



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5827

Introduced 11/10/2020, by Rep. Mary E. Flowers

SYNOPSIS AS INTRODUCED:

New Act

Creates the Committee on the Elimination of Eugenics-Inspired Laws Act. Creates the Committee on the Elimination of Eugenics-Inspired Laws. Provides for the membership of the Committee and further requirements concerning Committee members and meetings. Requires the Committee to research and identify any and all Eugenics-Inspired laws and administrative rules of this State, and any other related matters it deems necessary to its inquiry. Requires the Committee to also produce and make available to the public educational materials on the history and impact of eugenics and eugenics-inspired laws and administrative rules in the United States, as well as a summary of its annual report. Requires the Committee to issue an annual report of its findings concerning eugenics-inspired laws and rules to the Governor and the General Assembly, and make recommendations to eliminate, remediate, or mitigate the harmful effects of such laws, rules, and policies. Requires each State agency to perform an internal examination for the existence of eugenics-inspired rules, policies, and procedures, and issue an annual report to the Governor, the General Assembly, and the Committee. Requires each State agency to implement strategies and programs to eliminate and prevent any disparities created by discriminatory rules, policies, and procedures, and make the services provided by the State agency more readily accessible to the public. Defines terms.

LRB101 21990 RJF 73003 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 1. Short title. This Act may be cited as the
5 Committee on the Elimination of Eugenics-Inspired Laws Act.

6 Section 5. Definitions. As used in this Act:

7 "Committee" means the Committee on the Elimination of
8 Eugenics-Inspired Laws created under this Act.

9 "Eugenics-inspired laws" means any law, administrative
10 rule, or policy, including State agency rules, policies, and
11 procedures, derived from a belief that heredity is the
12 fundamental determinant of an individual's ability to
13 contribute to society, which excludes, or has the effect of
14 excluding, persons and groups judged to be inferior, based upon
15 such characteristics as race, ethnicity, mental and physical
16 disabilities, country of origin, and poverty, while promoting,
17 or having the effect of promoting, those judged to be superior.

18 "State agency" means: all officers, boards, commissions
19 and agencies created by the Constitution or by statute,
20 excluding the legislative and judicial branches; all officers,
21 departments, boards, commissions, agencies, institutions,
22 authorities, universities, bodies politic and corporate of the
23 State; all administrative units or corporate outgrowths of the

1 State government which are created by or pursuant to statute,
2 other than units of local government and their officers, school
3 districts and boards of election commissioners; and all
4 administrative units and corporate outgrowths of the above and
5 as may be created by executive order of the Governor.

6 Section 10. Committee on the Elimination of
7 Eugenics-Inspired Laws.

8 (a) The Committee on the Elimination of Eugenics-Inspired
9 Laws is hereby created.

10 (b) The Committee shall consist of the following members:

11 (1) one member who is a qualified expert on the history
12 of eugenics appointed by the Governor;

13 (2) two members appointed by the Speaker of the House
14 of Representatives;

15 (3) two members appointed by the Minority Leader of the
16 House of Representatives;

17 (4) two members appointed by the President of the
18 Senate;

19 (5) two members appointed by the Minority Leader of the
20 Senate;

21 (6) the Director of Commerce and Economic Opportunity,
22 or his or her designee;

23 (7) the Director of Public Health, or his or her
24 designee; and

25 (8) the Director of Human Rights, or his or her

1 designee.

2 (c) Each appointed member of the Committee shall serve for
3 a term of 2 years and until his or her successor is appointed.
4 Any member appointed to fill a vacancy occurring otherwise than
5 by expiration of a term shall be appointed only for the
6 unexpired term of the member whom he or she shall succeed and
7 until his or her successor is appointed.

8 (d) The Committee shall initially meet within 30 days after
9 the effective date of this Act, and as many times thereafter as
10 deemed necessary to fulfill its purposes under this Act. The
11 Committee shall choose its chairperson from among its members.
12 Members of the Committee shall receive no compensation for
13 their service as members, but may be reimbursed for expenses
14 from appropriations made by law. The Office of the Governor
15 shall provide administrative support to the Committee.

16 Section 15. Committee duties; report.

17 (a) The Committee shall research and identify any and all
18 eugenics-inspired laws and administrative rules of this State,
19 and any other related matters it deems necessary to its inquiry
20 under this Section, including, but not limited to, the
21 following:

22 (1) disparities in access to healthcare;

23 (2) disparities in access to education, including de
24 facto and de jure segregation and impediments to receiving
25 education funding;

1 (3) disparities in access to employment opportunities,
2 including impediments to receiving professional licensure,
3 and disparities in the treatment of employees;

4 (4) disparities in access to housing, including
5 redlining practices, property tax issues, and housing
6 insurance issues; and

7 (5) any other matter concerning disparities in
8 healthcare, employment, education, and housing that the
9 Committee deems necessary to its inquiry under this
10 Section.

11 (b) Based upon its findings, the Committee shall, from time
12 to time, produce and make available to the public educational
13 materials on the history and impact of eugenics and
14 eugenics-inspired laws and administrative rules in the United
15 States, as well as a summary of its annual report issued under
16 this Section.

17 (c) On or before February 1, 2022, and on or before each
18 February 1 thereafter, the Committee shall issue a report of
19 its findings concerning eugenics-inspired laws and
20 administrative rules to the Governor and the General Assembly,
21 and make recommendations, including, but not limited to,
22 proposed legislation and changes to administrative rules, to
23 eliminate, remediate, or mitigate the harmful effects of such
24 laws, rules, and policies.

25 Section 20. State agency reporting; remedial strategies.

1 (a) Each State agency shall perform an internal examination
2 for the existence of eugenics-inspired administrative rules,
3 policies, and procedures, or administrative rules, policies,
4 and procedures that otherwise have or may have a discriminatory
5 impact creating disparities between classes of persons, and
6 issue an annual report to the Governor, the General Assembly,
7 and the Committee. Each State agency shall also make its report
8 available to the public on its Internet website.

9 (b) Each State agency shall implement strategies and
10 programs to eliminate and prevent any disparities created by
11 discriminatory administrative rules, policies, and procedures,
12 and make the services provided by the State agency more readily
13 accessible to the public.