



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB3211

Introduced 2/15/2018, by Sen. Wm. Sam McCann

SYNOPSIS AS INTRODUCED:

20 ILCS 3932/5
20 ILCS 3932/10
20 ILCS 3932/15
20 ILCS 3932/20
20 ILCS 3932/25
20 ILCS 3932/25.5 new
20 ILCS 3932/35 new
20 ILCS 3932/40 new

Amends the Deaf and Hard of Hearing Commission Act. Provides that the Deaf and Hard of Hearing Commission shall be composed of 11 Commissioners (currently, members) that are appointed by the Governor with the advice and consent of the Senate. Requires at least 7 (currently, 6) commissioners of the Commission to be people who are deaf, deafblind, or hard of hearing. Specifies the membership of the Commission. Modifies the qualifications and duties of the Director of the Commission. Provides that the added Director qualifications shall apply to anyone who becomes Director on or after the effective date of this amendatory Act. Establishes the Director as the chief executive officer of the Commission. Modifies a Section concerning the powers and duties of the Commission. Creates separate provisions specifying the powers of the Commission. Authorizes the Commission to make specified grants, bequests, agreements, and contracts. Defines "commissioner".

LRB100 18665 RJF 33892 b

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Deaf and Hard of Hearing Commission Act is
5 amended by changing Sections 5, 10, 15, 20, and 25, and by
6 adding Sections 25.5, 35, and 40 as follows:

7 (20 ILCS 3932/5)

8 Sec. 5. Definitions. As used in this Act, unless the
9 context requires otherwise:

10 "Chairperson" means the Chairperson of the Deaf and Hard of
11 Hearing Commission.

12 "Commission" means the Deaf and Hard of Hearing Commission.

13 "Commissioner" means a resident of the State who is
14 appointed by the governor with the advice and consent of the
15 Senate to govern the Commission.

16 "Director" means the Director of the Deaf and Hard of
17 Hearing Commission, its Chief Executive Officer.

18 "Vice-Chairperson" means the Vice-Chairperson of the Deaf
19 and Hard of Hearing Commission.

20 (Source: P.A. 89-680, eff. 1-1-97.)

21 (20 ILCS 3932/10)

22 Sec. 10. Commission. The Deaf and Hard of Hearing

1 Commission is created as an executive agency of State
2 government. The Commission shall be composed of 11
3 commissioners ~~members~~, governed by a chairperson, and headed by
4 a Director, who shall serve as its chief executive officer
5 ~~director~~.

6 (Source: P.A. 89-680, eff. 1-1-97.)

7 (20 ILCS 3932/15)

8 Sec. 15. Commission membership.

9 (a) The Commission shall be composed of 11 commissioners
10 ~~voting members~~ appointed by the Governor with the advice and
11 consent of the Senate ~~from residents of the State~~ whose
12 position, knowledge, or experience enables them to reasonably
13 represent the concerns, needs, and recommendations of deaf,
14 deafblind, or hard of hearing persons. At a minimum, 7
15 commissioners ~~6 voting members of the Commission~~ shall be
16 persons who are deaf, deafblind, or hard of hearing, and the
17 Commission shall consist of the following: -

18 (1) one parent or guardian of a deaf, deafblind, or
19 hard of hearing minor child;

20 (2) one licensed sign language interpreter for the
21 deaf, or a staff or faculty member from a collegiate
22 interpreter education program;

23 (3) one educator of the deaf, or a staff or faculty
24 member from a collegiate deaf education program;

25 (4) one deafblind representative;

- 1 (5) one late-deafened representative;
2 (6) one representative from an organization or agency
3 that provides community-based services or vocational
4 rehabilitation services to the deaf, deafblind, and hard of
5 hearing population; and
6 (7) five members at large who are deaf, deafblind, or
7 hard of hearing.

8 The Chairperson of the Commission shall be elected from the
9 Commission's membership by a simple majority vote of the total
10 membership of the Commission. The Vice-Chairperson of the
11 Commission shall be elected from the Commission's membership by
12 a simple majority vote of the total membership of the
13 Commission.

14 (b) The Governor shall consider nominations made by
15 advocacy groups for the deaf and hard of hearing and
16 community-based organizations.

17 (c) Of the initial commissioners ~~members~~ appointed by the
18 Governor, 3 shall be appointed to terms of one year, 4 shall be
19 appointed to terms of 2 years, and 4 shall be appointed to
20 terms of 3 years. Thereafter, all commissioners ~~members~~ shall
21 be appointed for terms of 3 years. No commissioner ~~member~~ shall
22 serve more than 2 consecutive terms. A commissioner ~~member~~
23 shall serve until his or her successor is appointed and
24 qualified.

25 (d) Initial commissioners' ~~members'~~ terms of office shall
26 be chosen by lot at the initial meeting of the Commission.

1 (e) Vacancies in Commission membership shall be filled in
2 the same manner as initial appointments. Appointments to fill
3 vacancies occurring before the expiration of a term shall be
4 for the remainder of the unexpired term.

5 (f) Commissioners ~~Members~~ shall not receive compensation
6 for their services but shall be reimbursed for their actual
7 expenses incurred in the performance of their duties plus up to
8 \$50 per day for any actual loss of wages incurred in the
9 performance of their duties.

10 (g) Total membership consists of the number of
11 commissioners ~~voting members~~, as defined in this Section,
12 excluding any vacant positions. A quorum shall consist of a
13 simple majority of total membership and shall be sufficient to
14 conduct the transaction of business of the Commission unless
15 stipulated otherwise in the by-laws of the Commission.

16 (h) The Commission shall meet at least quarterly.

17 (Source: P.A. 93-647, eff. 6-1-04.)

18 (20 ILCS 3932/20)

19 Sec. 20. Director. The Director of the Commission shall
20 have knowledge, experience, and background regarding the
21 unique issues, programs, and services of deaf, deafblind, and
22 hard of hearing individuals; be fluent in American Sign
23 Language; have a minimum of a bachelor's degree; and a minimum
24 of 5 years' experience in a deafness related leadership or
25 management capacity. The foregoing qualifications shall apply

1 to anyone who becomes Director on or after the effective date
2 of this amendatory Act of the 100th General Assembly. The
3 Director shall be employed at-will, serving at the pleasure of
4 the Commission and shall be hired, supervised, evaluated, and
5 terminated by the Commission. The Director, under the direction
6 of the Commission, shall carry out the policies, programs, and
7 activities of the Commission. The Director shall employ, in
8 accordance with the provisions of the Illinois Personnel Code,
9 manage, and organize the staff of the Commission as he or she
10 deems appropriate.

11 (Source: P.A. 93-647, eff. 6-1-04.)

12 (20 ILCS 3932/25)

13 Sec. 25. Duties ~~Powers and duties~~ of the Commission. The
14 Commission shall be a coordinating and advocating body that
15 acts on behalf of the interests of persons in Illinois who are
16 deaf, deafblind, or hard of hearing, including children,
17 adults, senior citizens, and those with any additional
18 disability. The Commission shall submit an annual report of its
19 activities to the Governor and the General Assembly on January
20 1st of each year. The Commission shall:

21 (1) Make available and provide an educational and
22 informational program through printed materials, workshop
23 and training sessions, presentations, demonstrations, and
24 public awareness events about hearing loss for citizens in
25 Illinois and for public and private entities. The program

1 shall include, but not be limited to, information
2 concerning information and referral services, lending
3 libraries, service and resource availability, the
4 interpreter registry, accessibility and accommodation
5 issues, assistive technology, empowerment issues, support
6 service providers for the deafblind, obligations of
7 service providers and employers, educational options, and
8 current federal and State statutes, regulations, and
9 policies regarding hearing loss.

10 (2) Cooperate and work with public and private agencies
11 and local, State, and federal governments to coordinate
12 programs for persons who are deaf, deafblind, or hard of
13 hearing.

14 (3) Provide technical assistance, consultation, and
15 training support to start and enhance existing programs and
16 services for persons who are deaf, deafblind, or hard of
17 hearing.

18 (4) Evaluate and monitor State programs delivering
19 services to deaf, deafblind, and hard of hearing persons to
20 determine their effectiveness; identify, advocate for, and
21 promote new services or programs whenever necessary; and
22 propose solutions ~~make recommendations~~ to public officials
23 ~~about changes necessary~~ to improve the quality and delivery
24 of services, programs, and activities and about future
25 financial support to continue existing programs and
26 establish new programs.

1 (5) Monitor State funded programs delivering services
2 to persons who are deaf, deafblind, or hard of hearing to
3 determine the extent that promised and mandated services
4 are delivered.

5 (6) Review, evaluate, and participate in the
6 development of, and advocate for, proposed and amended
7 statutes, rules, regulations, and policies relating to
8 services, programs, and activities for deaf and hard of
9 hearing persons and make recommendations on existing
10 statutes, rules, regulations, and policies to the
11 Governor, General Assembly, and State agencies.

12 (7) Promote cooperation among State and local agencies
13 providing educational programs for deaf and hard of hearing
14 individuals.

15 (8) Establish rules and regulations related to
16 evaluation, certification, licensure, and training
17 standards of interpreters for deaf and hard of hearing
18 persons.

19 (9) Provide systemic advocacy for various issues
20 related to communication, accessibility, accommodations,
21 and appropriate services to prevent violations of the legal
22 rights of deaf, deafblind, and hard of hearing individuals.
23 The Commission shall also explain, educate, and promote the
24 rights of deaf, deafblind, and hard of hearing individuals
25 to State and local governments, public and private
26 entities, service providers, and the general public.

1 Ongoing issues, alleged violations, or discrimination
2 shall be referred, if necessary to assist with filing, to
3 the Illinois Attorney General, the Illinois Department of
4 Human Rights, the Illinois Human Rights Commission, or to
5 an appropriate federal civil rights enforcement agency.

6 (Source: P.A. 93-647, eff. 6-1-04.)

7 (20 ILCS 3932/25.5 new)

8 Sec. 25.5. Powers of the Commission. The Commission shall
9 ensure the duties under this Act are carried out and is also
10 authorized to:

11 (1) Adopt, amend, or repeal bylaws and policies
12 necessary and proper for the conduct of the business of the
13 Commission.

14 (2) Adopt, amend, or repeal policies and procedures
15 necessary for the efficient operation of the Commission.

16 (3) Adopt, amend, or repeal rules and regulations to
17 implement the provisions of this Act.

18 (4) Appoint, supervise, evaluate, and terminate the
19 Director.

20 (5) Assist the Director in determining staff positions
21 necessary for the efficient operation of the Commission.

22 (6) Delegate administrative powers and duties to the
23 Director as it deems appropriate to aid the Director in the
24 efficient administration of the Commission and the
25 appropriate implementation of the policies and decisions

1 of the Commission.

2 (7) Oversee budget and expenditures, including the
3 approval of annual budget proposals to implement the
4 provisions of this Act.

5 (8) Establish task forces and committees to advise,
6 recommend, and investigate issues of significance to
7 individuals who are deaf, deafblind, and hard of hearing in
8 this State.

9 (9) Assess the performance of the Commission, and the
10 programs and activities of the Commission, through
11 continuous self-assessments and evaluations.

12 (10) Perform other functions as are necessary to the
13 supervision and control of those duties and
14 responsibilities of the Commission.

15 (20 ILCS 3932/35 new)

16 Sec. 35. Grants and bequests. The Commission may accept
17 donations, bequests, grants, or other forms of financial
18 assistance to aid in the financing of any programs or
19 activities from any public or private person or agency. The
20 Commission shall comply with rules and regulations governing
21 grants from the federal government, or from any other person or
22 agency, which are not in contravention of the Illinois
23 Constitution or the laws of this State. Those funds shall be
24 received by the State Treasurer on behalf of the Commission and
25 deposited in a special account for use by the Commission.

1 (20 ILCS 3932/40 new)

2 Sec. 40. Agreements and contracts. The Commission may make
3 agreements with other departments and agencies of the State,
4 and may contract with other individuals, organizations,
5 corporations, associations, or other legal entities, including
6 private agencies, departments or agencies of the federal
7 government, or any political subdivision thereof, to carry out
8 any of its duties, responsibilities, functions, and
9 activities.