



Rep. Constance A. Howard

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LRB096 10114 RPM 24528 a

1 AMENDMENT TO HOUSE BILL 3653

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3653 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The African-American HIV/AIDS Response Act is  
5 amended by changing Sections 10, 25, 27, and 30 as follows:

6 (410 ILCS 303/10)

7 Sec. 10. Administration. ~~African American HIV/AIDS~~  
8 ~~Response Officer.~~ The Department of Human Services shall  
9 administer this Act. For the purpose of this Act, "Department"  
10 means the Department of Human Services. ~~An African American~~  
11 ~~HIV/AIDS Response Officer, responsible for coordinating~~  
12 ~~efforts to address the African American AIDS crisis within his~~  
13 ~~or her respective Office or Department and serving as a liaison~~  
14 ~~to governmental and non governmental entities beyond his or her~~  
15 ~~respective Office or Department regarding the same, shall be~~  
16 ~~designated in each of the following:-~~

1 ~~(1) The Office of the Governor.~~

2 ~~(2) The Department of Human Services.~~

3 ~~(3) The Department of Public Health.~~

4 ~~(4) The Department of Corrections.~~

5 (Source: P.A. 94-629, eff. 1-1-06.)

6 (410 ILCS 303/25)

7 Sec. 25. HIV/AIDS Advisory Committee ~~Response Review~~  
8 ~~Panel~~. There is created the African-American HIV/AIDS Advisory  
9 Committee within the Department. The Advisory Committee shall  
10 consist of 7 members, one each appointed by the Governor, the  
11 President of the Senate, the Senate Minority Leader, the  
12 Speaker of the House, and the House Minority Leader and 2  
13 appointed by the Secretary of the Department. The Advisory  
14 Committee shall meet quarterly. The members of the Advisory  
15 Committee shall receive no compensation for their services as  
16 members of the Advisory Committee but may be reimbursed for  
17 their actual expenses incurred in serving on the Advisory  
18 Committee.

19 The Advisory Committee shall advise the Department in  
20 establishing criteria and priorities for identifying  
21 recipients of grants under this Section, including offering  
22 priority for grants to applicants that receive limited State  
23 funding, as determined by the Advisory Committee. The Advisory  
24 Committee shall seek any available federal funding.

25 ~~(a) The HIV/AIDS Response Review Panel is established~~

1 ~~within the Office of the Governor. The Panel shall consist of~~  
2 ~~the following members:~~

3 ~~(1) One member appointed by the Governor. This member~~  
4 ~~shall serve as the Chair of the Panel.~~

5 ~~(2) One representative of each of the following,~~  
6 ~~appointed by the head of the department: the Department of~~  
7 ~~Corrections; the Department of Human Services; and the~~  
8 ~~Department of Public Health.~~

9 ~~(3) Two ex-offenders who are familiar with the issue of~~  
10 ~~HIV/AIDS as it relates to incarceration, appointed by~~  
11 ~~Governor. One of these members must be from Cook County,~~  
12 ~~and the other must be from a county other than Cook. Both~~  
13 ~~of these members must have received a final discharge from~~  
14 ~~the Department of Corrections.~~

15 ~~(4) Three representatives of HIV/AIDS organizations~~  
16 ~~that have been in business for at least 2 years, appointed~~  
17 ~~by Governor. In the case of such an organization that~~  
18 ~~represents a constituency the majority of whom are~~  
19 ~~African American, the organization's representative who is~~  
20 ~~a member of the Panel must be African American.~~

21 ~~(b) The Panel shall review the implementation of this Act~~  
22 ~~within the Department of Corrections and shall file a report~~  
23 ~~with the General Assembly and with the Governor every January 1~~  
24 ~~stating the results of its review.~~

25 (Source: P.A. 94-629, eff. 1-1-06.)

1 (410 ILCS 303/27)

2 (Section scheduled to be repealed on July 1, 2016)

3 Sec. 27. African-American HIV/AIDS Response Fund.

4 (a) The African-American HIV/AIDS Response Fund is created  
5 as a special fund in the State treasury. Moneys deposited into  
6 the Fund shall, subject to appropriation, be used for grants to  
7 community-based organizations for either direct-care  
8 prevention and treatment services or educational and awareness  
9 programs, but not both. No community-based organization may  
10 receive a grant of more than \$100,000 under this Section in a  
11 fiscal year. ~~for programs to prevent the transmission of HIV~~  
12 ~~and other programs and activities consistent with the purposes~~  
13 ~~of this Act, including, but not limited to, preventing and~~  
14 ~~treating HIV/AIDS, the creation of an HIV/AIDS service delivery~~  
15 ~~system, and the administration of the Act. Moneys for the Fund~~  
16 ~~shall come from appropriations by the General Assembly, federal~~  
17 ~~funds, and other public resources.~~

18 (b) In order to be eligible to apply for a grant, a  
19 community-based organization must be a private not-for-profit  
20 organization that is located in an Illinois community serving  
21 an African-American population with a high risk of HIV/AIDS  
22 infection, as defined by the Department by administrative rule.  
23 ~~The Fund shall provide resources for communities in Illinois to~~  
24 ~~create an HIV/AIDS service delivery system that reduces the~~  
25 ~~disparity of HIV infection and AIDS cases between~~  
26 ~~African Americans and other population groups in Illinois that~~

1 ~~may be impacted by the disease by, including but, not limited~~  
2 ~~to:~~

3 ~~(1) developing, implementing, and maintaining a~~  
4 ~~comprehensive, culturally sensitive HIV Prevention Plan~~  
5 ~~targeting communities that are identified as high risk in~~  
6 ~~terms of the impact of the disease on African Americans;~~

7 ~~(2) developing, implementing, and maintaining a stable~~  
8 ~~HIV/AIDS service delivery infrastructure in Illinois~~  
9 ~~communities that will meet the needs of African Americans;~~

10 ~~(3) developing, implementing, and maintaining a~~  
11 ~~statewide HIV/AIDS testing program;~~

12 ~~(4) providing funding for HIV/AIDS social and~~  
13 ~~scientific research to improve prevention and treatment;~~

14 ~~(5) providing comprehensive technical and other~~  
15 ~~assistance to African American community service~~  
16 ~~organizations that are involved in HIV/AIDS prevention and~~  
17 ~~treatment;~~

18 ~~(6) developing, implementing, and maintaining an~~  
19 ~~infrastructure for African American community service~~  
20 ~~organizations to make them less dependent on government~~  
21 ~~resources; and~~

22 ~~(7) creating and maintaining at least 17 one-stop~~  
23 ~~shopping HIV/AIDS facilities across the State.~~

24 (c) The Department shall adopt rules setting forth the  
25 required form and content of grant applications and a schedule  
26 for application deadlines. ~~When providing grants pursuant to~~

1 ~~this Fund, the Department of Public Health shall give priority~~  
2 ~~to the development of comprehensive medical and social services~~  
3 ~~to African-Americans at risk of infection from or infected with~~  
4 ~~HIV/AIDS in areas of the State determined to have the greatest~~  
5 ~~geographic prevalence of HIV/AIDS in the African American~~  
6 ~~population.~~

7 ~~(d) The Section is repealed on July 1, 2016.~~

8 (Source: P.A. 94-797, eff. 1-1-07.)

9 (410 ILCS 303/30)

10 Sec. 30. Rules.

11 ~~(a) No later than March 15, 2006, the Department of Public~~  
12 ~~Health shall issue proposed rules for designating high-risk~~  
13 ~~communities and for implementing subsection (c) of Section 15.~~  
14 ~~The rules must include, but may not be limited to, a standard~~  
15 ~~testing protocol, training for staff, community based~~  
16 ~~organization experience, and the removal and proper disposal of~~  
17 ~~hazardous waste.~~

18 ~~(b) The Department of Human Services, the Department of~~  
19 ~~Public Health, and the Department of Corrections shall adopt~~  
20 ~~rules as necessary to ensure that this Act is implemented~~  
21 ~~within 6 months after the effective date of this Act.~~

22 ~~(c) The Department of Public Health shall adopt rules~~  
23 ~~necessary to implement and administer the African-American~~  
24 ~~HIV/AIDS Response Fund.~~

25 (Source: P.A. 94-629, eff. 1-1-06; 94-797, eff. 1-1-07.)

1 (410 ILCS 303/15 rep.)

2 (410 ILCS 303/20 rep.)

3 (410 ILCS 303/35 rep.)

4 (410 ILCS 303/90 rep.)

5 (410 ILCS 303/92 rep.)

6 (410 ILCS 303/94 rep.)

7 (410 ILCS 303/95 rep.)

8 Section 10. The African-American HIV/AIDS Response Act is  
9 amended by repealing Sections 15, 20, 35, 90, 92, 94, and 95.

10 Section 99. Effective date. This Act takes effect July 1,  
11 2009.".