

1 AMENDMENT TO HOUSE BILL 992

2 AMENDMENT NO. _____. Amend House Bill 992 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be cited as the State Facility
5 Modification Review Act.

6 Section 5. The Department of Human Services, the
7 Department of Corrections, or the Department of Veterans'
8 Affairs, within any 12-month period, shall not close any
9 facility or modify the use of any facility operated by such
10 Department which would reduce the functional bed capacity or
11 occupancy level of such facility by 10% or 25 persons,
12 whichever is less, or which would reduce the number of
13 employees at such facility by 10% of the total employees at
14 such facility or 25 employees, whichever is less, unless the
15 General Assembly has approved such change in compliance with
16 the procedures set forth in Section 10 of this Act.

17 Section 10. The Secretary or Director of the Department
18 proposing a change under Section 5 must submit a closure or
19 modification plan in writing with supporting documents as
20 described in Section 15 to the General Assembly by delivering
21 a copy thereof to the Secretary of the Senate and to the

1 Clerk of the House of Representatives. The Secretary of the
2 Senate and Clerk of the House shall receive and note on the
3 proposed change and supporting documents the date and time of
4 delivery. Delivery may take place during such period on a
5 date or at an hour when the Senate and House are not in
6 session as long as the offices of the Secretary and Clerk are
7 open to receive the proposed change and supporting documents.

8 For a proposed change to become effective, the General
9 Assembly must approve the proposed change by joint
10 resolution, no sooner than 30 session days after receipt of
11 the proposed change and supporting documents. In determining
12 the 30 session-day period within which the General Assembly
13 may not act, the day on which delivery is made to the Senate
14 and House shall not be counted. If delivery of the proposed
15 change and supporting documents to the 2 houses occurs on
16 different days, the 30 session-day period shall begin on the
17 day following the later delivery. For the purposes of this
18 Section, the term "session day" means any day during which
19 either the Senate or the House of Representatives is in
20 session and includes days when either the Senate or House of
21 Representatives is in special session.

22 Section 15. Any proposed change submitted to the General
23 Assembly shall include, at a minimum, the following
24 supporting documents:

- 25 (1) the rationale for the proposed change;
- 26 (2) the number and service needs of the individuals
27 whose service delivery will be affected by the proposed
28 change;
- 29 (3) the number, functions, and duties of the State
30 employees to be laid-off;
- 31 (4) specifically how, by means of either State
32 government employees or contracted providers, the service
33 needs of the affected individuals will be met and the

1 impact that will have on the type and availability of
2 services for such individuals and other service
3 recipients;

4 (5) a cost-benefit analysis of the closing or
5 modification, including:

6 (i) specific first-year cost savings itemized
7 by budget line including personal services,
8 retirement, social security, contractual services,
9 travel, commodities, printing, equipment,
10 telecommunications, operation of automotive
11 equipment, and any other applicable items;

12 (ii) specific first-year costs and up-front
13 expenses associated with replacing the services
14 currently rendered at the facility that will be
15 closed or modified, including the cost of
16 contracting out the service and monitoring such
17 contracts and additional costs at other State
18 facilities.

19 (6) an independent economic impact study of the
20 community where the facility proposed for closure or
21 modification is located;

22 (7) a legal opinion that ensures that the proposed
23 change does not violate State or federal laws.

24 The Department proposing the change shall provide any
25 clarification or additional information that the General
26 Assembly may request.

27 Section 99. Effective date. This Act takes effect upon
28 becoming law."