

FACT SHEET

— From the Department of Government Relations —

HB 4711 Sen. Maloney & Rep. Eddy

OPPOSE

Mandates – If you can't fund them, don't pass them.

The blue ribbon task force (HJR 74) that is beginning its work on mandates is the better approach to take. There are too many unintended consequences in this bill. We oppose this bill because:

- HB 4711 covers any new law or rule and not just those under the School Code. This would include such laws as the IELRA, Open Meetings Act, and civil rights laws. School districts, but no other public governmental body will be able to individually decide which requirements they want to comply with, which they want to modify and which they want to ignore. We believe this raises a constitutional issue.
- HB 4711 applies to not only new laws but also new rules, including rules implementing existing laws. This will hamstring agencies from promulgating new or amended rules to implement existing law if those rules would cost a school district something. For instance, the IELRB will be frozen in place, not able to make any changes which would cost a district money, because as an agency, it cannot appropriate funds to cover the cost of anything that might be required by its rules.
- HB 4711 leaves it up to each individual school district to decide whether any funds appropriated are insufficient to fully fund the action required. If any funds were appropriated, what would be sufficient for one school district because of its size or efficiencies, could be insufficient for another school district. And there is no check on a school district's decision. We will have a patchwork of laws implemented across the state.
- HB 4711 could cost Illinois points as we compete with other states for RTTT funding. Illinois received high points in the adoption of the Common Core Standards. However, those standards will likely mean nothing, if this law passed, unless the GA appropriates sufficient funds for every school district to translate those standards into revised curriculum and then implement. These standards will need to be adopted as either legislation or rule. If they are adopted by rule, forget implementing them in districts, because ISBE won't have the appropriation authority. If they are passed by legislation, the GA will either have to exempt them from the new law or appropriate the funds.