

# HB3702



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3702

Introduced 2/17/2023, by Rep. Camille Y. Lilly

### SYNOPSIS AS INTRODUCED:

20 ILCS 730/5-50

Amends the Energy Transition Act. Provides that with oversight and support from the Illinois Office of Equity, Program Administrators shall collect and disaggregate specified data by race, ethnicity, gender, age, and location. Defines terms.

LRB103 30119 SPS 56543 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 5. The Energy Transition Act is amended by  
5 changing Section 5-50 as follows:

6 (20 ILCS 730/5-50)

7 (Section scheduled to be repealed on September 15, 2045)

8 Sec. 5-50. Returning Residents Clean Jobs Training  
9 Program.

10 (a) Subject to appropriation, the Department shall develop  
11 and, in coordination with the Department of Corrections,  
12 administer the Returning Residents Clean Jobs Training  
13 Program.

14 (b) As used in this Section:

15 "Commitment" means a judicially determined placement in  
16 the custody of the Department of Corrections on the basis of a  
17 conviction.

18 "Committed person" means a person committed to the  
19 Department of Corrections.

20 "Community-based organization" means an organization that:

21 (1) provides employment, skill development, or related  
22 services to members of the community;

23 (2) includes community colleges, nonprofits, and local

1 governments; and

2 (3) has a history of serving committed persons or  
3 justice-involved persons.

4 "Correctional institution or facility" means a Department  
5 of Corrections building or part of a Department of Corrections  
6 building where committed persons are detained in a secure  
7 manner.

8 "Department" means the Department of Commerce and Economic  
9 Opportunity.

10 "Discharge" means the end of a sentence or the final  
11 termination of a detainee's physical commitment to and  
12 confinement in the Department of Corrections.

13 "Location" means where the returning resident is  
14 physically located, such as:

15 (1) a correctional institution or facility;

16 (2) a county;

17 (3) a municipality or town; and

18 (4) a place of employment.

19 "Program" means the Returning Residents Clean Jobs  
20 Training Program.

21 "Program Administrator" means, for each Program Delivery  
22 Area, the administrator selected by the Department pursuant to  
23 paragraph (1) of subsection (g) of this Section.

24 "Returning resident" means any United States resident who  
25 is: (i) 17 years of age or older; (ii) in the physical custody  
26 of the Department of Corrections; and (iii) scheduled to be

1 re-entering society within 36 months.

2 (c) Returning Residents Clean Jobs Training Program.

3 (1) Connected services. The Program shall prepare  
4 graduates to work in the clean energy and related sector  
5 jobs as defined in Section 5-25.

6 (2) Recruitment of participants. The Program  
7 Administrators shall, in coordination with the Department  
8 of Commerce and Economic Opportunity, educate committed  
9 persons in both men's and women's correctional  
10 institutions and facilities on the benefits of the Program  
11 and how to enroll in the Program.

12 (3) Connection to employers. The Program  
13 Administrators shall, with assistance from the Regional  
14 Administrators, connect Program graduates with potential  
15 employers in the clean energy jobs industries.

16 (4) Graduation. Participants who successfully complete  
17 all assignments in the Program shall receive a Program  
18 graduation certificate and any certifications or  
19 credentials earned in the process.

20 (5) Eligibility. A committed person in a correctional  
21 institution or facility is eligible if the committed  
22 person:

23 (i) is within 36 months of expected release;

24 (ii) consented in writing to participation in the  
25 Program;

26 (iii) meets all Program and testing requirements;

1           (iv) is willing to follow all Program  
2 requirements; and

3           (v) does not pose a safety and security risk for  
4 the facility or any person.

5           The Department of Corrections shall have sole discretion  
6 to determine whether a committed person's participation in the  
7 Program poses a safety and security risk for the facility or  
8 any person. The Department of Corrections shall determine  
9 whether a committed person is eligible to participate in the  
10 Program.

11           (d) Program entry and testing requirements. To enter the  
12 Returning Residents Clean Jobs Training Program, committed  
13 persons must complete a simple application, undergo an  
14 interview and coaching session, and must score a minimum of a  
15 6.0 or above on the Test for Adult Basic Education or the  
16 Illinois Community College Board approved assessment for  
17 determining basic skills deficiency. The Returning Residents  
18 Clean Jobs Training Program shall include a one-week  
19 pre-program orientation that ensures the candidates understand  
20 and are interested in continuing the Program. Candidates that  
21 successfully complete the orientation may continue to the full  
22 Program.

23           (d-5) Training. Once approved for the new program,  
24 candidates must receive essential employability skills  
25 training as part of vocational or occupational training.  
26 Training must lead to certifications or credentials that

1 prepare candidates for employment.

2 (e) Removal from the Program. The Department of  
3 Corrections may remove a committed person enrolled in the  
4 Program for violation of institutional rules; failure to  
5 participate or meet expectations of the Program; failure of a  
6 drug test; disruptive behavior; or for reasons of safety,  
7 security, and order of the facility.

8 (f) Drug testing. A clean drug test is required to  
9 complete the Returning Residents Clean Jobs Training Program.  
10 A drug test shall be administered at least once prior to  
11 graduation. The Department of Corrections shall be responsible  
12 for the drug testing of applicants.

13 (g) Curriculum.

14 (1) The Department of Commerce and Economic  
15 Opportunity shall design a curriculum for the Program that  
16 is as similar as practical to the Clean Jobs Curriculum  
17 and meets in-facility requirements. The curriculum shall  
18 focus on preparing graduates for employment in the clean  
19 energy and related sector jobs as defined in Section 5-25.  
20 The Program shall include structured hands-on activities  
21 in correctional institutions or facilities, including  
22 classroom spaces and outdoor spaces, to instruct  
23 participants in the core curriculum established in this  
24 Act. The Department and the Department of Corrections  
25 shall work together to ensure all curriculum elements may  
26 be available within Department of Corrections facilities.

1           (2) The Program Administrators shall collaborate to  
2           create and publish a guidebook that allows for the  
3           implementation of the curriculum and provides information  
4           on all necessary and useful resources for Program  
5           participants and graduates.

6           (h) Program administration.

7           (1) The Department of Commerce and Economic  
8           Opportunity shall select a Program Administrator for each  
9           Program Delivery Area to administer and coordinate the  
10          Program. The Program Administrators shall have strong  
11          capabilities, experience, and knowledge related to program  
12          development and economic management; cultural and language  
13          competency needed to be effective in the communities to be  
14          served; committed persons or justice-involved persons;  
15          knowledge and experience in working with providers of  
16          clean energy jobs; and awareness of clean energy and  
17          related sector trends and activities, workforce  
18          development best practices, regional workforce development  
19          needs, and community development.

20          The Program Administrator must pass a background check  
21          administered by the Department of Corrections and be  
22          approved by the Department of Corrections to work within a  
23          secure facility prior to being hired by the Department of  
24          Commerce and Economic Opportunity for a Program delivery  
25          area.

26          (2) The Program Administrators shall:

1 (i) coordinate with Regional Administrators and  
2 the Clean Jobs Workforce Network Program to ensure  
3 that execution, performance, partnerships, marketing,  
4 and Program access across the State consistent with  
5 respecting regional differences;

6 (ii) work with community-based organizations  
7 approved to provide industry-recognized credentials or  
8 education institutions to deliver the Program;

9 (iii) collaborate to create and publish an  
10 employer "Hiring Returning Residents" handbook that  
11 includes benefits and expectations of hiring returning  
12 residents, guidance on how to recruit, hire, and  
13 retain returning residents, guidance on how to access  
14 State and federal tax credits and incentives and State  
15 and federal resources, guidance on how to update  
16 company policies to support hiring and supporting  
17 returning residents, and an understanding of the harm  
18 in one-size-fits-all policies toward returning  
19 residents. The handbook shall be updated every 5 years  
20 or more frequently if needed to ensure that its  
21 contents are accurate. The handbook shall be made  
22 available on the Department's website;

23 (iv) work with potential employers to promote  
24 company policies to support hiring and supporting  
25 returning residents via employee/employer liability,  
26 coverage, insurance, bonding, training, hiring



1 practices, and retention support;

2 (v) provide services such as job coaching and  
3 financial coaching to Program graduates to support  
4 employment longevity; and

5 (vi) identify clean energy job opportunities and  
6 assist participants in achieving employment. The  
7 Program shall include at least one job fair; include  
8 job placement discussions with clean energy employers;  
9 establish a partnership with Illinois solar energy  
10 businesses and trade associations to identify solar  
11 employers that support and hire returning residents;  
12 and involve the Department of Commerce and Economic  
13 Opportunity, Regional Administrators, and the Advisory  
14 Council in finding employment for participants and  
15 graduates in the clean energy and related sector  
16 industries.

17 (3) The Department shall select community-based  
18 organizations to provide Program elements at each  
19 facility. Community-based organizations shall be  
20 competitively selected by the Department of Commerce and  
21 Economic Opportunity. Community-based organizations  
22 delivering the Program elements outlined may provide all  
23 elements required or may subcontract to other entities for  
24 the provision of portions of Program elements. All  
25 contractors who have regular interactions with committed  
26 persons, regularly access a Department of Corrections

1 facility, or regularly access a committed person's  
2 personal identifying information or other data elements  
3 must pass a Department of Corrections background check  
4 prior to being approved to administer the Program elements  
5 at a facility.

6 (4) The Department of Corrections shall aim to include  
7 training in conjunction with other pre-release procedures  
8 and movements. Delays in a workshop being provided shall  
9 not cause delays in discharge.

10 (5) The Program Administrators may establish shortened  
11 Returning Resident Clean Jobs Training Programs to prepare  
12 and place graduates in the Clean Jobs Workforce Network  
13 Program or the Illinois Climate Works Preapprenticeship  
14 Program following the graduate's release from commitment.  
15 Graduates of these programs shall receive training that  
16 leads to certification or credentials designed to lead to  
17 employment and shall be prioritized for placement in a  
18 Clean Jobs Workforce Hubs training program or the Illinois  
19 Climate Works Preapprenticeship Program.

20 (6) The Director of Corrections shall:

21 (i) Ensure that the wardens or superintendents of  
22 all correctional institutions and facilities visibly  
23 post information on the Program in an accessible  
24 manner for committed individuals.

25 (ii) Identify the institutions and facilities  
26 within the Department of Corrections that will offer

1 the Program. The determination of which facility will  
2 offer the Program shall be based on available  
3 programming space, staffing, population, facility  
4 mission, security concerns, and any other relevant  
5 factor in determining suitable locations for the  
6 Program.

7 (i) Performance metrics.

8 (1) With oversight and support from the Illinois  
9 Office of Equity, the ~~The~~ Program Administrators shall  
10 collect and disaggregate data by race, ethnicity, gender,  
11 age, and location to evaluate and ensure Program and  
12 participant success, including:

13 (i) the number of returning residents who enrolled  
14 in the Program;

15 (ii) the number of returning residents who  
16 completed the Program and were accepted;

17 (iii) the ~~total~~ number of returning residents who  
18 enrolled in the Program and were denied individuals  
19 discharged;

20 (iv) the number of returning residents who  
21 enrolled in the Program and were removed ~~the~~  
22 ~~demographics of each entering and graduating class~~;

23 (v) the number of returning residents who  
24 completed the Program ~~the percentage of graduates~~  
25 ~~employed at 6 and 12 months after release~~;

26 (vi) the number of returning residents who did not

1 ~~complete the Program the recidivism rate of Program~~  
2 ~~participants at 3 and 5 years after release;~~

3 (vii) the total number of individuals discharged  
4 ~~the candidates interviewed and hiring status;~~

5 (viii) the demographics of each entering and  
6 graduating class ~~the graduate employment status, such~~  
7 ~~as hire date, pay rates, whether full time, part time,~~  
8 ~~or seasonal, and separation date; and~~

9 (ix) the percentage of graduates employed at 6 and  
10 12 months after release; ~~continuing education and~~  
11 ~~certifications gained by Program graduates.~~

12 (x) the recidivism rate of Program participants at  
13 1, 3, 5, 7, and 10 years after release;

14 (xi) the candidates interviewed and hiring status;

15 (xii) the graduate employment status, such as hire  
16 date, pay rates, whether full-time, part-time, or  
17 seasonal, and separation date;

18 (xiii) the number of returning residents who  
19 graduated from the Program and remained employed in  
20 the clean energy industry within 1, 3, 5, 7, and 10  
21 years after release;

22 (xiv) the number of returning residents who  
23 graduated from the Program and changed employment in  
24 the clean energy industry within 1, 3, 5, 7, and 10  
25 years after release;

26 (xv) the number of returning residents who

1           graduated from the Program and separated from  
2           employment in the clean energy industry and received  
3           employment in another industry within 1, 3, 5, 7, and  
4           10 years after release; and

5                   (xvi) continuing education and certifications  
6           gained by Program graduates.

7           (2) The Department of Commerce and Economic  
8           Opportunity shall publish an annual report containing  
9           these performance metrics. Data may be disaggregated by  
10          institution, discharge, or residence address of resident,  
11          and other factors.

12          (j) Funding. Funding for the Program is subject to  
13          appropriation from the Energy Transition Assistance Fund.  
14          Funding may be made available from other lawful sources,  
15          including donations, grants, and federal incentives.

16          (k) Access. The Program instructors and staff must pass a  
17          background check administered by the Department of Corrections  
18          prior to entering a Department of Corrections institution or  
19          facility. The Warden or Superintendent shall have the  
20          authority to deny a Program instructor or staff member entry  
21          into an institution or facility for safety and security  
22          concerns or failure to follow all facility procedures or  
23          protocols. A Program instructor or staff member administering  
24          the Program may be terminated or have his or her contract  
25          canceled if the Program instructor or staff member is denied  
26          entry into an institution or facility for safety and security

1 concerns.

2 (Source: P.A. 102-662, eff. 9-15-21.)