



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1656

Introduced 2/9/2011, by Sen. Michael W. Frerichs

SYNOPSIS AS INTRODUCED:

New Act

Creates the Community Services Impact Note Act. Provides that every bill, except those making a direct appropriation, that creates a State mandate on privately owned or operated facilities and community service providers funded through the Department of Human Services for the purpose of serving individuals with developmental disabilities and mental illness, shall have prepared for it prior to second reading in the house of introduction a brief explanatory statement or note that shall include a reliable estimate of the probable impact of its provisions on those facilities and providers and the probable impact that the bill will have upon the Department's annual budget. Provides that these statements or notes shall be known as "community services impact notes". Sets forth provisions concerning the preparation of the written statements by the Department of Human Services, votes on the necessity of community services impact notes, contents of a note, note comments and worksheets, committee appearances, amendments, and confidentiality. Effective immediately.

LRB097 07422 RPM 47531 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning community services impact notes.

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 Community Services Impact Note Act.

6 Section 5. Applicability. Every bill, except those making a
7 direct appropriation, that creates a State mandate on privately
8 owned or operated facilities and community service providers
9 funded through the Department of Human Services for the purpose
10 of serving individuals with developmental disabilities and
11 mental illness shall have prepared for it prior to second
12 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 its provisions on those facilities and
15 providers and the probable impact that the bill will have upon
16 the Department's annual budget. These statements or notes shall
17 be known as "community services impact notes".

18 Section 10. Preparation. Upon the filing of any bill
19 described in Section 5 of this Act, the Department of Human
20 Services shall prepare a written statement setting forth the
21 information specified in Section 5.

22 The statement prepared by the Department shall be filed

1 with the Clerk of the House or the Secretary of the Senate, as
2 appropriate, and furnished to the sponsor of the bill within 10
3 calendar days thereafter, except that whenever, because of the
4 complexity of the bill, additional time is required for the
5 preparation of the community services impact note, the
6 Department may inform the sponsor of the bill, and the sponsor
7 may approve an extension of the time within which the note is
8 to be submitted, not to extend, however, beyond 5 additional
9 days, following the date of the request. Such extension shall
10 not extend beyond May 15 following the date of the request. The
11 Department may seek assistance from other State agencies and
12 statewide trade associations representing privately owned or
13 operated facilities and providers of community services for
14 persons with developmental disabilities and mental illness.
15 If, in the opinion of the Department, there is insufficient
16 information to prepare a reliable estimate of the anticipated
17 impact, then a statement to that effect may be filed and shall
18 meet the requirements of this Act. Except as outlined in
19 Section 15, no bills for which a community services impact note
20 has been requested may be placed on third reading until the
21 note has been prepared and filed or until the Department has
22 stated that there is insufficient information to prepare a
23 reliable estimate of the anticipated impact according to the
24 time frames outlined in this Section.

25 Section 15. Vote on the necessity of community services

1 impact notes. Whenever the sponsor of any bill is of the
2 opinion that no community services impact note is required, any
3 member of either house may request that a note be obtained, and
4 in that case the applicability of this Act shall be decided by
5 the majority of those present and voting in the house of which
6 the sponsor is a member.

7 Section 20. Contents of note. The note shall be factual in
8 nature, as brief and concise as may be, and shall provide as
9 reliable an estimate of the impact of the bill on community
10 services for persons with developmental disabilities and
11 mental illness in dollars and in addition, it shall include
12 both the immediate effect and, if determinable or reasonably
13 foreseeable, the long-range effect of the measure.

14 If, after careful investigation, it is determined that no
15 dollar estimate is possible, then the note shall contain a
16 statement to that effect, setting forth the reasons why no
17 dollar estimate can be given. A brief summary or work sheet of
18 computations used in arriving at community services impact note
19 figures shall be supplied.

20 Section 25. Note comments; worksheet. No comment or opinion
21 shall be included in the community services impact note with
22 regard to the merits of the measure for which the community
23 services impact note is prepared; however, technical or
24 mechanical defects may be noted.

1 The worksheet shall include, insofar as practicable, a
2 breakdown of the costs upon which the community services impact
3 note is based. It shall also include such other information as
4 is required by rules and regulations which may be promulgated
5 by each house of the General Assembly with respect to the
6 preparation of such notes. The community services impact note
7 shall be prepared in quintuplicate, and the original of both
8 the worksheet and the community services impact note shall be
9 signed by the Secretary of the Department of Human Services, or
10 by a responsible representative designated by the Secretary.

11 Section 30. Committee appearance. The fact that a community
12 services impact note is prepared for any bill shall not
13 preclude or restrict the appearance before any committee of the
14 General Assembly, of any official or authorized employee of the
15 Department of Human Services, or any State board, commission,
16 other department, or agency or other entity that desires to be
17 heard in support of or in opposition to the measure.

18 Section 35. Amendments; notes required. Whenever an
19 amendment to a bill, whether reported by a committee of either
20 house or proposed upon the floor of either house, brings that
21 bill within the description of the bills set forth in Section 5
22 of this Act, no action shall be taken upon the amendment until
23 the sponsor of the amendment presents to the members a
24 statement or note (if applicable) consistent with the

1 provisions of Section 20 of this Act.

2 Section 40. Confidentiality. The subject matter of a bill
3 submitted to the Secretary of the Department of Human Services
4 shall be kept in strict confidence by the Department of Human
5 Services, and no information relating to the bill or community
6 services impact shall be divulged by any official or employee
7 of the Department, except to the bill's sponsor or the
8 sponsor's designee, before the bill's introduction in the
9 General Assembly.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.