



Sen. Iris Y. Martinez

Filed: 4/16/2015

09900SB0568sam001

LRB099 03006 JLK 34013 a

1 AMENDMENT TO SENATE BILL 568

2 AMENDMENT NO. _____. Amend Senate Bill 568 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Racial and Ethnic Impact Note Act.

6 Section 5. Applicability. Every bill, the purpose or effect
7 of which is to increase or decrease disproportionality and
8 equity of racial and ethnic minority persons of the State,
9 shall have prepared for it prior to second reading in the house
10 of introduction a brief explanatory statement or note which
11 shall include a reliable evidenced based estimate of the
12 disproportionate or unique impact of the policy, program, or
13 appropriation, on minority persons in this State. The statement
14 or note shall also include an explanation of the methodology
15 used to determine the disproportionate or unique impact on the
16 racial or ethnic minority population of the State. These

1 statements or notes shall be known as racial and ethnic impact
2 notes.

3 Section 10. Preparation. The sponsor of each bill, to which
4 Section 5 applies, shall present a copy of the bill, with his
5 request for a racial and ethnic impact note, to the board,
6 commission, department, agency, or other entity of the State
7 which is to receive or expend the appropriation proposed or
8 which is responsible for the administration of the policy or
9 program proposed. The responsible State entity shall consult
10 with the Illinois African-American Family Commission and the
11 Illinois Latino Family Commission and provide each Commission
12 with the racial and ethnic impact note. The racial and ethnic
13 impact note shall be prepared by such board, commission,
14 department, agency, or other entity and furnished to the
15 sponsor of the bill within 7 calendar days thereafter; except
16 that whenever, because of the complexity of the measure,
17 additional time is required for preparation of the racial and
18 ethnic impact note, the board, commission, department, agency,
19 or other entity may so inform the sponsor of the bill and he or
20 she may approve an extension of the time within which the note
21 is to be furnished, not to extend, however, beyond June 15,
22 following the date of the request. Whenever any measure for
23 which a racial and ethnic impact note is required affects more
24 than one State board, commission, department, agency, or other
25 entity, the board, commission, department, agency, or other

1 entity most affected by its provisions according to the sponsor
2 shall be responsible for preparation of the racial and ethnic
3 impact note. Whenever any measure for which a racial and ethnic
4 impact note is required does not affect a specific board,
5 commission, department, agency or other such entity, the
6 sponsor of the measure shall be responsible for preparation of
7 the racial and ethnic impact note.

8 Section 15. Vote on necessity of racial and ethnic impact
9 note. Whenever the sponsor of any measure is of the opinion
10 that no racial and ethnic impact note is necessary, one member
11 from either the African-American Legislative Caucus or Latino
12 Legislative Caucus may thereafter request that a note be
13 obtained.

14 Section 20. Requisites and contents. The note shall be
15 factual in nature, as brief and concise as may be, and shall
16 provide a reliable evidenced based estimate of the
17 disproportionate or unique impact on the racial and ethnic
18 minority groups of this State, and, in addition, it shall
19 include both the immediate effect and, if determinable or
20 reasonably foreseeable, the long range effect of the measure.
21 If, after careful investigation, it is determined that no
22 racial and ethnic impact estimate is possible, the note shall
23 contain a statement to that effect, setting forth the reasons
24 why no racial and ethnic impact estimate can be given.

1 Section 25. Comment or opinion; technical and mechanical
2 defects. No comment or opinion shall be included in the racial
3 and ethnic impact note with regard to the merits of the measure
4 for which the racial and ethnic impact note is prepared;
5 however, technical or mechanical defects may be noted. It shall
6 also include such other information as is required by rules
7 which may be adopted by each chamber of the General Assembly
8 with respect to the preparation of racial and ethnic impact
9 notes. The name of the State board, commission, department,
10 agency, or other entity preparing the note shall appear at the
11 end and the original note shall be signed by the head of the
12 board, commission, department, agency, or other entity, or by a
13 responsible representative designated by him or her for that
14 purpose.

15 Section 30. Appearance of State officials and employees in
16 support or opposition of measure. The fact that a racial and
17 ethnic impact note is prepared for any bill shall not preclude
18 or restrict the appearance before any committee of the General
19 Assembly of any official or authorized employee of any State
20 board, commission, department, agency, or other entity who
21 desires to be heard in support of or in opposition to the
22 measure.

23 Section 35. Amendment of bill necessitating statement of

1 effect of proposed amendment. Whenever any committee of either
2 house of the General Assembly reports any bill with an
3 amendment of such nature as will have a substantially
4 disproportionate effect on any of the racial and ethnic
5 minority groups of the State, as stated in the racial and
6 ethnic impact note attached to the measure at the time of its
7 referral to the committee, there shall be included with the
8 report of the committee a statement of the effect of the change
9 proposed by the amendment reported if desired by a majority of
10 the committee. In like manner, whenever any measure is amended
11 on the floor of either house of the General Assembly in such
12 manner as to substantially affect the racial and ethnic groups
13 of the State, a majority of both the African-American
14 Legislative Caucus and the Latino Legislative Caucus may
15 propose that no action shall be taken upon the amendment until
16 the sponsor of the amendment presents to the members a
17 statement of the racial and ethnic impact of his proposed
18 amendment.

19 Section 40. Confidentiality prior to introduction. The
20 subject matter of bills submitted to boards, commissions,
21 departments, agencies, or other entities for preparation of
22 racial and ethnic impact notes shall be kept in strict
23 confidence and no information relating thereto or relating to
24 the racial and ethnic impact of any such measure shall be
25 divulged by any official or employee thereof prior to its

1 introduction in the General Assembly.

2 Section 97. Severability. The provisions of this Act are
3 severable under Section 1.31 of the Statute on Statutes."