

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  
5 Community Services Impact Note Act.

6 Section 5. Applicability. Every bill, except a bill making  
7 a direct appropriation, that (i) affects the provision of  
8 community services to persons with developmental disabilities  
9 or mental illness or (ii) amends the Mental Health and  
10 Developmental Disabilities Code, the Developmental Disability  
11 and Mental Disability Services Act, the Mental Health and  
12 Developmental Disabilities Administrative Act, the Community  
13 Services Act, the Nursing Home Care Act, the Health Care Worker  
14 Background Check Act, the Community-Integrated Living  
15 Arrangements Licensure and Certification Act, the Community  
16 Living Facilities Licensing Act, the MRSA Screening and  
17 Reporting Act, the Early Intervention Services System Act, the  
18 Community Mental Health Act, the Specialized Living Centers  
19 Act, the Community Support Systems Act, the Children's Mental  
20 Health Act of 2003, the Health Care Workplace Violence  
21 Prevention Act, the Autism Spectrum Disorders Reporting Act,  
22 the Epilepsy Disease Assistance Act, the Developmental  
23 Disability Prevention Act, the Illinois Public Aid Code, the

1 Minimum Wage Law, or the State Employees Group Insurance Act of  
2 1971 shall have prepared for it prior to second reading in the  
3 house of introduction a brief explanatory statement or note  
4 that shall include a reliable estimate of the fiscal impact of  
5 its provisions on community services for persons with  
6 developmental disabilities and mental illness. These  
7 statements or notes shall be known as "community services  
8 impact notes".

9 Section 10. Preparation. The sponsor of each bill to which  
10 Section 5 applies shall present a copy of the bill, with the  
11 request for a community services impact note, to the Department  
12 of Human Services. The community services impact note shall be  
13 prepared by the Department of Human Services and submitted to  
14 the sponsor of the bill within 5 calendar days, except that  
15 whenever, because of the complexity of the measure, additional  
16 time is required for the preparation of the community services  
17 impact note, the Department of Human Services may inform the  
18 sponsor of the bill, and the sponsor may approve an extension  
19 of the time within which the note is to be submitted, not to  
20 extend, however, beyond May 15, following the date of the  
21 request. The Department of Human Services may seek assistance  
22 from other State agencies and statewide trade associations  
23 representing providers of community services for persons with  
24 developmental disabilities and mental illness. If, in the  
25 opinion of the Department of Human Services, there is

1 insufficient information to prepare a reliable estimate of the  
2 anticipated impact, a statement to that effect shall be filed  
3 and shall meet the requirements of this Act.

4 Section 15. Vote on the necessity of community services  
5 impact notes. Whenever the sponsor of any bill is of the  
6 opinion that no community services impact note is required, any  
7 member of either house may request that a note be obtained, and  
8 in that case the applicability of this Act shall be decided by  
9 the majority of those present and voting in the house of which  
10 the sponsor is a member.

11 Section 20. Requisites and contents. The note shall be  
12 factual in nature, as brief and concise as may be, and shall  
13 provide a reliable estimate, in dollars, of the impact of the  
14 bill on community services for persons with developmental  
15 disabilities and mental illness. In addition, the note shall  
16 include both the immediate effect and, if determinable or  
17 reasonably foreseeable, the long range effect of the measure.  
18 If, after careful investigation, it is determined that no  
19 dollar estimate is possible, the note shall contain a statement  
20 to that effect, setting forth the reasons why no dollar  
21 estimate can be given. A brief summary or work sheet of  
22 computations used in arriving at community services impact note  
23 figures shall be included.

1           Section 25. Comment or opinion; technical or mechanical  
2 defects. No comment or opinion shall be included in the  
3 community services impact note with regard to the merits of the  
4 measure for which the community services impact note is  
5 prepared; however, technical or mechanical defects may be  
6 noted. The work sheet shall include, insofar as practical, a  
7 breakdown of the costs upon which the community services impact  
8 note is based. It shall also include such other information as  
9 is required by rules that may be promulgated by each house of  
10 the General Assembly with respect to the preparation of such  
11 notes. The community services impact note shall be prepared in  
12 quintuplicate, and the original of both the work sheet and the  
13 note shall be signed by the Secretary of Human Services, or by  
14 a responsible representative designated by the Secretary.

15           Section 30. Appearance of State officials and employees in  
16 support or opposition of measure. The fact that a community  
17 services impact note is prepared for any bill shall not  
18 preclude or restrict the appearance before any committee of the  
19 General Assembly of any official or authorized employee of the  
20 Department of Human Services who desires to be heard in support  
21 of or in opposition to the measure.

22           Section 35. Amendments. Whenever an amendment to a bill,  
23 whether reported by a committee of either house or proposed  
24 upon the floor of either house, substantially affects the

1 figures stated in the community services impact note attached  
2 to the measure at the time of its referral to the committee,  
3 there shall be included with the report of the committee a  
4 statement of the effect of the change proposed by the amendment  
5 reported if desired by a majority of the committee. In like  
6 manner, whenever any measure is amended on the floor of either  
7 house in a manner that substantially affects the costs thereof  
8 or the revenues to be derived thereunder as stated in the  
9 community services impact note attached to the measure prior to  
10 that amendment, a majority of that house may propose that no  
11 action shall be taken upon the amendment until the sponsor of  
12 the amendment presents to the members a statement of the fiscal  
13 effect of his or her proposed amendment.

14 Section 40. Confidentiality. The subject matter of a bill  
15 submitted to the Secretary of Human Services shall be kept in  
16 strict confidence by the Department of Human Services, and no  
17 information relating to the bill or community services impact  
18 shall be divulged by any official or employee of the  
19 Department, except to the bill's sponsor or the sponsor's  
20 designee, before the bill's introduction in the General  
21 Assembly.

22 Section 45. Severability. The provisions of this Act are  
23 severable under Section 1.31 of the Statute on Statutes.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.