

SB3088



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3088

Introduced 2/8/2010, by Sen. Kwame Raoul

SYNOPSIS AS INTRODUCED:

New Act

Creates the Human Services Budget and Impact Note Act. Requires the Department of Human Services and the Department of Healthcare and Family Services to prepare and file notes concerning a bill's impact. Requires the bill's sponsor to file a statement identifying a preferred means of funding the costs to be incurred because of the legislation. Contains provisions regarding committee appearances; amended bills; and confidentiality requirements.

LRB096 20288 KTG 35900 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 1. Short title. This Act may be cited as the Human
5 Services Budget and Impact Note Act.

6 Section 5. Budget impact note required.

7 (a) Every bill which creates a new program or service which
8 will be provided by the Department of Human Services, or which
9 expands the class of persons eligible for, or the level of
10 benefits provided by, any existing program or service provided
11 by the Department of Human Services, shall have prepared for it
12 prior to second reading in the house of introduction a brief
13 explanatory statement or note which shall include a reliable
14 estimate of the probable impact of such bill upon the overall
15 resident population of the Department of Human Services (if
16 any) and the probable impact which such bill will have upon the
17 Department's annual budget.

18 (b) Every bill which creates a new program or service which
19 will be provided by the Department of Healthcare and Family
20 Services, or which expands the class of persons eligible for,
21 or the level of benefits provided by, any existing program or
22 service provided by the Department of Healthcare and Family
23 Services, shall have prepared for it prior to second reading in

1 the house of introduction a brief explanatory statement or note
2 which shall include a reliable estimate of the probable impact
3 which such bill will have upon the Department's annual budget.

4 Section 10. Preparation of note.

5 (a) Upon the filing of any bill described in subsection (a)
6 of Section 5, the Secretary of Human Services, or any person
7 within the Department of Human Services whom the Secretary may
8 designate, shall prepare a written statement setting forth the
9 information specified in subsection (a) of Section 5. Upon the
10 filing of any bill described in subsection (b) of Section 5,
11 the Director of Healthcare and Family Services, or any person
12 the Director may designate, shall prepare a written statement
13 setting forth the information specified in subsection (b) of
14 Section 5.

15 The statement prepared by the Secretary of Human Services
16 or the Director of Healthcare and Family Services, as the case
17 may be, shall be designated a Human Services Budget and Impact
18 Note and shall be filed with the Clerk of the House or the
19 Secretary of the Senate, as appropriate, and furnished to the
20 sponsor within 10 calendar days thereafter, except that
21 whenever, because of the complexity of the bill, additional
22 time is required for the preparation of the note, the
23 Department of Human Services or the Department of Healthcare
24 and Family Services may so notify the sponsor and request an
25 extension of time not to exceed 5 additional days within which

1 such note is to be furnished. Such extension shall not extend
2 beyond May 15 following the date of the request.

3 (b) Upon the filing of any bill requiring the preparation
4 of a written statement under subsection (a) of this Section,
5 the sponsor of the bill in the house of introduction shall
6 inform the Department of Human Services or the Department of
7 Healthcare and Family Services, as appropriate, of the filing
8 of the bill.

9 Section 15. Preferred funding source. Within 5 days after
10 receiving the statement required in Section 10 and prior to
11 second reading in the house of introduction, the sponsor shall
12 file with the Clerk of the House or the Secretary of the
13 Senate, as appropriate, a written statement identifying the
14 sponsor's preferred means of funding the costs to be incurred
15 by the legislation. The required identification shall be made
16 by specifying either (i) the additional tax or other revenue
17 source from which an amount equal to the costs identified are
18 to be generated or (ii) the specific line item or items in the
19 budget for the current fiscal year that would be reduced or
20 eliminated to reach an amount equal to the costs identified.

21 Section 20. Contents of note. The note shall be factual in
22 nature, as brief and concise as may be, and shall provide as
23 reliable an estimate, in terms of population and dollar impact,
24 as is possible under the circumstances. The note shall include

1 both the immediate effect, and if determinable or reasonably
2 foreseeable, the long range effect of the measure.

3 If, after careful investigation, it is determined that no
4 population or dollar estimate is possible, the note shall
5 contain a statement to that effect, setting forth the reasons
6 why no such estimate can be given. A brief summary or work
7 sheet of computations used in arriving at the Budget and Impact
8 Note figures shall be supplied.

9 Section 25. Note comments; worksheet. No comment or opinion
10 shall be included in the note with regard to the merits of the
11 measure for which the note is prepared; however, technical or
12 mechanical defects may be noted.

13 The work sheet shall include, insofar as practicable, a
14 breakdown of the costs upon which the note is based. Such
15 breakdown shall include, but need not be limited to, costs of
16 personnel, room and board, and capital outlay. The note shall
17 also include such other information as is required by the rules
18 and regulations which may be promulgated by each house of the
19 General Assembly with respect to the preparation of such notes.

20 The note shall be prepared in quintuplicate and the
21 original of both the note and the work sheet shall be signed by
22 the Secretary of Human Services, or such person as the
23 Secretary may designate, or by the Director of Healthcare and
24 Family Services, or such person as the Director may designate.

1 Section 30. Committee appearance. The fact that a Human
2 Services Budget and Impact Note is prepared for any bill shall
3 not preclude or restrict the appearance before any committee of
4 the General Assembly, of any official or authorized employee of
5 any State board, commission, department, agency, or other
6 entity who desires to be heard in support of or in opposition
7 to the measure.

8 Section 35. Amendments; notes required. Whenever any
9 measure is amended on the floor of either house in such manner
10 as to bring it within the description of bills set forth in
11 Section 5, no action shall be taken upon the amendment until
12 the sponsor of the amendment presents to the members a
13 statement of the budget (if applicable) and population impact
14 of his or her amendment, together with a statement of the
15 sponsor's preferred funding sources under Section 15, as
16 required by this Act.

17 Section 40. Confidentiality before introduction. The
18 subject matter of bills submitted to the Secretary of Human
19 Services or the Director of Healthcare and Family Services
20 shall be kept in strict confidence and no information relating
21 thereto or relating to the budget or impact thereof shall be
22 divulged by an official or employee of the Department of Human
23 Services or the Department of Healthcare and Family Services,
24 except to the bill's sponsor or the sponsor's designee, prior

1 to the bill's introduction in the General Assembly.