

**SB2936**



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB2936**

Introduced 1/20/2006, by Sen. Carol Ronen

**SYNOPSIS AS INTRODUCED:**

New Act

Creates the Ryan White Fund Validation Act. Validates actions taken and grants made under a Section of the Communicable Disease Prevention Act relating to the Ryan White Pediatric and Adult AIDS Fund (now repealed). That Section was created by Public Act 88-669, which has been held to be unconstitutional as a violation of the single subject clause of the Illinois Constitution. Effective immediately.

LRB094 19080 EFG 54588 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning validation.

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 Ryan  
5 White Fund Validation Act.

6 Section 5. Findings; purpose; validation.

7 (a) The General Assembly finds and declares that:

8 (1) Public Act 88-669 amended Section 2c of the  
9 Communicable Disease Prevention Act, relating to the Ryan  
10 White Pediatric and Adult AIDS Fund. The amendment affected  
11 the allocation of moneys in the Fund and required grants  
12 from the Fund to be made by a competitive selection  
13 process. Public Act 88-669 also contained many other  
14 provisions.

15 (2) Section 2c of the Communicable Disease Prevention  
16 Act was repealed by Public Act 92-790, effective August 6,  
17 2002.

18 (3) The Illinois Supreme Court declared Public Act  
19 88-669 to be unconstitutional as a violation of the single  
20 subject clause of the Illinois Constitution in *People v.*  
21 *Olender*, Docket No. 98932, opinion filed December 15, 2005.

22 (b) The purpose of this Act is to validate actions taken  
23 under Section 2c of the Communicable Disease Prevention Act and  
24 to minimize or prevent any problems concerning those actions  
25 that may arise from the unconstitutionality of Public Act  
26 88-669.

27 (c) All otherwise lawful actions taken before the effective  
28 date of this Act in reliance on or pursuant to the provisions  
29 of Section 2c of the Communicable Disease Prevention Act, as  
30 those provisions were set forth in Public Act 88-669 or as  
31 subsequently amended, by any officer, employee, or agency of  
32 State government or by any other person or entity, and all

1 otherwise lawful grants made under that Section, are hereby  
2 validated, except to the extent prohibited under the Illinois  
3 or United States Constitution.

4 (d) This Act applies, without limitation, to actions  
5 pending on or after the effective date of this Act, except to  
6 the extent prohibited under the Illinois or United States  
7 Constitution.

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.