



Sen. Donne E. Trotter

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09900SB1798sam001

LRB099 09147 JLK 33020 a

1 AMENDMENT TO SENATE BILL 1798

2 AMENDMENT NO. _____. Amend Senate Bill 1798 by replacing
3 everything after the enacting clause with the following:

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

1 Department of Corrections is authorized; or which requires a
2 mandatory commitment to the Department of Corrections, shall
3 have prepared for it prior to second reading in the house of
4 introduction a brief explanatory statement or note which shall
5 include a reliable estimate of the probable impact of such bill
6 upon: (i) the number of criminal cases per year the bill will
7 affect; (ii) the members of racial minority groups by
8 ethnicity; (iii) the overall resident population and
9 operations of the Department of Corrections; (iv) and the
10 probable impact which such bill will have upon the Department's
11 annual budget; and (v) any other matter the Department
12 considers appropriate.

13 (b) Every bill that (i) creates a new criminal offense for
14 which a commitment to a juvenile detention facility, sentence
15 of probation, intermediate sanctions, or community service may
16 be imposed or (ii) enhances any class or category of offense to
17 any grade or penalty for which adjudication, commitment, or
18 disposition by a circuit court to the custody of a Probation
19 and Court Services Department may result shall have prepared
20 for it prior to second reading in the house of introduction a
21 brief explanatory statement or note that shall include a
22 reliable estimate of the probable impact of the bill upon: (i)
23 the number of criminal cases per year the bill will affect;
24 (ii) the members of racial minority groups by ethnicity; (iii)
25 the overall probation caseload Statewide; (iv) and the probable
26 impact the bill will have on staffing needs and upon the annual

1 budgets of the Illinois Supreme Court and the counties of this
2 State; and (v) any other matter the Administrative Office of
3 the Illinois Courts considers appropriate.

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

5 (25 ILCS 70/3) (from Ch. 63, par. 42.83)

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

17 The statement prepared by the Director of Corrections or
18 Director of the Administrative Office of the Illinois Courts,
19 as the case may be, shall be designated a Correctional Budget
20 and Racial Impact Note and shall be furnished to the sponsor
21 within 10 calendar days thereafter, except that whenever,
22 because of the complexity of the bill, additional time is
23 required for the preparation of the note, the Department of
24 Corrections or Administrative Office of the Illinois Courts may
25 so notify the sponsor and request an extension of time not to

1 exceed 5 additional days within which such note is to be
2 furnished. Such extension shall not extend beyond May 15
3 following the date of the request.

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

5 (25 ILCS 70/4) (from Ch. 63, par. 42.84)

6 Sec. 4. Whenever the sponsor of any measure is of the
7 opinion that no Correctional Budget and Racial Impact Note is
8 necessary, any member of either house may thereafter request
9 that a note be obtained, and in such case the matter shall be
10 decided by a majority vote of those present and voting in the
11 house of which he is a member.

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

13 (25 ILCS 70/5) (from Ch. 63, par. 42.85)

14 Sec. 5. The note shall be factual in nature, as brief and
15 concise as may be, and shall provide as reliable an estimate,
16 in terms of population and dollar impact, as is possible under
17 the circumstances. The note shall include both the immediate
18 effect, and if determinable or reasonably foreseeable, the
19 long-range effect of the measure.

20 If, after careful investigation, it is determined that no
21 population or dollar estimate is possible, the note shall
22 contain a statement to that effect, setting forth the reasons
23 why no such estimate can be given. A brief summary or work
24 sheet of computations used in arriving at the Budget and Racial

1 Impact Note figures shall be supplied.

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

3 (25 ILCS 70/7) (from Ch. 63, par. 42.87)

4 Sec. 7. The fact that a Correctional Budget and Racial
5 Impact Note is prepared for any bill shall not preclude or
6 restrict the appearance before any committee of the General
7 Assembly, of any official or authorized employee of any State
8 board, commission, department, agency or other entity who
9 desires to be heard in support of or in opposition to the
10 measure.

11 (Source: P.A. 83-1031.)".