

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 Correctional Budget and Impact Note Act is  
5 amended by changing Sections 1, 2, 3, 4, 5, and 7 as follows:

6 (25 ILCS 70/1) (from Ch. 63, par. 42.81)

7 Sec. 1. This Act shall be known and may be cited as the  
8 Correctional Budget and Racial Impact Note Act.

9 (Source: P.A. 83-1031.)

10 (25 ILCS 70/2) (from Ch. 63, par. 42.82)

11 Sec. 2. Budget impact and racial note required.

12 (a) Every bill which creates a new criminal offense for  
13 which a sentence to the Department of Corrections may be  
14 imposed; or which enhances any class or category of offense to  
15 a higher grade or penalty for which a sentence to the  
16 Department of Corrections is authorized; or which requires a  
17 mandatory commitment to the Department of Corrections, shall  
18 have prepared for it prior to second reading in the house of  
19 introduction a brief explanatory statement or note which shall  
20 include a reliable estimate of the probable impact of such bill  
21 upon: (i) the number of criminal cases per year the bill will  
22 affect; (ii) the members of racial minority groups by

1 ethnicity; (iii) the overall resident population and  
2 operations of the Department of Corrections; (iv) and the  
3 probable impact which such bill will have upon the Department's  
4 annual budget; and (v) any other matter the Department  
5 considers appropriate.

6 (b) Every bill that (i) creates a new criminal offense for  
7 which a commitment to a juvenile detention facility, sentence  
8 of probation, intermediate sanctions, or community service may  
9 be imposed or (ii) enhances any class or category of offense to  
10 any grade or penalty for which adjudication, commitment, or  
11 disposition by a circuit court to the custody of a Probation  
12 and Court Services Department may result shall have prepared  
13 for it prior to second reading in the house of introduction a  
14 brief explanatory statement or note that shall include a  
15 reliable estimate of the probable impact of the bill upon: (i)  
16 the number of criminal cases per year the bill will affect;  
17 (ii) the members of racial minority groups by ethnicity; (iii)  
18 the overall probation caseload Statewide; (iv) and the probable  
19 impact the bill will have on staffing needs and upon the annual  
20 budgets of the Illinois Supreme Court and the counties of this  
21 State; and (v) any other matter the Administrative Office of  
22 the Illinois Courts considers appropriate.

23 (Source: P.A. 89-198, eff. 7-21-95.)

24 (25 ILCS 70/3) (from Ch. 63, par. 42.83)

25 Sec. 3. The ~~Upon the request of the sponsor of any bill~~

1 ~~described in subsection (a) of Section 2,~~ the Director of the  
2 Department of Corrections, or any person within the Department  
3 whom the Director may designate, shall prepare and file a  
4 written statement setting forth the information specified in  
5 subsection (a) of Section 2. ~~The~~ ~~Upon the request of the~~  
6 ~~sponsor of any bill described in subsection (b) of Section 2,~~  
7 ~~the~~ Director of the Administrative Office of the Illinois  
8 Courts, or any person the Director may designate, shall prepare  
9 and file a written statement setting forth the information  
10 specified in subsection (b) of Section 2.

11 The statement prepared by the Director of Corrections or  
12 Director of the Administrative Office of the Illinois Courts,  
13 as the case may be, shall be designated a Correctional Budget  
14 and Racial Impact Note and shall be furnished to the sponsor  
15 within 10 calendar days thereafter, except that whenever,  
16 because of the complexity of the bill, additional time is  
17 required for the preparation of the note, the Department of  
18 Corrections or Administrative Office of the Illinois Courts may  
19 so notify the sponsor and request an extension of time not to  
20 exceed 5 additional days within which such note is to be  
21 furnished. Such extension shall not extend beyond May 15  
22 following the date of the request.

23 (Source: P.A. 92-16, eff. 6-28-01.)

24 (25 ILCS 70/4) (from Ch. 63, par. 42.84)

25 Sec. 4. Whenever the sponsor of any measure is of the

1 opinion that no Correctional Budget and Racial Impact Note is  
2 necessary, any member of either house may thereafter request  
3 that a note be obtained, and in such case the matter shall be  
4 decided by a majority vote of those present and voting in the  
5 house of which he is a member.

6 (Source: P.A. 83-1031.)

7 (25 ILCS 70/5) (from Ch. 63, par. 42.85)

8 Sec. 5. The note shall be factual in nature, as brief and  
9 concise as may be, and shall provide as reliable an estimate,  
10 in terms of population and dollar impact, as is possible under  
11 the circumstances. The note shall include both the immediate  
12 effect, and if determinable or reasonably foreseeable, the  
13 long-range effect of the measure.

14 If, after careful investigation, it is determined that no  
15 population or dollar estimate is possible, the note shall  
16 contain a statement to that effect, setting forth the reasons  
17 why no such estimate can be given. A brief summary or work  
18 sheet of computations used in arriving at the Budget and Racial  
19 Impact Note figures shall be supplied.

20 (Source: P.A. 90-655, eff. 7-30-98.)

21 (25 ILCS 70/7) (from Ch. 63, par. 42.87)

22 Sec. 7. The fact that a Correctional Budget and Racial  
23 Impact Note is prepared for any bill shall not preclude or  
24 restrict the appearance before any committee of the General

1 Assembly, of any official or authorized employee of any State  
2 board, commission, department, agency or other entity who  
3 desires to be heard in support of or in opposition to the  
4 measure.

5 (Source: P.A. 83-1031.)