



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3086

Introduced 2/8/2010, by Sen. Kwame Raoul

SYNOPSIS AS INTRODUCED:

New Act

Creates the Education Budget and Impact Note Act. Provides that every bill that creates a new program or service that will be provided by the State Board of Education, or which expands the class of persons eligible for, or the level of benefits provided by any existing program or service provided by the State Board of Education shall have prepared for it prior to second reading in the house of introduction a brief explanatory statement or note which shall include a reliable estimate of the probable impact that bill will have upon the State Board of Education's annual budget. Contains provisions concerning the preparation and content of the note and it's population and fiscal impact. Provides that the sponsor of a bill that is required to file a note under the Act shall specify the preferred funding source for the bill. Contains provisions concerning committee appearances. Specifies the conditions under which a note must be filed for amendments. Contains provisions concerning the confidentiality of legislation prior to its introduction in the General Assembly.

LRB096 20290 MJR 35902 b

1 AN ACT concerning education.

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
5 Education Budget and Impact Note Act.

6 Section 5. Budget impact note required. Every bill that
7 creates a new program or service that will be provided by the
8 State Board of Education, or which expands the class of persons
9 eligible for, or the level of benefits provided by any existing
10 program or service provided by the State Board of Education
11 shall have prepared for it prior to second reading in the house
12 of introduction a brief explanatory statement or note which
13 shall include a reliable estimate of the probable impact that
14 bill will have upon the State Board of Education's annual
15 budget.

16 Section 10. Preparation of note.

17 (a) Upon the filing of any bill described in Section 5 of
18 this Act, the State Superintendent of Education, or any person
19 employed by the Board whom the Superintendent may designate,
20 shall prepare a written statement setting forth the information
21 specified in Section 5 of this Act.

22 The statement prepared by the State Superintendent of

1 Education shall be designated an Education Budget and Impact
2 Note and shall be filed with the Clerk of the House or the
3 Secretary of the Senate, as appropriate, and furnished to the
4 sponsor within 10 calendar days thereafter, except that
5 whenever, because of the complexity of the bill, additional
6 time is required for the preparation of the note, the State
7 Superintendent of Education may so notify the sponsor and
8 request an extension of time not to exceed 5 additional days
9 within that is to be furnished. The extension shall not extend
10 beyond May 15 following the date of the request.

11 (b) Upon the filing of any bill requiring the preparation
12 of a written statement under subsection (a) of this Section,
13 the sponsor of the bill in the house of introduction shall
14 inform the State Board of Education of the filing of the bill.

15 Section 15. Preferred funding source. Within 5 days after
16 receiving the statement required in Section 10 of this Act and
17 prior to the second reading in the house of introduction, the
18 sponsor shall file with the Clerk of the House or the Secretary
19 of the Senate, as appropriate, a written statement identifying
20 the sponsor's preferred means of funding the costs to be
21 incurred by the legislation. The required identification shall
22 be made either by specifying (i) the additional tax or other
23 revenue source from which an amount equal to the costs
24 identified are to be generated or (ii) the specific line item
25 or items in the budget for the current fiscal year that would

1 be reduced or eliminated to reach an amount equal to the costs
2 identified.

3 Section 20. Population and fiscal impact. The note shall be
4 factual in nature, as brief and concise as may be, and shall
5 provide as reliable an estimate, in terms of population and
6 dollar impact, as is possible under the circumstances. The note
7 shall include both the immediate effect, and if determinable or
8 reasonably foreseeable, the long range effect of the measure.

9 If, after careful investigation, it is determined that no
10 population or dollar estimate is possible, the note shall
11 contain a statement to that effect, setting forth the reasons
12 why no estimate can be given. A brief summary or work sheet of
13 computations used in arriving at the Budget and Impact Note
14 figures shall be supplied.

15 Section 25. Preparation of note. No comment or opinion
16 shall be included in the note with regard to the merits of the
17 measure for which the note is prepared; however technical or
18 mechanical defects may be noted.

19 The work sheet shall include, insofar as practicable, a
20 breakdown of the costs upon which the note is based. The
21 breakdown shall include, but need not be limited to, costs of
22 personnel, room and board, and capital outlay. The note shall
23 also include such other information as is required by the rules
24 and regulations which may be promulgated by each house of the

1 General Assembly with respect to the preparation of those
2 notes.

3 The note shall be prepared in quintuplicate and the
4 original of both the note and the work sheet shall be signed by
5 the State Superintendent of Education, or a person as the
6 Superintendent may designate.

7 Section 30. Committee appearance. The fact that an
8 Education Budget and Impact Note is prepared for any bill shall
9 not preclude or restrict the appearance before any committee of
10 the General Assembly of any official or authorized employee of
11 any State board, commission, department, agency, or other
12 entity who desires to be heard in support of or in opposition
13 to the measure.

14 Section 35. Amendments; notes required. Whenever any
15 measure is amended on the floor of either house in a manner as
16 to bring it within the description of bills set forth in
17 Section 5 of this Act, no action shall be taken upon the
18 amendment until the sponsor of the amendment presents to the
19 members a statement of the budget, if applicable, and
20 population impact of his or her amendment, together with a
21 statement of the sponsor's preferred funding sources under
22 Section 15 of this Act.

23 Section 40. Confidentiality before introduction. The

1 subject matter of bills submitted to the State Board of
2 Education shall be kept in strict confidence and no information
3 relating to the bills or relating to the budget or impact of
4 the bills shall be divulged by an official or employee of the
5 State Board of Education, except to the bill's sponsor or the
6 sponsor's designee prior to the bill's introduction in the
7 General Assembly.