



Sen. Don Harmon

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10200HB2406sam001

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1 AMENDMENT TO HOUSE BILL 2406

2 AMENDMENT NO. _____. Amend House Bill 2406 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Commerce and Economic
5 Opportunity Law of the Civil Administrative Code of Illinois
6 is amended by changing Section 605-1045.1 as follows:

7 (20 ILCS 605/605-1045.1)

8 (Section scheduled to be repealed on January 1, 2023)

9 Sec. 605-1045.1. Restore Illinois Collaborative
10 Commission. The General Assembly finds and declares that this
11 amendatory Act of the 102nd General Assembly manifests the
12 intention of the General Assembly to extend the repeal of
13 Section 605-1045. Section 605-1045 as enacted and reenacted in
14 this Section shall be deemed to have been in continuous effect
15 since June 12, 2020 and it shall continue to be in effect
16 henceforward until it is otherwise lawfully repealed. All

1 previously enacted amendments to this Section taking effect on
2 or after June 12, 2020, are hereby validated. All actions
3 taken in reliance on the continuing effect of Section 605-1045
4 by any person or entity are hereby validated. In order to
5 ensure the continuing effectiveness of this Section, it is set
6 forth in full and reenacted by this amendatory Act of the 102nd
7 General Assembly. This reenactment is intended as a
8 continuation of this Section. It is not intended to supersede
9 any amendment to this Section that is enacted by the 102nd
10 General Assembly.

11 (a) The General Assembly hereby finds and declares that
12 the State is confronted with a public health crisis that has
13 created unprecedented challenges for the State's diverse
14 economic base. In light of this crisis, and the heightened
15 need for collaboration between the legislative and executive
16 branches, the General Assembly hereby establishes the Restore
17 Illinois Collaborative Commission. The members of the
18 Commission will participate in and provide input on plans to
19 revive the various sectors of the State's economy in the wake
20 of the COVID-19 pandemic.

21 (b) The Department may request meetings be convened to
22 address revitalization efforts for the various sectors of the
23 State's economy. Such meetings may include public
24 participation as determined by the Commission.

25 (c) The Department shall provide a written report to the
26 Commission and the General Assembly not less than every 30

1 days regarding the status of current and proposed
2 revitalization efforts. The written report shall include
3 applicable metrics that demonstrate progress on recovery
4 efforts, as well as any additional information as requested by
5 the Commission. The first report shall be delivered by July 1,
6 2020. The reports to the General Assembly shall be delivered
7 to all members, in addition to complying with the requirements
8 of Section 3.1 of the General Assembly Organization Act.

9 (d) The Restore Illinois Collaborative Commission shall
10 consist of 14 members, appointed as follows:

11 (1) four members of the House of Representatives
12 appointed by the Speaker of the House of Representatives;

13 (2) four members of the Senate appointed by the Senate
14 President;

15 (3) three members of the House of Representatives
16 appointed by the Minority Leader of the House of
17 Representatives; and

18 (4) three members of the Senate appointed by the
19 Senate Minority Leader.

20 (e) The Speaker of the House of Representatives and the
21 Senate President shall each appoint one member of the
22 Commission to serve as a Co-Chair. The Co-Chairs may convene
23 meetings of the Commission. The members of the Commission
24 shall serve without compensation.

25 (f) This Section is repealed January 1, 2024 ~~2023~~.

26 (Source: P.A. 102-577, eff. 8-24-21.)

1 Section 10. The Illinois Power Agency Act is amended by
2 changing Section 1-130 as follows:

3 (20 ILCS 3855/1-130)

4 (Section scheduled to be repealed on January 1, 2023)

5 Sec. 1-130. Home rule preemption.

6 (a) The authorization to impose any new taxes or fees
7 specifically related to the generation of electricity by, the
8 capacity to generate electricity by, or the emissions into the
9 atmosphere by electric generating facilities after the
10 effective date of this Act is an exclusive power and function
11 of the State. A home rule unit may not levy any new taxes or
12 fees specifically related to the generation of electricity by,
13 the capacity to generate electricity by, or the emissions into
14 the atmosphere by electric generating facilities after the
15 effective date of this Act. This Section is a denial and
16 limitation on home rule powers and functions under subsection
17 (g) of Section 6 of Article VII of the Illinois Constitution.

18 (b) This Section is repealed on January 1, 2024 ~~2023~~.

19 (Source: P.A. 101-639, eff. 6-12-20; 102-671, eff. 11-30-21.)

20 Section 15. The Illinois Immigrant Impact Task Force Act
21 is amended by changing Sections 5 and 10 as follows:

22 (20 ILCS 5156/5)

1 (Section scheduled to be repealed on January 1, 2023)

2 Sec. 5. Illinois Immigrant Impact Task Force.

3 (a) There is hereby established the Illinois Immigrant
4 Impact Task Force.

5 (b) The Task Force shall consist of 27 members appointed
6 as follows:

7 (1) one member appointed by the President of the
8 Senate;

9 (2) one member appointed by the Speaker of the House
10 of Representatives;

11 (3) one member appointed by the Minority Leader of the
12 Senate;

13 (4) one member appointed by the Minority Leader of the
14 House of Representatives;

15 (5) one representative of the Governor's Office;

16 (6) one representative of the Governor's Office of
17 Management and Budget;

18 (7) one representative of the Lieutenant Governor's
19 Office;

20 (8) the Executive Director of the Illinois Housing
21 Development Authority or his or her designee;

22 (9) the Secretary of Human Services or his or her
23 designee;

24 (10) the Director on Aging or his or her designee;

25 (11) the Director of Commerce and Economic Opportunity
26 or his or her designee;

1 (12) the Director of Children and Family Services or
2 his or her designee;

3 (13) the Director of Public Health or his or her
4 designee;

5 (14) the Director of Healthcare and Family Services or
6 his or her designee;

7 (15) the Director of Human Rights or his or her
8 designee;

9 (16) the Director of Employment Security or his or her
10 designee;

11 (17) the Director of Juvenile Justice or his or her
12 designee;

13 (18) the Director of Corrections or his or her
14 designee;

15 (19) the Executive Director of the Illinois Criminal
16 Justice Information Authority or his or her designee;

17 (20) the Chairman of the State Board of Education or
18 his or her designee;

19 (21) the Chairman of the Board of Higher Education or
20 his or her designee;

21 (22) the Chairman of the Illinois Community College
22 Board or his or her designee; and

23 (23) five representatives from organizations offering
24 aid or services to immigrants, appointed by the Governor.

25 (c) The Task Force shall convene as soon as practicable
26 after the effective date of this Act, and shall hold at least 6

1 meetings. Members of the Task Force shall serve without
2 compensation. The Department of Human Services, in
3 consultation with any other State agency relevant to the issue
4 of immigration in this State, shall provide administrative and
5 other support to the Task Force.

6 (d) The Task Force shall examine the following issues:

7 (1) what the State of Illinois is currently doing to
8 proactively help immigrant communities in this State,
9 including whether such persons are receiving help to
10 become citizens, receiving help to become business owners,
11 and receiving aid for educational purposes;

12 (2) what can the State do going forward to improve
13 relations between the State and immigrant communities in
14 this State;

15 (3) what is the status of immigrant communities from
16 urban, suburban, and rural areas of this State, and
17 whether adequate support and resources have been provided
18 to these communities;

19 (4) the extent to which immigrants in this State are
20 being discriminated against;

21 (5) whether the laws specifically intended to benefit
22 immigrant populations in this State are actually having a
23 beneficial effect;

24 (6) the practices and procedures of the federal
25 Immigration and Customs Enforcement agency within this
26 State;

1 (7) the use and condition of detention centers in this
2 State;

3 (8) all contracts in Illinois entered into with United
4 States Immigration and Customs Enforcement, including
5 contracts with private detention centers, the Illinois
6 State Police, and the Secretary of State's Office,
7 Division of Motor Vehicles;

8 (9) the impact of the COVID-19 pandemic on immigrant
9 communities, including health impact rates, employment
10 rates, housing, small businesses, and community
11 development;

12 (10) the disbursement of funds received by different
13 agencies that went to immigrant communities;

14 (11) language access programs and their impact on
15 helping immigrant communities better interact with State
16 agencies, and whether existing language access programs
17 are effective in helping immigrant communities interact
18 with the State. The Task Force shall also examine whether
19 all State agencies provide language access for non-English
20 speakers, and which agencies and in what regions of the
21 State is there a lack of language access that creates
22 barriers for non-English dominant speakers from accessing
23 support from the State;

24 (12) the extent to which disparities in access to
25 technology exist in immigrant communities and whether they
26 lead to educational, financial, and other disadvantages;

1 and

2 (13) the extent to which State programs intended for
3 vulnerable populations such as victims of trafficking,
4 crime, and abuse are being implemented or need to be
5 implemented.

6 (e) The Task Force shall report its findings and
7 recommendations based upon its examination of issues under
8 subsection (d) to the Governor and the General Assembly on or
9 before April 30, 2023 ~~December 31, 2022~~.

10 (Source: P.A. 102-236, eff. 8-2-21; 102-1071, eff. 6-10-22.)

11 (20 ILCS 5156/10)

12 (Section scheduled to be repealed on January 1, 2023)

13 Sec. 10. Repeal. This Act is repealed on May 1 ~~January 1~~,
14 2023.

15 (Source: P.A. 102-236, eff. 8-2-21.)

16 Section 20. The Special Commission on Gynecologic Cancers
17 Act is amended by changing Section 100-90 as follows:

18 (20 ILCS 5170/100-90)

19 (Section scheduled to be repealed on January 1, 2023)

20 Sec. 100-90. Repeal. This Article is repealed on January
21 1, 2028 ~~2023~~.

22 (Source: P.A. 102-4, eff. 4-27-21.)

1 Section 25. The Developmental Disability and Mental
2 Disability Services Act is amended by changing Section 7A-1 as
3 follows:

4 (405 ILCS 80/7A-1)

5 (Section scheduled to be repealed on January 1, 2023)

6 Sec. 7A-1. Diversion from Facility-based Care Pilot
7 Program.

8 (a) The purposes of this Article are to:

9 (1) decrease the number of admissions to
10 State-operated facilities;

11 (2) address the needs of individuals receiving Home
12 and Community Based Services (HCBS) with intellectual
13 disabilities or developmental disabilities who are at risk
14 of facility-based care due to significant behavioral
15 challenges, some with a dual diagnosis of mental illness,
16 by providing a community-based residential alternative to
17 facility-based care consistent with their individual
18 plans, and to transition these individuals back to a
19 traditional community-integrated living arrangement or
20 other HCBS community setting program;

21 (3) create greater capacity within the short-term
22 stabilization homes by allowing individuals who need an
23 extended period of treatment to transfer to a long-term
24 stabilization home;

25 (4) stabilize the existing community-integrated living

1 arrangement homes where the presence of individuals with
2 complex behavioral challenges is disruptive to their
3 housemates; and

4 (5) add support services to enhance community service
5 providers who serve individuals with significant
6 behavioral challenges.

7 (b) Subject to appropriation or the availability of other
8 funds for these purposes at the discretion of the Department,
9 the Department shall establish the Diversion from
10 Facility-based Care Pilot Program consisting of at least 6
11 homes in various locations in this State in accordance with
12 this Article and the following model:

13 (1) the Diversion from Facility-based Care Model shall
14 serve individuals with intellectual disabilities or
15 developmental disabilities who are currently receiving
16 HCBS services and are at risk of facility-based care due
17 to significant behavioral challenges, some with a dual
18 diagnosis of mental illness, for a period ranging from one
19 to 2 years, or longer if appropriate for the individual;

20 (2) the Program shall be regulated in accordance with
21 the community-integrated living arrangement guidelines;

22 (3) each home shall support no more than 4 residents,
23 each having his or her own bedroom;

24 (4) if, at any point, an individual, his or her
25 guardian, or family caregivers, in conjunction with the
26 provider and clinical staff, believe the individual is

1 capable of participating in a HCBS service, those
2 opportunities shall be offered as they become available;
3 and

4 (5) providers shall have adequate resources,
5 experience, and qualifications to serve the population
6 target by the Program, as determined by the Department;

7 (6) participating Program providers and the Department
8 shall participate in an ongoing collaborative whereby best
9 practices and treatment experiences would be shared and
10 utilized;

11 (7) home locations shall be proposed by the provider
12 in collaboration with other community stakeholders;

13 (8) The Department, in collaboration with
14 participating providers, by rule shall develop data
15 collection and reporting requirements for participating
16 community service providers. Beginning December 31, 2020
17 the Department shall submit an annual report
18 electronically to the General Assembly and Governor that
19 outlines the progress and effectiveness of the pilot
20 program. The report to the General Assembly shall be filed
21 with the Clerk of the House of Representatives and the
22 Secretary of the Senate in electronic form only, in the
23 manner that the Clerk and the Secretary shall direct;

24 (9) the staffing model shall allow for a high level of
25 community integration and engagement and family
26 involvement; and

1 (10) appropriate day services, staff training
2 priorities, and home modifications shall be incorporated
3 into the Program model, as allowed by HCBS authorization.

4 (c) This Section is repealed on January 1, 2025 ~~2023~~.

5 (Source: P.A. 100-924, eff. 7-1-19.)

6 Section 30. The Disposition of Remains of the Indigent Act
7 is amended by changing Section 35 as follows:

8 (755 ILCS 66/35)

9 (Section scheduled to be repealed on December 31, 2022)

10 Sec. 35. Repealer. This Act is repealed on December 31,
11 2027 ~~2022~~.

12 (Source: P.A. 100-526, eff. 6-1-18.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."