

SB1937



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1937

Introduced 1/16/2008, by Sen. Susan Garrett

SYNOPSIS AS INTRODUCED:

New Act

Creates the community Services Impact Note Act. Requires that an estimate of the fiscal impact upon the provision of community services to persons with developmental disabilities or mental illness be submitted by the sponsor of a bill in the General Assembly that (i) affects the provision of such services or (ii) amends one of several specified Acts. Provides for the preparation of the note by the Department of Human Services, the preparation of a note at the request of a legislator other than the sponsor, and the adjustment of a note in relation to amendment of the bill. Effective immediately.

LRB095 17252 JAM 43312 b

FISCAL NOTE ACT
MAY APPLY

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 Community Services Impact Note Act.

6 Section 5. Applicability. Every bill, except a bill making
7 a direct appropriation, that (i) affects the provision of
8 community services to persons with developmental disabilities
9 or mental illness or (ii) amends the Mental Health and
10 Developmental Disabilities Code, the Developmental Disability
11 and Mental Disability Services Act, the Mental Health and
12 Developmental Disabilities Administrative Act, the Community
13 Services Act, the Nursing Home Care Act, the Health Care Worker
14 Background Check Act, the Community-Integrated Living
15 Arrangements Licensure and Certification Act, the Community
16 Living Facilities Licensing Act, the MRSA Screening and
17 Reporting Act, the Early Intervention Services System Act, the
18 Community Mental Health Act, the Specialized Living Centers
19 Act, the Community Support Systems Act, the Children's Mental
20 Health Act of 2003, the Health Care Workplace Violence
21 Prevention Act, the Autism Spectrum Disorders Reporting Act,
22 the Epilepsy Disease Assistance Act, the Developmental
23 Disability Prevention Act, the Illinois Public Aid Code, the

1 Minimum Wage Law, or the State Employees Group Insurance Act of
2 1971 shall have prepared for it prior to second reading in the
3 house of introduction a brief explanatory Statement or note
4 that shall include a reliable estimate of the fiscal impact of
5 its provisions on community services for persons with
6 developmental disabilities and mental illness. These
7 Statements or notes shall be known as "community services
8 impact notes".

9 Section 10. Preparation. The sponsor of each bill to which
10 Section 5 applies shall present a copy of the bill, with the
11 request for a community services impact note, to the Department
12 of Human Services. The community services impact note shall be
13 prepared by the Department of Human Services and submitted to
14 the sponsor of the bill within 5 calendar days, except that
15 whenever, because of the complexity of the measure, additional
16 time is required for the preparation of the community services
17 impact note, the Department of Human Services may inform the
18 sponsor of the bill, and the sponsor may approve an extension
19 of the time within which the note is to be submitted, not to
20 extend, however, beyond May 15, following the date of the
21 request. The Department of Human Services may seek assistance
22 from other State agencies and statewide trade associations
23 representing providers of community services for persons with
24 developmental disabilities and mental illness. If, in the
25 opinion of the Department of Human Services, there is

1 insufficient information to prepare a reliable estimate of the
2 anticipated impact, a Statement to that effect shall be filed
3 and shall meet the requirements of this Act.

4 Section 15. Vote on the necessity of community services
5 impact notes. Whenever the sponsor of any bill is of the
6 opinion that no community services impact note is required, any
7 member of either house may request that a note be obtained, and
8 in that case the applicability of this Act shall be decided by
9 the majority of those present and voting in the house of which
10 the sponsor is a member.

11 Section 20. Requisites and contents. The note shall be
12 factual in nature, as brief and concise as may be, and shall
13 provide a reliable estimate, in dollars, of the impact of the
14 bill on community services for persons with developmental
15 disabilities and mental illness. In addition, the note shall
16 include both the immediate effect and, if determinable or
17 reasonably foreseeable, the long range effect of the measure.
18 If, after careful investigation, it is determined that no
19 dollar estimate is possible, the note shall contain a Statement
20 to that effect, setting forth the reasons why no dollar
21 estimate can be given. A brief summary or work sheet of
22 computations used in arriving at community services impact note
23 figures shall be included.

1 Section 25. Comment or opinion; technical or mechanical
2 defects. No comment or opinion shall be included in the
3 community services impact note with regard to the merits of the
4 measure for which the community services impact note is
5 prepared; however, technical or mechanical defects may be
6 noted. The work sheet shall include, insofar as practical, a
7 breakdown of the costs upon which the community services impact
8 note is based. It shall also include such other information as
9 is required by rules that may be promulgated by each house of
10 the General Assembly with respect to the preparation of such
11 notes. The community services impact note shall be prepared in
12 quintuplicate, and the original of both the work sheet and the
13 note shall be signed by the Secretary of Human Services, or by
14 a responsible representative designated by the Secretary.

15 Section 30. Appearance of State officials and employees in
16 support or opposition of measure. The fact that a community
17 services impact note is prepared for any bill shall not
18 preclude or restrict the appearance before any committee of the
19 General Assembly of any official or authorized employee of the
20 Department of Human Services who desires to be heard in support
21 of or in opposition to the measure.

22 Section 35. Amendments. Whenever an amendment to a bill,
23 whether reported by a committee of either house or proposed
24 upon the floor of either house, substantially affects the

1 figures Stated in the community services impact note attached
2 to the measure at the time of its referral to the committee,
3 there shall be included with the report of the committee a
4 Statement of the effect of the change proposed by the amendment
5 reported if desired by a majority of the committee. In like
6 manner, whenever any measure is amended on the floor of either
7 house in a manner that substantially affects the costs thereof
8 or the revenues to be derived thereunder as Stated in the
9 community services impact note attached to the measure prior to
10 that amendment, a majority of that house may propose that no
11 action shall be taken upon the amendment until the sponsor of
12 the amendment presents to the members a Statement of the fiscal
13 effect of his or her proposed amendment.

14 Section 40. Confidentiality. The subject matter of a bill
15 submitted to the Secretary of Human Services shall be kept in
16 strict confidence by the Department of Human Services, and no
17 information relating to the bill or community services impact
18 shall be divulged by any official or employee of the
19 Department, except to the bill's sponsor or the sponsor's
20 designee, before the bill's introduction in the General
21 Assembly.

22 Section 45. Severability. The provisions of this Act are
23 severable under Section 1.31 of the Statute on Statutes.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.