

SB1794



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1794

Introduced 2/25/2005, by Sen. Dan Rutherford

SYNOPSIS AS INTRODUCED:

30 ILCS 608/5-10

Amends the State Facilities Closure Act. Provides that recommendations for closure and public hearings are mandatory (now, at the discretion of the Commission on Government Forecasting and Accountability) for the proposed closure of certain facilities.

LRB094 11176 BDD 41837 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Facilities Closure Act is amended by
5 changing Section 5-10 as follows:

6 (30 ILCS 608/5-10)

7 Sec. 5-10. Facility closure process.

8 (a) Before a State facility may be closed, the State
9 executive branch officer with jurisdiction over the facility
10 shall file notice of the proposed closure with the Commission.
11 The notice must be filed within 2 days after the first public
12 announcement of any planned or proposed closure. Within 10 days
13 after it receives notice of the proposed closure, the
14 Commission, in its discretion, may require the State executive
15 branch officer with jurisdiction over the facility to file a
16 recommendation for the closure of the facility with the
17 Commission. In the case of a proposed closure of: (i) a prison,
18 youth center, work camp, or work release center operated by the
19 Department of Corrections; (ii) a school, mental health center,
20 or center for the developmentally disabled operated by the
21 Department of Human Services; or (iii) a residential facility
22 operated by the Department of Veterans' Affairs, the Commission
23 must require the executive branch officers to file a
24 recommendation for closure. The recommendation must be filed
25 within 30 days after the Commission delivers the request for
26 recommendation to the State executive branch officer. The
27 recommendation must include, but is not limited to, the
28 following:

29 (1) the location and identity of the State facility
30 proposed to be closed;

31 (2) the number of employees for which the State
32 facility is the primary stationary work location and the

1 effect of the closure of the facility on those employees;

2 (3) the location or locations to which the functions
3 and employees of the State facility would be moved;

4 (4) the availability and condition of land and
5 facilities at both the existing location and any potential
6 locations;

7 (5) the ability to accommodate the functions and
8 employees at the existing and at any potential locations;

9 (6) the cost of operations of the State facility and at
10 any potential locations and any other related budgetary
11 impacts;

12 (7) the economic impact on existing communities in the
13 vicinity of the State facility and any potential facility;

14 (8) the ability of the existing and any potential
15 community's infrastructure to support the functions and
16 employees;

17 (9) the impact on State services delivered at the
18 existing location, in direct relation to the State services
19 expected to be delivered at any potential locations; and

20 (10) the environmental impact, including the impact of
21 costs related to potential environmental restoration,
22 waste management, and environmental compliance activities.

23 (b) If a recommendation is required by the Commission, a
24 30-day public comment period must follow the filing of the
25 recommendation. The Commission, in its discretion, may conduct
26 one or more public hearings on the recommendation. In the case
27 of a proposed closure of: (i) a prison, youth center, work
28 camp, or work release center operated by the Department of
29 Corrections; (ii) a school, mental health center, or center for
30 the developmentally disabled operated by the Department of
31 Human Services; or (iii) a residential facility operated by the
32 Department of Veterans' Affairs, the Commission must conduct
33 one or more public hearings on the recommendation. Public
34 hearings conducted by the Commission shall be conducted no
35 later than 35 days after the filing of the recommendation. At
36 least one of the public hearings on the recommendation shall be

1 held at a convenient location within 25 miles of the facility
2 for which closure is recommended. The Commission shall provide
3 reasonable notice of the comment period and of any public
4 hearings to the public and to units of local government and
5 school districts that are located within 25 miles of the
6 facility.

7 (c) Within 50 days after the State executive branch officer
8 files the required recommendation, the Commission shall issue
9 an advisory opinion on that recommendation. The Commission
10 shall file the advisory opinion with the appropriate State
11 executive branch officer, the Governor, the General Assembly,
12 and the Index Department of the Office of the Secretary of
13 State and shall make copies of the advisory opinion available
14 to the public upon request.

15 (d) No action may be taken to implement the recommendation
16 for closure of a State facility until 50 days after the filing
17 of any required recommendation.

18 (e) The requirements of this Section do not apply if all of
19 the functions and employees of a State facility are relocated
20 to another State facility that is within 10 miles of the closed
21 facility.

22 (Source: P.A. 93-839, eff. 7-30-04.)