



Sen. Kwame Raoul

Filed: 3/24/2009

09600SB1865sam001

LRB096 11319 RCE 22788 a

1 AMENDMENT TO SENATE BILL 1865

2 AMENDMENT NO. _____. Amend Senate Bill 1865 by replacing
3 everything after the enacting clause with the following:

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

6 (25 ILCS 70/2) (from Ch. 63, par. 42.82)

7 Sec. 2. Budget impact note required.

8 (a) Every bill which creates a new criminal offense for
9 which a sentence to the Department of Corrections may be
10 imposed; or which enhances any class or category of offense to
11 a higher grade or penalty for which a sentence to the
12 Department of Corrections is authorized; or which requires a
13 mandatory commitment to the Department of Corrections, shall
14 have prepared for it prior to second reading in the house of
15 introduction a brief explanatory statement or note which shall
16 include a reliable estimate of the probable impact of such bill

1 upon the overall resident population of the Department of
2 Corrections and the probable impact which such bill will have
3 upon the Department's annual budget.

4 (b) Every bill that (i) creates a new criminal offense for
5 which a commitment to the Department of Juvenile Justice or to
6 a juvenile detention facility, sentence of probation,
7 intermediate sanctions, or community service may be imposed or
8 (ii) enhances any class or category of offense to any grade or
9 penalty for which adjudication, commitment, or disposition by a
10 circuit court to the custody of a Probation and Court Services
11 Department may result shall have prepared for it prior to
12 second reading in the house of introduction a brief explanatory
13 statement or note that shall include a reliable estimate of the
14 probable impact of the bill upon the Department of Juvenile
15 Justice, as well as the overall probation caseload Statewide
16 and the probable impact the bill will have on staffing needs
17 and upon the annual budgets of the Illinois Supreme Court and
18 the counties of this State.

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

20 (25 ILCS 70/3) (from Ch. 63, par. 42.83)

21 Sec. 3. Preparation of note.

22 (a) Upon the filing ~~request of the sponsor~~ of any bill
23 described in subsection (a) of Section 2, the Director of ~~the~~
24 ~~Department of~~ Corrections, or any person within the Department
25 whom the Director may designate, shall prepare a written

1 statement setting forth the information specified in
2 subsection (a) of Section 2. Upon the filing ~~request of the~~
3 ~~sponsor~~ of any bill described in subsection (b) of Section 2,
4 the Director of Juvenile Justice and the Director of the
5 Administrative Office of the Illinois Courts, or any person
6 each ~~the~~ Director may designate, shall prepare a written
7 statement setting forth the information specified in
8 subsection (b) of Section 2.

9 The statement prepared by the Director of Corrections,
10 Director of Juvenile Justice, or Director of Administrative
11 Office of the Illinois Courts, as the case may be, shall be
12 designated a Correctional Budget and Impact Note and shall be
13 filed with the Clerk of the House or the Secretary of the
14 Senate, as appropriate, and furnished to the sponsor within 10
15 calendar days thereafter, except that whenever, because of the
16 complexity of the bill, additional time is required for the
17 preparation of the note, the Department of Corrections,
18 Department of Juvenile Justice, or Administrative Office of the
19 Illinois Courts may so notify the sponsor and request an
20 extension of time not to exceed 5 additional days within which
21 such note is to be furnished. ~~Such extension shall not extend~~
22 ~~beyond May 15 following the date of the request.~~

23 (b) Upon the filing of any bill requiring the preparation
24 of a written statement under subsection (a), the sponsor of the
25 bill in the house of introduction shall inform the Department
26 of Corrections, the Department of Juvenile Justice, and the

1 Administrative Office of the Illinois Courts of the filing of
2 the bill.

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

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

5 Sec. 4. Preferred funding source. Within 5 days after
6 receiving the statement required in Section 3, the sponsor
7 shall file with the Clerk of the House or the Secretary of the
8 Senate, as appropriate, a written statement identifying the
9 sponsor's preferred means of funding the costs to be incurred
10 by the legislation. The required identification shall be made
11 either by specifying (i) the additional tax or other revenue
12 source from which an amount equal to the costs identified are
13 to be generated or (ii) the specific line item or items in the
14 budget for the current fiscal year that would be reduced or
15 eliminated to reach an amount equal to the costs identified.

16 ~~Whenever the sponsor of any measure is of the opinion that no~~
17 ~~Correctional Budget and Impact Note is necessary, any member of~~
18 ~~either house may thereafter request that a note be obtained,~~
19 ~~and in such case the matter shall be decided by a majority vote~~
20 ~~of those present and voting in the house of which he is a~~
21 ~~member.~~

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

23 (25 ILCS 70/6) (from Ch. 63, par. 42.86)

24 Sec. 6. Preparation of note. No comment or opinion shall be

1 included in the note with regard to the merits of the measure
2 for which the note is prepared; however technical or mechanical
3 defects may be noted.

4 The work sheet shall include, insofar as practicable, a
5 breakdown of the costs upon which the note is based. Such
6 breakdown shall include, but need not be limited to, costs of
7 personnel, room and board, and capital outlay. The note shall
8 also include such other information as is required by the rules
9 and regulations which may be promulgated by each house of the
10 General Assembly with respect to the preparation of such notes.

11 The note shall be prepared in quintuplicate and the
12 original of both the note and the work sheet shall be signed by
13 the Director of the Department of Corrections or such person as
14 the Director may designate, by the Director of Juvenile
15 Justice, or such person as the Director may designate, or by
16 the Director of the Administrative Office of the Illinois
17 Courts, or any person the Director may designate.

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

19 (25 ILCS 70/8) (from Ch. 63, par. 42.88)

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

1 population impact of his or her amendment, as required by this
2 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 shall be
9 kept in strict confidence and no information relating thereto
10 or relating to the budget or impact thereof shall be divulged
11 by an official or employee of the Department or the
12 Administrative Office of the Illinois Courts, except to the
13 bill's sponsor or his designee, prior to the bill's
14 introduction in the General Assembly.

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