



Sen. Don Harmon

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09500SB1686sam002

LRB095 08920 HLH 32495 a

1 AMENDMENT TO SENATE BILL 1686

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1686 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The County Shelter Care and Detention Home Act  
5 is amended by changing Sections 1, 3, and 9.1 and by adding  
6 Section 9.2 as follows:

7 (55 ILCS 75/1) (from Ch. 23, par. 2681)

8 Sec. 1. Establishment and maintenance of homes.

9 (a) The board of county commissioners or the county board  
10 in any county in this State, may locate, purchase, erect,  
11 lease, or otherwise provide and establish, support and maintain  
12 a detention home for the care and custody of delinquent minors  
13 and a shelter care home for the temporary care of minors who  
14 are delinquent, dependent, neglected, addicted, abused or  
15 require authoritative intervention. They may levy and collect a

1 tax to pay the cost of its establishment and maintenance in  
2 accordance with the terms and provisions of this Act. In  
3 counties with 300,000 or less inhabitants, the powers  
4 enumerated in this Act shall not be exercised unless this Act  
5 is adopted by the legal voters of the county as provided in  
6 this Act. In counties with over 300,000 but less than 1,000,000  
7 inhabitants the county board by majority vote may establish  
8 county shelter care and detention homes without adoption of  
9 this Act by the legal voters and without referendum.

10 (b) In any county, if the board of county commissioners or  
11 the county board, as the case may be, determines that a shelter  
12 care or detention home presently in use is obsolete, it may  
13 continue to operate the shelter care or detention home on a  
14 temporary basis and, by majority vote of that board, may  
15 rebuild or replace the home at its present location or another.

16 (c) No county shall be required to discontinue the use of  
17 any shelter care or detention home in existence or in use on  
18 the effective date of this amendatory Act of 1975 because of  
19 the fact that the proposition to establish and maintain the  
20 shelter care or detention home has not been submitted to the  
21 voters as provided in this Act.

22 This amendatory Act of 1975 is not a limit on any county  
23 which is a home rule unit.

24 (d) Cook County is not required to discontinue the use of  
25 the Cook County Juvenile Temporary Detention Center or of any  
26 other shelter care home or detention home in existence or in

1 use on the effective date of this amendatory act of the 95th  
2 General Assembly because of the fact that the proposition to  
3 establish and maintain it was not submitted to the voters as  
4 provided in this Act.

5 (Source: P.A. 85-637.)

6 (55 ILCS 75/3) (from Ch. 23, par. 2683)

7 Sec. 3. Administrator; necessary personnel; supplies or  
8 repairs.

9 (a) The administrator and all other necessary personnel of  
10 the shelter care home and detention home, shall be appointed by  
11 the Chief Judge of the Circuit Court or any Judge of that  
12 Circuit designated by the Chief Judge, to serve at the pleasure  
13 of the appointing authority. Each shall receive a monthly  
14 salary fixed by the county board. Personnel shall also be  
15 reimbursed for their actual and necessary expenses incurred in  
16 the performance of their duties. The expenses shall be  
17 reimbursed at least monthly upon proper certification by the  
18 court.

19 The supplies or repairs necessary to maintain, operate and  
20 conduct the shelter care home and the detention home shall be  
21 furnished upon the requisition of its administrator to the  
22 chairman of a committee as may be designated by the county  
23 board, and the bills therefor shall be audited, passed upon and  
24 paid as other bills for supplies furnished for county  
25 institutions.

1       (b) Within 180 days after the effective date of this  
2 amendatory Act of the 95th General Assembly, the Chief Judge of  
3 the Cook County Circuit Court, or any Judge of that Circuit  
4 designated by the Chief Judge, shall appoint an administrator  
5 to serve as the Superintendent of the Cook County Temporary  
6 Juvenile Detention Center. The Chief Judge of the Cook County  
7 Circuit Court, or any Judge of that Circuit designated by the  
8 Chief Judge shall appoint all other necessary personnel of the  
9 Cook County Juvenile Temporary Detention Center and any other  
10 shelter care home or detention home in Cook County in  
11 accordance with subsections (a) and (d) of this Section. The  
12 term of the administrator and any personnel in office upon the  
13 effective date of this amendatory Act of the 95th General  
14 Assembly shall terminate upon the appointment of his or her  
15 successor.

16       (c) The Chief Judge of the Cook County Circuit Court, or  
17 any Judge of that Circuit designated by the Chief Judge, shall  
18 have administrative control over the budget of the Cook County  
19 Juvenile Temporary Detention Center and any other shelter care  
20 home or detention home in Cook County, subject to the approval  
21 of the Cook County Board and in accordance with subsections (a)  
22 and (d) of this Section.

23       (d) The supplies or repairs necessary to maintain, operate,  
24 and conduct the shelter care home and the detention home shall  
25 be furnished upon the requisition of its administrator to the  
26 chairman of a committee as may be designated by the county

1 board, however in Cook County the administrator shall submit  
2 such requisitions to the County Board and Office of the  
3 Purchasing Agent in accordance with the ordinances established  
4 by the Cook County Board. Those bills shall be audited, passed  
5 upon and paid as other bills for supplies furnished for county  
6 institutions.

7 (Source: P.A. 85-637.)

8 (55 ILCS 75/9.1) (from Ch. 23, par. 2689.1)

9 Sec. 9.1. (a) Within 6 months after the effective date of  
10 this amendatory Act of 1979, all county detention homes or  
11 independent sections thereof established prior to such  
12 effective date shall be designated as either shelter care or  
13 detention homes or both, provided physical arrangements are  
14 created clearly separating the two, in accordance with their  
15 basic physical features, programs and functions, by the  
16 Department of Juvenile Justice in cooperation with the Chief  
17 Judge of the Circuit Court and the county board. Within one  
18 year after receiving notification of such designation by the  
19 Department of Juvenile Justice, all county shelter care homes  
20 and detention homes shall be in compliance with this Act.

21 (b) Compliance with this amendatory Act of 1979 shall not  
22 affect the validity of any prior referendum or the levy or  
23 collection of any tax authorized under this Act. All county  
24 shelter care homes and detention homes established and in  
25 operation on the effective date of this amendatory Act of 1979

1 may continue to operate, subject to the provisions of this  
2 amendatory Act of 1979, without further referendum.

3 (c) Compliance with this amendatory Act of 1987 shall not  
4 affect the validity of any prior referendum or the levy or  
5 collection of any tax authorized under this Act. All county  
6 shelter care homes and detention homes established and in  
7 operation on the effective date of this amendatory Act of 1987  
8 may continue to operate, subject to the provisions of this  
9 amendatory Act of 1987, without further referendum.

10 (d) Upon the effective date of this amendatory Act of the  
11 95th General Assembly, all county shelter care homes and  
12 detention homes in Cook County, including the Cook County  
13 Juvenile Temporary Detention Center, established and in  
14 operation on or before the effective date of this amendatory  
15 Act of the 95th General Assembly must be in compliance with  
16 this Act and may continue to operate without further  
17 referendum.

18 (Source: P.A. 94-696, eff. 6-1-06.)

19 (55 ILCS 75/9.2 new)

20 Sec. 9.2. Home rule. A county, including a home rule  
21 county, may not regulate shelter care homes and detention homes  
22 in a manner that is inconsistent with this Act. This Act is a  
23 limitation under subsection (i) of Section 6 of Article VII of  
24 the Illinois Constitution on the concurrent exercise by home  
25 rule units of powers and functions exercised by the State.

1           Section 90. The State Mandates Act is amended by adding  
2           Section 8.31 as follows:

3           (30 ILCS 805/8.31 new)

4           Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8  
5           of this Act, no reimbursement by the State is required for the  
6           implementation of any mandate created by this amendatory Act of  
7           the 95th General Assembly."