



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2623

Introduced 2/15/2008, by Sen. Matt Murphy

SYNOPSIS AS INTRODUCED:

25 ILCS 50/1	from Ch. 63, par. 42.31
25 ILCS 50/2	from Ch. 63, par. 42.32
25 ILCS 50/3 rep.	
25 ILCS 50/7 rep.	

Amends the Fiscal Note Act. Requires that a fiscal note be prepared for each legislative bill, other than an appropriation bill, before third reading but after second reading in each chamber (now, only certain bills and before second reading in the house of introduction). Provides that the Secretary of the Senate or the Clerk of the House, as the case may be, rather than the sponsor, shall request agencies to prepare fiscal notes. Makes other changes.

LRB095 19611 JAM 45946 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 5. The Fiscal Note Act is amended by changing
5 Sections 1 and 2 as follows:

6 (25 ILCS 50/1) (from Ch. 63, par. 42.31)

7 Sec. 1. Every bill, except those bills making a direct
8 appropriation, ~~(1) the purpose or effect of which is (i) to~~
9 ~~expend any State funds or to increase or decrease the revenues~~
10 ~~of the State, either directly or indirectly, or (ii) to require~~
11 ~~the expenditure of their own funds by, or to increase or~~
12 ~~decrease the revenues of, units of local government, school~~
13 ~~districts or community college districts, or to revise the~~
14 ~~distribution of State funds among units of local government,~~
15 ~~school districts, or community college districts, either~~
16 ~~directly or indirectly, or (2) that amends the Mental Health~~
17 ~~and Developmental Disabilities Code or the Developmental~~
18 ~~Disability and Mental Disability Services Act shall have~~
19 prepared for it prior to third second reading but after second
20 reading in each chamber ~~the house of introduction~~ a brief
21 explanatory statement or note that ~~which, for a bill under item~~
22 ~~(1),~~ shall include a reliable estimate of the anticipated
23 change in State, local governmental, school district, or

1 community college district expenditures or direct or indirect
2 revenues under its provisions, and, for a bill that amends the
3 Mental Health and Developmental Disabilities Code or the
4 Developmental Disability and Mental Disability Services Act
5 ~~under item (2)~~, shall include a reliable estimate of the fiscal
6 impact of its provisions upon community agencies. For purposes
7 of this Act, indirect revenues include, but are not limited to,
8 increased tax revenues or other increased revenues resulting
9 from economic development, job creation, or cost reduction. The
10 statement or note shall also include an explanation of the
11 methodology used to determine the estimated direct and indirect
12 costs or estimated impact on community agencies. Any notes for
13 bills having a fiscal impact on units of local government,
14 school districts or community college districts shall include
15 such cost estimates as may be required under the State Mandates
16 Act.

17 If a bill authorizes capital expenditures or appropriates
18 funds for capital expenditures, a statement shall be prepared
19 by the Governor's Office of Management and Budget specifying by
20 year any principal and interest payments required to finance
21 such capital expenditures.

22 If a bill authorizes the issuance of bonds, a statement or
23 note shall be prepared by the Governor's Office of Management
24 and Budget specifying the estimated total principal and
25 interest payments (assuming interest is paid at a fixed rate)
26 if all of the bonds authorized were issued. The statement or

1 note shall include the total principal on all other
2 then-outstanding Bonds of the State.

3 These statements or notes shall be known as "fiscal notes".
4 (Source: P.A. 92-567, eff. 1-1-03; 93-839, eff. 7-30-04.)

5 (25 ILCS 50/2) (from Ch. 63, par. 42.32)

6 Sec. 2. The Secretary of the Senate or the Clerk of the
7 House, as the case may be, ~~sponsor of each bill, referred to in~~
8 ~~Section 1,~~ shall present a copy of each ~~the~~ bill, with his or
9 her request for a fiscal note, to the board, commission,
10 department, agency, or other entity of the State which is to
11 receive or expend the appropriation proposed or which is
12 responsible for collection of the revenue proposed to be
13 increased or decreased, or to be levied or provided for. The
14 Secretary of the Senate or the Clerk of the House, as the case
15 may be, shall present a copy of each ~~sponsor of a~~ bill that
16 amends the Mental Health and Developmental Disabilities Code or
17 the Developmental Disability and Mental Disability Services
18 Act ~~shall present a copy of the bill,~~ with his or her request
19 for a fiscal note, to the Department of Human Services. The
20 fiscal note shall be prepared by such board, commission,
21 department, agency, or other entity and furnished to the
22 Secretary of the Senate or the Clerk of the House, as the case
23 may be, ~~sponsor of the bill~~ within 5 calendar days thereafter;
24 except that whenever, because of the complexity of the measure,
25 additional time is required for preparation of the fiscal note,

1 the board, commission, department, agency, or other entity may
2 so inform the Secretary of the Senate or the Clerk of the
3 House, as the case may be, sponsor of the bill and he or she may
4 approve an extension of the time within which the note is to be
5 furnished, ~~not to extend, however, beyond June 15, following~~
6 ~~the date of the request.~~ Whenever any measure for which a
7 fiscal note is required affects more than one State board,
8 commission, department, agency, or other entity, the board,
9 commission, department, agency, or other entity most affected
10 by its provisions according to the Secretary of the Senate or
11 the Clerk of the House, as the case may be, sponsor shall be
12 responsible for preparation of the fiscal note. Whenever any
13 measure for which a fiscal note is required does not affect a
14 specific board, commission, department, agency or other such
15 entity, or does not amend the Mental Health and Developmental
16 Disabilities Code or the Developmental Disability and Mental
17 Disability Services Act, the Secretary of the Senate or the
18 Clerk of the House, as the case may be, shall present a copy of
19 the bill to the Commission on Government Forecasting and
20 Accountability, which sponsor of the measure shall be
21 responsible for preparation of the fiscal note.

22 In the case of bills having a potential fiscal impact on
23 units of local government, the fiscal note shall be prepared by
24 the Department of Commerce and Economic Opportunity. In the
25 case of bills having a potential fiscal impact on school
26 districts, the fiscal note shall be prepared by the State

1 Superintendent of Education. In the case of bills having a
2 potential fiscal impact on community college districts, the
3 fiscal note shall be prepared by the Illinois Community College
4 Board.

5 (Source: P.A. 94-793, eff. 5-19-06.)

6 (25 ILCS 50/3 rep.)

7 (25 ILCS 50/7 rep.)

8 Section 10. The Fiscal Note Act is amended by repealing
9 Sections 3 and 7.