

1 AN ACT concerning 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 State  
5 Employees Flex-Time Mentoring Act.

6 Section 5. Purpose. The purpose of this Act is to enable  
7 State employees to use vacation, personal, and sick leave time  
8 to participate in certain well-established mentoring programs.

9 Section 10. Definitions. In this Act:

10 "Eligible State employee" means an individual who:

11 (1) is a permanent, non-contractual State employee;  
12 and

13 (2) has provided, without monetary remuneration,  
14 mentoring services to a qualified mentoring program for not  
15 less than one year before requesting mentoring leave.

16 "Mentoring leave" means an eligible State employee's  
17 vacation, personal, and sick time spent mentoring a child in a  
18 qualified mentoring program.

19 "Qualified mentoring program" means a program that  
20 finances, arranges for, and otherwise facilitates the  
21 mentoring, by adults, on a one-to-one basis, of children who  
22 are:

1           (1) enrolled in any school level between kindergarten  
2           and the 12th grade; and

3           (2) under the age of 18.

4           Additionally, a qualified mentoring program must be a  
5           not-for-profit, secular entity, organized under Section  
6           501(c)(3) of the United States Internal Revenue Code. A  
7           qualified mentoring program must also have been in existence  
8           for at least 10 years before the effective date of this Act.

9           "State agency" has the same meaning as defined in Section  
10          1-7 of the Illinois State Auditing Act.

11          Section 15. Mentoring leave authorized.

12          (a) All State agencies may permit eligible State employees  
13          to take mentoring leave. No employee may take more than 40  
14          hours of mentoring leave in a calendar year.

15          (b) At the time he or she requests mentoring leave, an  
16          eligible State employee must provide his or her supervisor with  
17          written verification from a qualified mentoring program that  
18          the employee has performed at least one year of mentoring  
19          services as required under the definition of "eligible State  
20          employee".

21          (c) Each State agency that elects to permit mentoring flex  
22          time for its employees must implement an application process by  
23          which an eligible employee under its authority can apply for  
24          mentoring leave. All participating State agencies retain  
25          unfettered discretion to permit or deny an eligible employee's

1 request for mentoring leave. Participating agencies must take  
2 into account the following factors in evaluating applications  
3 for mentoring leave:

- 4 (1) the operational needs of the State;
- 5 (2) the budgetary concerns of the agency; and
- 6 (3) any limitations imposed by law.

7 Section 20. No rulemaking authority. Notwithstanding any  
8 other rulemaking authority that may exist, neither the Governor  
9 nor any agency or agency head under the jurisdiction of the  
10 Governor has any authority to make or promulgate rules to  
11 implement or enforce the provisions of this Act. If, however,  
12 the Governor believes that rules are necessary to implement or  
13 enforce the provisions of this Act, the Governor may suggest  
14 rules to the General Assembly by filing them with the Clerk of  
15 the House and Secretary of the Senate and by requesting that  
16 the General Assembly authorize such rulemaking by law, enact  
17 those suggested rules into law, or take any other appropriate  
18 action in the General Assembly's discretion. Nothing contained  
19 in this Act shall be interpreted to grant rulemaking authority  
20 under any other Illinois statute where such authority is not  
21 otherwise explicitly given. For the purposes of this Act,  
22 "rules" is given the meaning contained in Section 1-70 of the  
23 Illinois Administrative Procedure Act, and "agency" and  
24 "agency head" are given the meanings contained in Sections 1-20  
25 and 1-25 of the Illinois Administrative Procedure Act to the

1 extent that such definitions apply to agencies or agency heads  
2 under the jurisdiction of the Governor.