

HB3695



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3695

Introduced 2/22/2021, by Rep. Camille Y. Lilly

SYNOPSIS AS INTRODUCED:

New Act

Creates the Health and Wellness Impact Note Act. Requires the Department of Public Health to prepare health and wellness impact notes on bills introduced in the General Assembly.

LRB102 15940 CPF 21310 b

A BILL FOR

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 Health
5 and Wellness Impact Note Act.

6 Section 5. Applicability.

7 (a) Every bill, except those making a direct
8 appropriation, the purpose or effect of which is to advance
9 mental, physical, or social well being shall have prepared for
10 it, before second reading in the chamber of introduction, a
11 brief explanatory statement or note that shall include a
12 reliable estimate of the anticipated impact.

13 (b) Every proposed rule of an agency, the purpose or
14 effect of which is to advance mental, physical, or social well
15 being shall have prepared for it, before approval by the Joint
16 Committee on Administrative Rules pursuant to the Illinois
17 Administrative Procedure Act, a brief explanatory statement or
18 note that shall include a reliable estimate of the anticipated
19 impact. As used in this Act, "rule" and "agency" have the same
20 meanings as in the Illinois Administrative Procedure Act.

21 (c) These statements or notes shall be known as Health and
22 Wellness Impact Notes.

1 Section 10. Preparation.

2 (a) The sponsor of each bill to which Section 5 applies,
3 shall present a copy of the bill, with the request for a Health
4 and Wellness Impact Note, to the Department of Public Health.
5 The Health and Wellness Impact Note shall be prepared by the
6 Department of Public Health and submitted to the sponsor of
7 the bill within 5 calendar days, except that whenever, because
8 of the complexity of the measure, additional time is required
9 for the preparation of the Health and Wellness Impact Note,
10 the Department of Public Health may inform the sponsor of the
11 bill, and the sponsor may approve an extension of the time
12 within which the note is to be submitted, not to extend,
13 however, beyond May 15, following the date of the request.

14 (b) The agency proposing a rule to which Section 5
15 applies, shall present a copy of the proposed rule, with the
16 request for a Health and Wellness Impact Note, to the
17 Department of Public Health. The Health and Wellness Impact
18 Note shall be prepared by the Department of Public Health and
19 submitted to the agency within 5 calendar days, except that
20 whenever, because of the complexity of the measure, additional
21 time is required for the preparation of the Health and
22 Wellness Impact Note, the Department of Public Health may
23 inform the agency, and the agency may approve an extension of
24 the time within which the note is to be submitted.

25 (c) If, in the opinion of the Department of Public Health,
26 there is insufficient information to prepare a reliable

1 estimate of the anticipated impact, a statement to that effect
2 can be filed and shall meet the requirements of this Act.

3 Section 15. Vote on necessity of Health and Wellness
4 Impact Notes. Whenever the sponsor of any bill is of the
5 opinion that no Health and Wellness Impact Note is required,
6 any member of either chamber may request that a note be
7 obtained, and in that case the applicability of this Act shall
8 be decided by the majority of those present and voting in the
9 chamber of which the sponsor is a member.

10 Section 20. Requisites and contents. The note shall be
11 factual in nature, as brief and concise as may be, and shall
12 provide a reliable estimate in dollars or other relevant units
13 if possible, and, in addition, it shall include both the
14 immediate effect and, if determinable or reasonably
15 foreseeable, the long range effect of the measure. If, after
16 careful investigation, it is determined that no dollar or
17 other relevant unit estimate is possible, the note shall
18 contain a statement to that effect, setting forth the reasons
19 why no such estimate can be given.

20 Section 25. Comment or opinion; technical or mechanical
21 defects. No comment or opinion shall be included in the Health
22 and Wellness Impact Note with regard to the merits of the
23 measure for which the Health and Wellness Impact Note is

1 prepared; however, technical or mechanical defects may be
2 noted.

3 Section 30. Appearance of State officials and employees in
4 support or opposition of measure. The fact that a Health and
5 Wellness Impact Note is prepared for any bill or proposed rule
6 shall not preclude or restrict the appearance before any
7 committee of the General Assembly, or before the Joint
8 Committee on Administrative Rules, of any official or
9 authorized employee of the Department of Public Health who
10 desires to be heard in support of or in opposition to the
11 measure.

12 Section 35. Amendment of bill necessitating statement of
13 fiscal effect of proposed amendment. Whenever any committee of
14 either chamber reports any bill with an amendment that will
15 substantially affect the information or conclusion stated in
16 the Health and Wellness Impact Note attached to the measure at
17 the time of its referral to the committee, there shall be
18 included with the report of the committee a statement of the
19 effect of the change proposed by the amendment reported if
20 desired by a majority of the committee. Whenever any bill is
21 amended on the floor of either chamber to substantially affect
22 the information or conclusion as stated in the Health and
23 Wellness Impact Note attached to the bill before the
24 amendment, a majority of the members of that chamber may

1 propose that no action shall be taken on the amendment until
2 the sponsor of the amendment presents to the members a
3 statement of the impact on the advancement of mental,
4 physical, or social well being of the proposed amendment.