



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0240

Introduced 1/20/2009, by Rep. Keith P. Sommer

SYNOPSIS AS INTRODUCED:

30 ILCS 608/5-5
30 ILCS 608/5-12 new
30 ILCS 608/5-15 new

Amends the State Facilities Closure Act. Creates the Correctional Facilities Panel. Provides that the Panel shall perform a detailed examination of the State's correctional facilities and the respective populations and workforces of the facilities. Sets forth the membership of the panel. Provides that no correctional facility managed or operated by the Illinois Department of Corrections may be closed, eliminated, or otherwise required to reduce its 2008 average daily population or average daily workforce by more than 20% prior to the completion of the submission of the final report by the Correctional Facilities Panel. Effective immediately.

LRB096 03199 RLJ 13216 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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 5-5 and by adding Sections 5-12 and 5-15 as
6 follows:

7 (30 ILCS 608/5-5)

8 Sec. 5-5. Definitions. In this Act:

9 "Commission" means the Commission on Government
10 Forecasting and Accountability.

11 "State facility" means any facility (i) that is owned and
12 operated by the State or leased and operated by the State and
13 (ii) that is the primary stationary work location for 25 or
14 more State employees. "State facility" does not include any
15 facility under the jurisdiction of the legislative branch,
16 including the Auditor General, or the judicial branch.

17 "Correctional Facilities Panel" means the study panel
18 created and authorized in Section 5-15 of this Act.

19 (Source: P.A. 93-839, eff. 7-30-04; 93-1067, eff. 1-15-05.)

20 (30 ILCS 608/5-12 new)

21 Sec. 5-12. Correctional facilities closure moratorium.
22 Beginning on the effective date of this amendatory Act of the

1 96th General Assembly, no correctional facility managed or
2 operated by the Illinois Department of Corrections may be
3 closed, eliminated, or otherwise required to reduce its 2008
4 average daily population or average daily workforce by more
5 than 20% prior to the completion of the required review by the
6 Correctional Facilities Panel and submission of the panel's
7 final report as required in Section 5-15 of this Act.

8 (30 ILCS 608/5-15 new)

9 Sec. 5-15. Correctional Facilities Panel.

10 (a) The Correctional Facilities Panel is hereby created and
11 shall be comprised of the Director of the Department of
12 Corrections, or his or her designee; 4 members of the General
13 Assembly: one appointed by the President of the Senate, one
14 appointed by the Minority Leader of the Senate, one appointed
15 by the Speaker of the House of Representatives, and one
16 appointed by the Minority Leader of the House of
17 Representatives; 2 representatives of the employees who work
18 within the State's prisons, to be appointed by the Commission
19 on Government Forecasting and Accountability; and 2 persons or
20 representatives of organizations with expertise in prisons,
21 correctional facilities, or prison populations, to be
22 appointed by the Commission on Government Forecasting and
23 Accountability.

24 All members of the Panel are to be appointed within 90 days
25 after the effective date of this amendatory Act of the 96th

1 General Assembly.

2 (b) The Correctional Facilities Panel shall review the
3 physical condition, the size and composition of the inmate
4 population, and any specific and immediate needs of each
5 correctional facility managed or operated by the State.

6 (c) The Panel is authorized to hold public hearings, take
7 testimony, and request detailed and specific information
8 relating to the inmate population, staff, or both of any
9 individual correctional facility managed or operated by the
10 State, as well as the State's prison system at large.

11 Any data or information requested from any agency of the
12 State, including but not limited to the Department of
13 Corrections, is to be provided within 30 days of any written
14 request for information being submitted by the Panel. If the
15 requested information or data is not available within 30 days,
16 the head of the agency to which the request was originally
17 submitted shall provide the Panel, in writing, a detailed
18 explanation as to why the data or information requested cannot
19 be timely provided, whether the information exists, and when it
20 can be expected to be received by the Panel.

21 (d) The review conducted by the Panel must include, but not
22 be limited to, a detailed composition of (i) current prison
23 populations and their respective requirements for effective
24 reform, (ii) the geographical location of inmate families and
25 their respective needs, (iii) employee locations, staffing
26 levels, and the demands being placed on prison staffs within

1 the State, (iv) the physical condition of each of the State's
2 correctional facilities and their respective needs, (v) the
3 potential necessity for a geriatric correctional facility in
4 Illinois, and (vi) the economic impacts created, at both the
5 State and local levels, by each of the State's correctional
6 facilities, with special attention given to any correctional
7 facility recommended to be immediately or abruptly
8 decommissioned and their respective populations moved
9 throughout the remainder of the State's prison system.

10 (e) The Commission on Government Forecasting and
11 Accountability shall provide staff and administrative
12 assistance to the Correctional Facilities Panel. All agencies
13 of the State must cooperate to the fullest extent possible to
14 assist the Correctional Facilities Panel in the completion of
15 its work.

16 (f) The Panel shall perform a detailed examination of the
17 State's correctional facilities and the respective populations
18 and workforces of the facilities, including information
19 concerning the families of the inmates and staff of the
20 facility. The Panel shall issue its findings and
21 recommendations in a final report to the General Assembly
22 outlining a long-term objective plan for the State's
23 correctional facilities, the populations they hold, and the
24 workforce needed to best protect the citizens of Illinois. The
25 final report must be submitted to the General Assembly no later
26 than September 1, 2010.

1 (g) Sixty days after submission of its final report to the
2 General Assembly, the Correctional Facilities Panel shall be
3 dissolved.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.