



Sen. Kirk W. Dillard

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09800HB1683sam001

LRB098 09601 HLH 45196 a

1 AMENDMENT TO HOUSE BILL 1683

2 AMENDMENT NO. _____. Amend House Bill 1683 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding
5 Section 5i as follows:

6 (30 ILCS 105/5i new)

7 Sec. 5i. Closure of State mental health facilities or
8 developmental disabilities facilities. Consistent with the
9 provisions of Sections 4.4 and 4.5 of the Community Services
10 Act, whenever a State mental health facility operated by the
11 Department of Human Services or a State developmental
12 disabilities facility operated by the Department of Human
13 Services is closed, the Department of Human Services, at the
14 direction of the Governor, shall transfer funds from the closed
15 facility to the appropriate line item providing appropriation
16 authority for the new venue of care to facilitate the

1 transition of services to the new venue of care, provided that
2 the new venue of care is a Department of Human Services funded
3 provider or facility.

4 As used in this Section, the terms "mental health facility"
5 and "developmental disabilities facility" have the meanings
6 ascribed to those terms in the Mental Health and Developmental
7 Disabilities Code.

8 Section 10. The Community Services Act is amended by
9 changing Section 4.6 as follows:

10 (405 ILCS 30/4.6)

11 Sec. 4.6. Closure and sale of State mental health or
12 developmental disabilities facility.

13 (a) Whenever a State mental health facility operated by the
14 Department of Human Services is closed and the real estate on
15 which the facility is located is sold by the State, then, to
16 the extent that net proceeds are realized from the sale of that
17 real estate, those net proceeds must be directed toward
18 providing other services and supports for persons with mental
19 health needs. To that end, those net proceeds shall be
20 deposited into the Community Mental Health Medicaid Trust Fund.

21 (b) Whenever a State developmental disabilities facility
22 operated by the Department of Human Services is closed and the
23 real estate on which the facility is located is sold by the
24 State, then, to the extent that net proceeds are realized from

1 the sale of that real estate, those net proceeds must be
2 directed toward providing other services and supports for
3 persons with developmental disabilities needs. To that end,
4 those net proceeds shall be deposited into the Community
5 Developmental Disability Services Medicaid Trust Fund.

6 (c) In determining whether any net proceeds are realized
7 from a sale of real estate described in subsection (a) or (b),
8 the Division of Developmental Disabilities and the Division of
9 Mental Health of the Department of Human Services shall each
10 determine the money, if any, that shall be made available to
11 ensure that life, safety, and care concerns, including
12 infrastructure, are addressed so as to provide for persons with
13 developmental disabilities or mental illness at the remaining
14 respective State-operated facilities that will be expected to
15 serve the individuals previously served at the closed facility.

16 (d) The purposes for which the net proceeds from a sale of
17 real estate as provided in this Section may be used include,
18 but are not limited to, the following:

19 (1) Providing for individuals with developmental
20 disabilities and mental health needs the services and
21 supports described in subsection (e) of Section 4.4.

22 (2) In the case of the closure of a mental health
23 facility, the construction of a new facility to serve the
24 needs of persons with mental health needs.

25 (3) In the case of the closure of a developmental
26 disabilities facility, construction of a new facility to

1 serve the needs of persons with developmental disabilities
2 needs.

3 (e) Whenever any net proceeds are realized from a sale of
4 real estate as provided in this Section, the Department of
5 Human Services shall share and discuss its plan or plans for
6 using those net proceeds with advocates, advocacy
7 organizations, and advisory groups whose mission includes
8 advocacy for persons with developmental disabilities or
9 persons with mental illness.

10 (f) Consistent with the provisions of Sections 4.4 and 4.5
11 of this Act, whenever a State mental health facility operated
12 by the Department of Human Services is closed, the Department
13 of Human Services, at the direction of the Governor, shall
14 transfer funds from the closed facility to the appropriate line
15 item providing appropriation authority for the new venue of
16 care to facilitate the transition of services to the new venue
17 of care, provided that the new venue of care is a Department of
18 Human Services funded provider or facility.

19 (g) As used in this Section, the term "mental health
20 facility" has the meaning ascribed to that term in the Mental
21 Health and Developmental Disabilities Code.

22 (Source: P.A. 96-660, eff. 8-25-09; 96-1000, eff. 7-2-10.)".