



Sen. Kwame Raoul

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LRB096 08718 RLC 26891 a

1 AMENDMENT TO HOUSE BILL 682

2 AMENDMENT NO. _____. Amend House Bill 682 by replacing the
3 title with the following:

4 "AN ACT concerning the General Assembly."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Correctional Budget and Impact Note Act is
8 amended by changing Sections 1, 2, 3, 4, 6, 7, 8, and 9 as
9 follows:

10 (25 ILCS 70/1) (from Ch. 63, par. 42.81)

11 Sec. 1. This Act shall be known and may be cited as the
12 Correctional and Human Services Budget and Impact Note Act.

13 (Source: P.A. 83-1031.)

14 (25 ILCS 70/2) (from Ch. 63, par. 42.82)

1 Sec. 2. Budget impact note required.

2 (a) Every bill which creates a new criminal offense for
3 which a sentence to the Department of Corrections may be
4 imposed; or which enhances any class or category of offense to
5 a higher grade or penalty for which a sentence to the
6 Department of Corrections is authorized; or which requires a
7 mandatory commitment to the Department of Corrections, shall
8 have prepared for it prior to second reading in the house of
9 introduction a brief explanatory statement or note which shall
10 include a reliable estimate of the probable impact of such bill
11 upon the overall resident population of the Department of
12 Corrections and the probable impact which such bill will have
13 upon the Department's annual budget.

14 (b) Every bill that (i) creates a new criminal offense for
15 which a commitment to the Department of Juvenile Justice or to
16 a juvenile detention facility, sentence of probation,
17 intermediate sanctions, or community service may be imposed or
18 (ii) enhances any class or category of offense to any grade or
19 penalty for which adjudication, commitment, or disposition by a
20 circuit court to the custody of a Probation and Court Services
21 Department may result shall have prepared for it prior to
22 second reading in the house of introduction a brief explanatory
23 statement or note that shall include a reliable estimate of the
24 probable impact of the bill upon the Department of Juvenile
25 Justice, as well as the overall probation caseload Statewide
26 and the probable impact the bill will have on staffing needs

1 and upon the annual budgets of the Illinois Supreme Court and
2 the counties of this State.

3 (c) Every bill which creates a new program or service which
4 will be provided by the Department of Human Services, or which
5 expands the class of persons eligible for, or the level of
6 benefits provided by, any existing program or service provided
7 by the Department of Human Services, shall have prepared for it
8 prior to second reading in the house of introduction a brief
9 explanatory statement or note which shall include a reliable
10 estimate of the probable impact of such bill upon the overall
11 resident population of the facilities operated by the
12 Department of Human Services and the probable impact which such
13 bill will have upon the Department's annual budget.

14 (d) Every bill which creates a new program or service which
15 will be provided by the Department of Healthcare and Family
16 Services, or which expands the class of persons eligible for,
17 or the level of benefits provided by, any existing program or
18 service provided by the Department of Healthcare and Family
19 Services, shall have prepared for it prior to second reading in
20 the house of introduction a brief explanatory statement or note
21 which shall include a reliable estimate of the probable impact
22 which such bill will have upon the Department's annual budget.

23 (e) Every bill which creates a new program or service which
24 will be provided by the Illinois State Board of Education, or
25 which expands the class of persons eligible for, or the level
26 of benefits provided by, any existing program or service

1 provided by the Illinois State Board of Education, shall have
2 prepared for it prior to second reading in the house of
3 introduction a brief explanatory statement or note which shall
4 include a reliable estimate of the probable impact which such
5 bill will have upon the Board's annual budget.

6 (Source: P.A. 89-198, eff. 7-21-95.)

7 (25 ILCS 70/3) (from Ch. 63, par. 42.83)

8 Sec. 3. Preparation of note.

9 (a) Upon the filing ~~request of the sponsor~~ of any bill
10 described in subsection (a) of Section 2, the Director of ~~the~~
11 ~~Department of~~ Corrections, or any person within the Department
12 whom the Director may designate, shall prepare a written
13 statement setting forth the information specified in
14 subsection (a) of Section 2. Upon the filing ~~request of the~~
15 ~~sponsor~~ of any bill described in subsection (b) of Section 2,
16 the Director of Juvenile Justice and the Director of the
17 Administrative Office of the Illinois Courts, or any person
18 each ~~the~~ Director may designate, shall prepare a written
19 statement setting forth the information specified in
20 subsection (b) of Section 2. Upon the filing of any bill
21 described in subsection (c) of Section 2, the Secretary of the
22 Department of Human Services, or any person within the
23 Department whom the Secretary may designate, shall prepare a
24 written statement setting forth the information specified in
25 subsection (c) of Section 2. Upon the filing of any bill

1 described in subsection (d) of Section 2, the Director of the
2 Department of Healthcare and Family Services, or any person
3 within the Department whom the Director may designate, shall
4 prepare a written statement setting forth the information
5 specified in subsection (d) of Section 2. Upon the filing of
6 any bill described in subsection (e) of Section 2, the State
7 Superintendent of Education, or any person employed by the
8 Board whom the State Superintendent may designate, shall
9 prepare a written statement setting forth the information
10 specified in subsection (e) of Section 2.

11 The statement prepared by the Director of Corrections, the
12 Director of Juvenile Justice, the ~~or~~ Director of Administrative
13 Office of the Illinois Courts, the Secretary of Human Services,
14 the Director of Healthcare and Family Services, or the State
15 Superintendent of Education, as the case may be, shall be
16 designated a Correctional and Human Services Budget and Impact
17 Note and shall be filed with the Clerk of the House or the
18 Secretary of the Senate, as appropriate, and furnished to the
19 sponsor within 10 calendar days thereafter, except that
20 whenever, because of the complexity of the bill, additional
21 time is required for the preparation of the note, the
22 Department of Corrections, Department of Juvenile Justice, ~~or~~
23 Administrative Office of the Illinois Courts, Department of
24 Human Services, Department of Healthcare and Family Services,
25 or Illinois State Board of Education may so notify the sponsor
26 and request an extension of time not to exceed 5 additional

1 days within which such note is to be furnished. ~~Such extension~~
2 ~~shall not extend beyond May 15 following the date of the~~
3 ~~request.~~

4 (b) Upon the filing of any bill requiring the preparation
5 of a written statement under subsection (a), the sponsor of the
6 bill in the house of introduction shall inform the Department
7 of Corrections, the Department of Juvenile Justice, the
8 Administrative Office of the Illinois Courts, the Department of
9 Human Services, the Department of Healthcare and Family
10 Services, or the Illinois State Board of Education, as
11 appropriate, of the filing of the bill.

12 (Source: P.A. 92-16, eff. 6-28-01.)

13 (25 ILCS 70/4) (from Ch. 63, par. 42.84)

14 Sec. 4. Preferred funding source. Within 5 days after
15 receiving the statement required in Section 3 and prior to
16 second reading in the house of introduction, the sponsor shall
17 file with the Clerk of the House or the Secretary of the
18 Senate, as appropriate, a written statement identifying the
19 sponsor's preferred means of funding the costs to be incurred
20 by the legislation. The required identification shall be made
21 either by specifying (i) the additional tax or other revenue
22 source from which an amount equal to the costs identified are
23 to be generated or (ii) the specific line item or items in the
24 budget for the current fiscal year that would be reduced or
25 eliminated to reach an amount equal to the costs identified.

1 ~~Whenever the sponsor of any measure is of the opinion that no~~
2 ~~Correctional Budget and Impact Note is necessary, any member of~~
3 ~~either house may thereafter request that a note be obtained,~~
4 ~~and in such case the matter shall be decided by a majority vote~~
5 ~~of those present and voting in the house of which he is a~~
6 ~~member.~~

7 (Source: P.A. 83-1031.)

8 (25 ILCS 70/6) (from Ch. 63, par. 42.86)

9 Sec. 6. Preparation of note. No comment or opinion shall be
10 included in the note with regard to the merits of the measure
11 for which the note is prepared; however technical or mechanical
12 defects may be noted.

13 The work sheet shall include, insofar as practicable, a
14 breakdown of the costs upon which the note is based. Such
15 breakdown shall include, but need not be limited to, costs of
16 personnel, room and board, and capital outlay. The note shall
17 also include such other information as is required by the rules
18 and regulations which may be promulgated by each house of the
19 General Assembly with respect to the preparation of such notes.

20 The note shall be prepared in quintuplicate and the
21 original of both the note and the work sheet shall be signed by
22 the Director of the Department of Corrections or such person as
23 the Director may designate, by the Director of Juvenile
24 Justice, or such person as the Director may designate, ~~or~~ by
25 the Director of the Administrative Office of the Illinois

1 Courts, or any person the Director may designate, the Secretary
2 of the Department of Human Services, or such person as the
3 Secretary may designate, or the Director of the Department of
4 Healthcare and Family Services, or such person as the Director
5 may designate, or the State Superintendent of Education, or
6 such person as the Superintendent may designate.

7 (Source: P.A. 89-198, eff. 7-21-95.)

8 (25 ILCS 70/7) (from Ch. 63, par. 42.87)

9 Sec. 7. Committee appearance. The fact that a Correctional
10 and Human Services Budget and Impact Note is prepared for any
11 bill shall not preclude or restrict the appearance before any
12 committee of the General Assembly, of any official or
13 authorized employee of any State board, commission,
14 department, agency or other entity who desires to be heard in
15 support of or in opposition to the measure.

16 (Source: P.A. 83-1031.)

17 (25 ILCS 70/8) (from Ch. 63, par. 42.88)

18 Sec. 8. Amendments; notes required. Whenever any measure is
19 amended on the floor of either house in such manner as to bring
20 it within the description of bills set forth in Section 2
21 ~~above, a majority of such house may propose that~~ no action
22 shall be taken upon the amendment until the sponsor of the
23 amendment presents to the members a statement of the budget and
24 (if applicable) population impact of his or her amendment,

1 together with a statement of the sponsor's preferred funding
2 source under Section 4, as required by this Act.

3 (Source: P.A. 83-1031.)

4 (25 ILCS 70/9) (from Ch. 63, par. 42.89)

5 Sec. 9. Confidentiality before introduction. The subject
6 matter of bills submitted to the Director of ~~the Department of~~
7 Corrections, the Director of Juvenile Justice, or the Director
8 of the Administrative Office of the Illinois Courts, the
9 Secretary of the Department of Human Services, the Director of
10 the Department of Healthcare and Family Services, or the State
11 Superintendent of Education shall be kept in strict confidence
12 and no information relating thereto or relating to the budget
13 or impact thereof shall be divulged by an official or employee
14 of the applicable Board or Department or the Administrative
15 Office of the Illinois Courts, except to the bill's sponsor or
16 his designee, prior to the bill's introduction in the General
17 Assembly.

18 (Source: P.A. 92-16, eff. 6-28-01.)".