

**HB0004**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**HB0004**

Introduced 1/14/2009, by Rep. Raymond Poe

**SYNOPSIS AS INTRODUCED:**

30 ILCS 608/5-10

Amends the State Facilities Closure Act. Provides that a recommendation of closure of a State facility may not be implemented unless the Commission on Government Forecasting and Accountability, by resolution adopted by record vote of at least 8 members, approves the recommendation (now, the Commission's opinion is merely advisory). Provides that nothing in the Act precludes the executive branch agency recommending closure from providing relevant information to the affected State employees and their authorized bargaining representatives. Effective immediately.

LRB096 03103 RCE 13119 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 State Facilities Closure Act is amended by  
5 changing Section 5-10 as follows:

6 (30 ILCS 608/5-10)

7 Sec. 5-10. Facility closure process.

8 (a) Before a State facility may be closed, the State  
9 executive branch officer with jurisdiction over the facility  
10 shall file notice of the proposed closure with the Commission.  
11 The notice must be filed within 2 days after the first public  
12 announcement of any planned or proposed closure. Within 10 days  
13 after it receives notice of the proposed closure, the  
14 Commission, in its discretion, may require the State executive  
15 branch officer with jurisdiction over the facility to file a  
16 recommendation for the closure of the facility with the  
17 Commission. In the case of a proposed closure of: (i) a prison,  
18 youth center, work camp, or work release center operated by the  
19 Department of Corrections; (ii) a school, mental health center,  
20 or center for the developmentally disabled operated by the  
21 Department of Human Services; or (iii) a residential facility  
22 operated by the Department of Veterans' Affairs, the Commission  
23 must require the executive branch officers to file a

1 recommendation for closure. The recommendation must be filed  
2 within 30 days after the Commission delivers the request for  
3 recommendation to the State executive branch officer. The  
4 recommendation must include, but is not limited to, the  
5 following:

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

8 (2) the number of employees for which the State  
9 facility is the primary stationary work location and the  
10 effect of the closure of the facility on those employees;

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

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

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

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

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

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

26 (9) the impact on State services delivered at the

1 existing location, in direct relation to the State services  
2 expected to be delivered at any potential locations; and

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

6 (b) If a recommendation is required by the Commission, a  
7 30-day public comment period must follow the filing of the  
8 recommendation. The Commission, in its discretion, may conduct  
9 one or more public hearings on the recommendation. In the case  
10 of a proposed closure of: (i) a prison, youth center, work  
11 camp, or work release center operated by the Department of  
12 Corrections; (ii) a school, mental health center, or center for  
13 the developmentally disabled operated by the Department of  
14 Human Services; or (iii) a residential facility operated by the  
15 Department of Veterans' Affairs, the Commission must conduct  
16 one or more public hearings on the recommendation. Public  
17 hearings conducted by the Commission shall be conducted no  
18 later than 35 days after the filing of the recommendation. At  
19 least one of the public hearings on the recommendation shall be  
20 held at a convenient location within 25 miles of the facility  
21 for which closure is recommended. The Commission shall provide  
22 reasonable notice of the comment period and of any public  
23 hearings to the public and to units of local government and  
24 school districts that are located within 25 miles of the  
25 facility.

26 (c) Within 50 days after the State executive branch officer

1 files the required recommendation, the Commission shall issue  
2 an ~~advisory~~ opinion on that recommendation. The Commission  
3 shall file the ~~advisory~~ opinion with the appropriate State  
4 executive branch officer, the Governor, the General Assembly,  
5 and the Index Department of the Office of the Secretary of  
6 State and shall make copies of the ~~advisory~~ opinion available  
7 to the public upon request.

8 (d) No action may be taken to implement the recommendation  
9 for closure of a State facility, including negotiating or  
10 finalizing the purchase or lease of a facility to replace a  
11 State facility recommended for closure, unless the Commission,  
12 by resolution adopted by record vote of at least 8 members of  
13 the Commission, approves the recommendation for closure ~~until~~  
14 50 days after the filing of any required recommendation.

15 (d-5) Nothing in this Act precludes, at any time, the  
16 executive branch agency recommending closure of a State  
17 facility from providing information relevant to the  
18 recommended closure to affected State employees or their  
19 authorized bargaining representatives.

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

24 (Source: P.A. 93-839, eff. 7-30-04; 94-688, eff. 1-1-06.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.