wage subsidy" means the amount awarded by the Department
19 to an applicant by issuance of a certificate under Section 30
20 for each participant hired.

21 Section 15. Powers of the Department. The Department is
22 granted and shall have all the powers necessary or convenient
23 to carry out and effectuate the purposes and provisions of
24 this Act, including, but not limited to, the power and
25 authority to:

1 (1) Adopt rules or procedures deemed necessary and
2 appropriate for the administration of this Act; establish
3 forms for applications, notifications, contracts, or any
4 other agreements; and accept applications at any time
5 during the year and require that all applications be
6 submitted via the Internet. The Department shall require
7 that applications be submitted in electronic form.

8 (2) Provide guidance and assistance to an applicant in
9 accordance with this Act, and cooperate with applicants to
10 promote, foster, and support job creation within the
11 State.

12 (3) Enter into agreements and memoranda of
13 understanding with agencies of the federal government,
14 units of local government, universities, research
15 foundations or institutions, regional economic development
16 corporations, or other organizations for the purposes of
17 this Act.

18 (4) Gather information with respect to applicants for
19 the purpose of making any designations or certifications
20 in furtherance of the purposes of this Act.

21 (5) Provide for sufficient personnel to adequately
22 discharge its duties and responsibilities described in
23 this Act from any funds appropriated by the General
24 Assembly for the administration of this Act.

25 (6) Require applicants, upon written request, to issue
26 any necessary authorization to the appropriate federal,

1 State, or local authority or any other person for the
2 release to the Department of information requested by the
3 Department, with the information requested to include, but
4 not limited to, financial reports, returns, or records
5 relating to the applicant or to the amount of the wage
6 subsidy allowable under this Act.

7 Section 20. SAFER Communities Wage Subsidy Pilot Program.

8 (a) The Department shall establish and administer a SAFER
9 Communities Wage Subsidy Pilot Program. Within each calendar
10 year of the incentive period, the wage subsidy shall apply to
11 no more than 6,000 participants. A maximum of 3,000
12 participants per calendar year shall have been released from
13 the custody of any correctional facility in the State within
14 one year of the date of registration for the pilot program. A
15 maximum of 3,000 participants per calendar year shall have
16 been released from the custody of any correctional facility in
17 the State within a period of not more than 10 years and not
18 less than one year from the date of registration for the pilot
19 program.

20 (b) The Department shall maintain a database of all
21 participants for the duration of the incentive period.

22 (1) Individuals seeking to participate in the pilot
23 program shall register with the Department on or after
24 January 1, 2023.

25 (2) The Department shall verify individuals'

1 eligibility to participate in the pilot program by
2 checking their employment and felony conviction history.

3 (3) The Department shall mail a letter containing a
4 denial or confirmation of the individual's eligibility to
5 participate in the pilot program to the primary address of
6 the individual. The Department shall also send an email
7 with an electronic version of the letter attached to the
8 primary email address of the individual.

9 (A) The denial letter shall state the reason why
10 the individual is being denied.

11 (B) The confirmation letter shall state the
12 identifying number assigned to the individual.

13 (C) The Department shall maintain a record of the
14 participants and the corresponding applicant.

15 Section 25. Certificate of eligibility for wage subsidy.

16 (a) An applicant that hires a participant as a full-time
17 employee during the incentive period may apply for a
18 certificate of eligibility for the wage subsidy on or after
19 the date of hire.

20 (b) An applicant may apply for a certificate of
21 eligibility for the wage subsidy for more than one participant
22 on or after the date of hire of each qualifying participant.
23 The application shall include the following:

24 (1) the name, Social Security number or Individual
25 Taxpayer Identification number, job description, salary or

1 wage rate, and date of hire of each participant with
2 respect to whom the wage subsidy is being requested, and
3 whether each participant is registered in the pilot
4 program described in Section 20;

5 (2) the number of participants hired by the applicant
6 during the incentive period;

7 (3) an agreement that the Secretary is authorized to
8 verify with the appropriate State agencies the information
9 contained in the request before issuing a certificate to
10 the applicant;

11 (4) the physical address of the workplace to which the
12 participant reports for work; and

13 (5) any other information the Department determines to
14 be appropriate.

15 (c) After receipt of an application and approval of
16 eligibility under this Section, the Department shall issue a
17 certificate of eligibility to all qualified applicants,
18 stating:

19 (1) the date and time on which the application was
20 received by the Department and an identifying number
21 assigned to the applicant by the Department; and

22 (2) the monthly amount of wage subsidy the applicant
23 would receive under this Act with respect to the new
24 employees listed on the application.

25 (d) After the initial certificate of eligibility is
26 issued, the applicant must submit a monthly report of

1 employment of all participants to the Department. The
2 Department shall review the report on a monthly basis and
3 determine the applicant's eligibility for a monthly wage
4 subsidy under this Act.

5 (e) Each applicant shall, on a monthly basis starting from
6 receipt of the certificate of eligibility for the wage
7 subsidy, submit a year-to-date report of the employment of
8 participants to remain in good standing to receive the wage
9 subsidy.

10 (f) The reports shall be submitted in the form and manner
11 required by the Department.

12 Section 30. Wage subsidy.

13 (a) Subject to the conditions set forth in this Act, an
14 applicant with a certificate of eligibility is entitled to a
15 monthly wage subsidy for each participant that was employed
16 for a full calendar month by the applicant if the following
17 conditions are met:

18 (1) the participant was continuously employed under a
19 union contract or for a basic wage and benefits package;
20 and

21 (2) starting from the date of hire of the participant,
22 the applicant maintained or increased the total number of
23 full-time Illinois employees.

24 (b) The Department shall make monthly wage subsidy
25 payments to qualified applicants with a certificate of

1 eligibility that are in compliance with the requirements of
2 this Act.

3 (c) The Department shall issue a wage subsidy payment to
4 the applicant for each participant that was continuously
5 employed for an entire calendar month after the date on which
6 the certificate is issued by the Department, and each month
7 thereafter for a maximum of 12 months during the incentive
8 period, as long as the participant's employment with the
9 applicant is continuously maintained and the Department
10 determines the applicant is in compliance with the
11 requirements of this Act.

12 (d) The monetary amount of each monthly wage subsidy
13 payment awarded to an applicant for each participant who was
14 continuously employed for an entire calendar month shall
15 equal:

- 16 (1) \$1,250 for all applicants whose workplaces are
17 located in disproportionately impacted areas; and
18 (2) \$850 for all other applicants.

19 Section 35. Maximum amount of wage subsidies allowed. To
20 the extent authorized under Section 30, during the incentive
21 period the Department shall limit the total annual amount of
22 wage subsidies awarded under this Act to no more than
23 \$50,000,000. If applications for a greater amount are
24 received, wage subsidies shall be allowed on a first come,
25 first served basis, based on the date on which each properly

1 completed application for a certificate of eligibility is
2 received by the Department. If more than one certificate of
3 eligibility is received on the same day, the wage subsidies
4 shall be awarded based on the time of submission for that
5 particular day.

6 Section 40. Noncompliance.

7 (a) If the Secretary determines that an applicant that has
8 received a wage subsidy under this Act is not complying with
9 the requirements of this Act, the Secretary shall provide
10 notice to the applicant of the alleged noncompliance, and
11 allow the applicant a hearing under the Illinois
12 Administrative Procedure Act.

13 (b) If, after such notice and any hearing, the Secretary
14 determines that noncompliance exists, the Secretary shall
15 issue a notice to the applicant to that effect stating the
16 noncompliance date.

17 Section 45. Awareness promotion of the pilot program. From
18 January 1, 2023 through the end of the incentive period, the
19 Department of Corrections shall implement procedures to
20 promote awareness and participation in the SAFER Communities
21 Wage Subsidy Pilot Program among re-entering persons,
22 including, but not limited to, the following:

23 (1) The Department of Corrections shall ensure that
24 the wardens or superintendents of all correctional

1 institutions and facilities visibly post information about
2 the availability and registration process for the SAFER
3 Communities Wage Subsidy Pilot Program in all common areas
4 of their respective institutions, and shall broadcast the
5 same via in-house institutional information television
6 channels. The Department of Corrections shall ensure that
7 updated information is distributed in a timely, visible,
8 and accessible manner.

9 (2) The Department of Corrections shall ensure that
10 upon release as a committed person on parole, mandatory
11 supervised release, aftercare release, final discharge, or
12 pardon, a re-entering person shall be provided with
13 written information about the availability and
14 registration process for the SAFER Communities Wage
15 Subsidy Pilot Program.

16 (3) The Department of Corrections shall provide
17 direction to each parole office within this State that
18 information about the availability and registration
19 process for the SAFER Communities Wage Subsidy Pilot
20 Program be posted in a visible and accessible manner.

21 (4) The Department of Corrections shall distribute
22 written information about the availability and
23 registration process for the SAFER Communities Wage
24 Subsidy Pilot Program to the Community Support Advisory
25 Councils of the Department of Corrections for use in
26 re-entry programs across this State.

1 Section 50. Returning Citizens and Small Business Grant
2 Program.

3 (a) The Department shall establish a Returning Citizen and
4 Small Business Grant Program.

5 (b) The Department shall provide grants to small
6 businesses that hire qualified returning citizens to offset
7 the costs of paid, on-the-job training.

8 (c) To be eligible for grants issued under this Section, a
9 small business must:

10 (1) provide a certification indicating that it has
11 hired a qualified returning citizen as a full-time
12 employee;

13 (2) provide on-the-job training to that returning
14 citizen for at least 60 days; and

15 (3) paid the qualifying returning citizen at least a
16 basic wage.

17 (d) An eligible small business shall be awarded grants in
18 the amount of \$2,500 per new qualifying returning citizen
19 hired.

20 (e) Eligible small businesses shall not be limited to one
21 grant.

22 (f) The Department shall limit the total annual amount of
23 small business grants to no more than \$25,000,000. The
24 Department shall administer the issuance of grants under the
25 Program on a first come, first served basis.

1 Section 55. Data collection and reporting. In partnership
2 with the Illinois Sentencing Policy Advisory Council, the
3 Secretary shall make publicly available annual reports on the
4 utilization, outcomes, and impact of the SAFER Communities
5 Wage Subsidy Pilot Program and the Returning Citizen and Small
6 Business Grant Program described in this Act, including, but
7 not limited to:

8 (1) the total number of participants hired under each
9 program, disaggregated by categories of race, age, gender,
10 hourly wage, length of job retention, recidivism status,
11 job location by region, and employment industry; and

12 (2) the impact of each program on overall statewide
13 recidivism rates, individual rate of recidivism, and any
14 public savings or fiscal impact associated with reduced
15 recidivism rates on the State economy.

16 Section 60. Funding. Implementation of this Act is subject
17 to appropriation. The Department may use State or federal
18 funding to administer the SAFER Communities Wage Subsidy Pilot
19 Program and the Returning Citizen and Small Business Grant
20 Program described in this Act.

21 Section 70. Rulemaking authority.

22 (a) The Department may adopt rules necessary to implement
23 this Act. Any administrative rules necessary to implement this

1 Act shall be filed by the Department within 6 months after the
2 effective date of this Act.

3 (b) The Department of Corrections shall adopt rules to
4 carry out its responsibilities under this Act. Any
5 administrative rules necessary to implement its
6 responsibilities under this Act shall be filed by the
7 Department of Corrections within 6 months after the effective
8 date of this Act.

9 Section 75. Repealer. This Act is repealed on December 31,
10 2028.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.".