



State Government Administration Committee

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09500HB4370ham001

LRB095 17100 RCE 47929 a

1 AMENDMENT TO HOUSE BILL 4370

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4370 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the State  
5 Employees Flex-Time Mentoring Act.

6 Section 5. Purpose. The purpose of this Act is to enable  
7 State employees to use vacation, personal, and sick leave time  
8 to participate in certain well-established mentoring programs.

9 Section 10. Definitions. In this Act:

10 "Eligible State employee" means an individual who:

11 (1) is a permanent, non-contractual State employee;  
12 and

13 (2) has provided, without monetary remuneration,  
14 mentoring services to a qualified mentoring program for not  
15 less than one year before requesting mentoring leave.

1 "Mentoring leave" means an eligible State employee's  
2 vacation, personal, and sick time spent mentoring a child in a  
3 qualified mentoring program.

4 "Qualified mentoring program" means a program that  
5 finances, arranges for, and otherwise facilitates the  
6 mentoring, by adults, on a one-to-one basis, of children who  
7 are:

8 (1) enrolled in any school level between kindergarten  
9 and the 12th grade; and

10 (2) under the age of 18.

11 Additionally, a qualified mentoring program must be a  
12 not-for-profit, secular entity, organized under Section  
13 501(c)(3) of the United States Internal Revenue Code. A  
14 qualified mentoring program must also have been in existence  
15 for at least 10 years before the effective date of this Act.

16 "State agency" has the same meaning as defined in Section  
17 1-7 of the Illinois State Auditing Act.

18 Section 15. Mentoring leave authorized.

19 (a) All State agencies may, within 180 days after the  
20 effective date of this Act, permit eligible State employees to  
21 take mentoring leave. No employee may take more than 40 hours  
22 of mentoring leave in a calendar year.

23 (b) At the time he or she requests mentoring leave, an  
24 eligible State employee must provide his or her supervisor with  
25 written verification from a qualified mentoring program that

1 the employee has performed at least one year of mentoring  
2 services as required under the definition of "eligible State  
3 employee".

4 (c) Within 180 days after the effective date of this Act,  
5 each State agency that elects to permit mentoring flex time for  
6 its employees must implement an application process by which an  
7 eligible employee under its authority can apply for mentoring  
8 leave. All participating State agencies retain unfettered  
9 discretion to permit or deny an eligible employee's request for  
10 mentoring leave. Participating agencies must take into account  
11 the following factors in evaluating applications for mentoring  
12 leave:

- 13 (1) the operational needs of the State;
- 14 (2) the budgetary concerns of the agency; and
- 15 (3) any limitations imposed by law.

16 Section 20. No rulemaking authority. Notwithstanding any  
17 other rulemaking authority that may exist, neither the Governor  
18 nor any agency or agency head under the jurisdiction of the  
19 Governor has any authority to make or promulgate rules to  
20 implement or enforce the provisions of this Act. If, however,  
21 the Governor believes that rules are necessary to implement or  
22 enforce the provisions of this Act, the Governor may suggest  
23 rules to the General Assembly by filing them with the Clerk of  
24 the House and Secretary of the Senate and by requesting that  
25 the General Assembly authorize such rulemaking by law, enact

1 those suggested rules into law, or take any other appropriate  
2 action in the General Assembly's discretion. Nothing contained  
3 in this Act shall be interpreted to grant rulemaking authority  
4 under any other Illinois statute where such authority is not  
5 otherwise explicitly given. For the purposes of this Act,  
6 "rules" is given the meaning contained in Section 1-70 of the  
7 Illinois Administrative Procedure Act, and "agency" and  
8 "agency head" are given the meanings contained in Sections 1-20  
9 and 1-25 of the Illinois Administrative Procedure Act to the  
10 extent that such definitions apply to agencies or agency heads  
11 under the jurisdiction of the Governor."