

1 AN ACT concerning State facility closure.

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
5 State Facility Closing Act.

6 Section 5. Public policy. It is the policy of this
7 State to maintain public health, safety, and welfare and to
8 cease to maintain these services and functions when they are
9 no longer necessary or desired by the people of Illinois.
10 Because of the nature of the government in this State,
11 meaningful economic support has been provided to Illinois'
12 communities and families through the employment of thousands
13 of Illinois citizens to carry out State policies. Therefore,
14 it shall be the policy of the State that prior to the closure
15 of State agencies or their ancillary facilities or the
16 termination of State employees through the closure of State
17 facilities, the General Assembly and the people of the State
18 of Illinois shall be made aware of the compelling interest of
19 the State and its citizens to close the agency or facility or
20 layoff State employees. The General Assembly and the people
21 of Illinois shall be made aware of the economic impacts that
22 the proposed closing or layoff will have on the communities
23 in which the closing will take place before the proposed
24 closing or layoff is implemented.

25 Section 10. Definitions. In this Act:

26 "Layoff" does not include the termination of employment
27 of a person who performs work as an employee of a private
28 entity under a State contract that provides for a date of
29 completion after which time the private entity is considered
30 to no longer be under contract.

1 "Permanent contract" means a State contract with a
2 private entity, employing at least 50 persons, that does not
3 have a date of completion after which time the private entity
4 is considered to be no longer under contract with the State.

5 "State agency" has the meaning as defined in Section 1-20
6 of the Illinois Administrative Procedure Act and shall also
7 include any of the agency's ancillary facilities at which a
8 person performs work as an employee of that State agency.

9 Section 15. Closure; requirement of study. An economic
10 impact study shall be submitted to the General Assembly by
11 any State agency or facility that is closing or seeking to
12 layoff the lesser of 50 employees or 50% of the staff of that
13 agency or facility.

14 An economic impact study shall be submitted when a
15 private entity under permanent contract with the State seeks
16 to layoff the lesser of 50 employees or 50% of the staff
17 performing work pursuant to the permanent State contract.
18 The State agency that is a party to the permanent contract
19 shall be responsible for submitting the economic impact
20 statement to the General Assembly.

21 Section 20. Deadline for study. Any time an economic
22 impact study is required to be performed pursuant to this
23 Act, a report shall be presented to the General Assembly no
24 later than 3 months prior to the planned implementation of
25 the facility closing or layoff, unless both a majority of the
26 House and the Senate approve a resolution setting an
27 alternate deadline.

28 Section 25. Report. The economic impact study shall be
29 in the form of a report to the General Assembly and shall
30 include, but not be limited to, the following:

31 (a) State revenues expected to be saved as a result

1 of the proposed layoff or facility or agency closing;

2 (b) the rationale for the layoff or facility or
3 agency closing;

4 (c) the function and duties of the State employees
5 that will be laid-off;

6 (d) whether the function and duties of the State
7 employees to be laid-off will be performed by another
8 section of State government, and if so, which section;

9 (e) the economic impact on the community where the
10 proposed layoff or closure of a facility or agency is
11 located;

12 (f) the analyses of current and projected economic
13 and labor conditions of the communities affected by the
14 proposed layoff or facility or agency closure;

15 (g) any other data that pertains to the economic
16 and labor impacts on Illinois communities as a result of
17 the proposed layoff or facility or agency closing; and

18 (h) any other data that the General Assembly may
19 request concerning the proposed layoff or facility or
20 agency closing.

21 Section 30. Exemptions. No economic impact study shall
22 be required to be submitted to the General Assembly when:

23 (a) closure or layoffs are mandated pursuant to
24 federal or State law or by a court order; or

25 (b) when both the House and the Senate waive the
26 requirement of the submission of the report by a
27 resolution approved by a majority in each house.

28 Section 35. Priority. Before constructing or choosing
29 the location of a new State facility, the State shall first
30 give consideration to any community that has previously
31 suffered the closure of a State agency or facility. This
32 priority for construction or location of a new State facility

1 shall govern unless the State has a compelling interest to
2 cause the location or construction of the agency or facility
3 to be placed in another location or unless the General
4 Assembly finds that the citizens of that community have a
5 compelling interest to cause the location or construction of
6 a new State agency or facility to be placed in a different
7 location.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.