

AN ACT concerning finance.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The State Facilities Closure Act is amended by changing Section 5-10 as follows:

(30 ILCS 608/5-10)

Sec. 5-10. Facility closure process.

(a) Before a State facility may be closed, the State executive branch officer with jurisdiction over the facility shall file notice of the proposed closure with the Commission. The notice must be filed within 2 days after the first public announcement of any planned or proposed closure. Within 10 days after it receives notice of the proposed closure, the Commission, in its discretion, may require the State executive branch officer with jurisdiction over the facility to file a recommendation for the closure of the facility with the Commission. In the case of a proposed closure of: (i) a prison, youth center, work camp, or work release center operated by the Department of Corrections; (ii) a school, mental health center, or center for the developmentally disabled operated by the Department of Human Services; or (iii) a residential facility operated by the Department of Veterans' Affairs, the Commission must require the executive branch officers to file a recommendation for closure. The recommendation must be filed within 30 days after the Commission delivers the request for recommendation to the State executive branch officer. The recommendation must include, but is not limited to, the following:

(1) the location and identity of the State facility proposed to be closed;

(2) the number of employees for which the State facility is the primary stationary work location and the

effect of the closure of the facility on those employees;

(3) the location or locations to which the functions and employees of the State facility would be moved;

(4) the availability and condition of land and facilities at both the existing location and any potential locations;

(5) the ability to accommodate the functions and employees at the existing and at any potential locations;

(6) the cost of operations of the State facility and at any potential locations and any other related budgetary impacts;

(7) the economic impact on existing communities in the vicinity of the State facility and any potential facility;

(8) the ability of the existing and any potential community's infrastructure to support the functions and employees;

(9) the impact on State services delivered at the existing location, in direct relation to the State services expected to be delivered at any potential locations; and

(10) the environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.

(b) If a recommendation is required by the Commission, a 30-day public comment period must follow the filing of the recommendation. The Commission, in its discretion, may conduct one or more public hearings on the recommendation. In the case of a proposed closure of: (i) a prison, youth center, work camp, or work release center operated by the Department of Corrections; (ii) a school, mental health center, or center for the developmentally disabled operated by the Department of Human Services; or (iii) a residential facility operated by the Department of Veterans' Affairs, the Commission must conduct one or more public hearings on the recommendation. Public hearings conducted by the Commission shall be conducted no later than 35 days after the filing of the recommendation. At least one of the public hearings on the recommendation shall be

held at a convenient location within 25 miles of the facility for which closure is recommended. The Commission shall provide reasonable notice of the comment period and of any public hearings to the public and to units of local government and school districts that are located within 25 miles of the facility.

(c) Within 50 days after the State executive branch officer files the required recommendation, the Commission shall issue an advisory opinion on that recommendation. The Commission shall file the advisory opinion with the appropriate State executive branch officer, the Governor, the General Assembly, and the Index Department of the Office of the Secretary of State and shall make copies of the advisory opinion available to the public upon request.

(d) No action may be taken to implement the recommendation for closure of a State facility until 50 days after the filing of any required recommendation.

(e) The requirements of this Section do not apply if all of the functions and employees of a State facility are relocated to another State facility that is within 10 miles of the closed facility.

(Source: P.A. 93-839, eff. 7-30-04.)