

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 at the request of a
12 member while on second reading in the house of introduction a
13 brief explanatory statement or note that shall include a
14 reliable estimate of the probable impact of its provisions on
15 those facilities and providers and the probable impact that the
16 bill will have upon the Department's annual budget. These
17 statements or notes shall be known as "community services
18 impact notes".

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

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

1 Section 15. Vote on the necessity of community services
2 impact notes. Whenever the sponsor of any bill is of the
3 opinion that no community services impact note is required, any
4 member of either house may request that a note be obtained, and
5 in that case the applicability of this Act shall be decided by
6 the majority of those present and voting in the house of which
7 the sponsor is a member.

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

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

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

1 mechanical defects may be noted.

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

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

19 Section 35. Amendments; notes required. Whenever an
20 amendment to a bill, whether reported by a committee of either
21 house or proposed upon the floor of either house, brings that
22 bill within the description of the bills set forth in Section 5
23 of this Act, a majority of such house may propose that no
24 action shall be taken upon the amendment until the sponsor of

1 the amendment presents to the members a statement or note (if
2 applicable) consistent with the provisions of Section 20 of
3 this Act.

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

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.