



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2095

by Rep. Bob Morgan

SYNOPSIS AS INTRODUCED:

New Act

Creates the Environmental Impact Note Act. Provides that every bill and proposed rule, the purpose or effect of which may impact the environment or natural resources, shall have prepared for it a brief explanatory statement or note that shall include a reliable estimate of the anticipated environmental impact. Provides for the preparation of environmental impact notes. Provides for votes on the necessity of environmental impact notes. Provides for the requisites and contents of environmental impact notes. Provides that no comment or opinion shall be included in the environmental impact note with regard to the merits of the measure for which the environmental impact note is prepared, but allows technical or mechanical defects to be noted. Provides that the preparation of an environmental impact note for a bill or proposed rule does not preclude the appearance of State officials and employees in support or opposition of a measure. Provides requirements concerning amendments to a bill or proposed rule for which an environmental impact note has been prepared.

LRB101 05291 RJF 50305 b

A BILL FOR

1 AN ACT concerning State government.

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 Environmental Impact Note Act.

6 Section 5. Applicability.

7 (a) Every bill, except those making a direct appropriation,
8 the purpose or effect of which may impact the environment or
9 natural resources, shall have prepared for it, before second
10 reading in the house of introduction, a brief explanatory
11 statement or note that shall include a reliable estimate of the
12 anticipated environmental impact.

13 (b) Every proposed rule of an agency, the purpose or effect
14 of which may impact the environment or natural resources, shall
15 have prepared for it, before approval by the Joint Committee on
16 Administrative Rules under the Illinois Administrative
17 Procedure Act, a brief explanatory statement or note that shall
18 include a reliable estimate of the anticipated environmental
19 impact. As used in this Act, "rule" and "agency" have the same
20 meanings as in the Illinois Administrative Procedure Act.

21 (c) These statements or notes shall be known as
22 environmental impact notes.

1 Section 10. Preparation. The sponsor of each bill, or the
2 agency proposing a rule, to which Section 5 applies, shall
3 present a copy of the bill or proposed rule, with the request
4 for an environmental impact note, to the Illinois Environmental
5 Protection Agency. The environmental impact note shall be
6 prepared by the Illinois Environmental Protection Agency and
7 submitted to the sponsor of the bill or the agency within 5
8 calendar days, except that whenever, because of the complexity
9 of the measure, additional time is required for the preparation
10 of the note, the Illinois Environmental Protection Agency may
11 inform the sponsor of the bill or the agency, and the sponsor
12 or agency may approve an extension of the time within which the
13 note is to be submitted, not to extend, however, beyond June
14 15, following the date of the request. The Illinois
15 Environmental Protection Agency may seek assistance from a
16 statewide environmental organization representing the
17 environmental issue in the preparation of a housing
18 affordability impact note. If, in the opinion of the Illinois
19 Environmental Protection Agency, there is insufficient
20 information to prepare a reliable estimate of the anticipated
21 impact, a statement to that effect can be filed and shall meet
22 the requirements of this Act.

23 Section 15. Vote on necessity of environmental impact
24 notes. Whenever the sponsor of any bill is of the opinion that
25 no environmental impact note is required, any member of either

1 house may request that a note be obtained, and in that case the
2 applicability of this Act shall be decided by the majority of
3 those present and voting in the house of which the sponsor is a
4 member.

5 Section 20. Requisites and contents. The note shall be
6 factual in nature, as brief and concise as necessary to include
7 the required contents, and shall provide a reliable estimate in
8 dollars of the monetary impact caused by the environmental
9 impact, if any, and it shall include both a description of the
10 immediate environmental impact and, if determinable or
11 reasonably foreseeable, the long range environmental impact of
12 the measure. If, after careful investigation, it is determined
13 that no dollar estimate is possible, the note shall contain a
14 statement to that effect, setting forth the reasons why no
15 dollar estimate can be given. A brief summary or work sheet of
16 computations and resources used in arriving at environmental
17 impact note figures and conclusions shall be included.

18 Section 25. Comment or opinion; technical or mechanical
19 defects. No comment or opinion shall be included in the
20 environmental impact note with regard to the merits of the
21 measure for which the environmental impact note is prepared;
22 however, technical or mechanical defects may be noted.

23 Section 30. Appearance of State officials and employees in

1 support or opposition of measure. The fact that an
2 environmental impact note is prepared for any bill or proposed
3 rule shall not preclude or restrict the appearance before any
4 committee of the General Assembly, or before the Joint
5 Committee on Administrative Rules, of any official or
6 authorized employee of the Illinois Environmental Protection
7 Agency who desires to be heard in support of or in opposition
8 to the measure.

9 Section 35. Amendment of bill necessitating statement of
10 environmental impact of proposed amendment. Whenever any
11 committee of either house reports any bill with an amendment
12 that will substantially affect the facts or figures stated in
13 the environmental impact note attached to the measure at the
14 time of its referral to the committee, there shall be included
15 with the report of the committee a statement of the effect of
16 the change proposed by the amendment reported if desired by a
17 majority of the committee. Whenever any bill is amended on the
18 floor of either house to substantially affect the facts or
19 figures as stated in the environmental impact note attached to
20 the bill before the amendment, a majority of the members of
21 that house may propose that no action shall be taken on the
22 amendment until the sponsor of the amendment presents to the
23 members a statement of the environmental impact of the proposed
24 amendment.