



Sen. Antonio Muñoz

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09800SB0205sam001

LRB098 05392 JDS 44535 a

1 AMENDMENT TO SENATE BILL 205

2 AMENDMENT NO. _____. Amend Senate Bill 205 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Comptroller Act is amended by
5 changing Section 10.05d as follows:

6 (15 ILCS 405/10.05d)

7 Sec. 10.05d. Deductions for delinquent obligations owed to
8 units of local government, school districts, public
9 institutions of higher education, and clerks of the circuit
10 courts. Pursuant to Section 10.05 and this Section, the
11 Comptroller may enter into intergovernmental agreements with a
12 unit of local government, a school district, a public
13 institution of higher education, or the clerk of a circuit
14 court, in order to provide for (i) the use of the Comptroller's
15 offset system to collect delinquent obligations owed to that
16 entity and (ii) the payment to the Comptroller of a processing

1 charge of up to \$15 per transaction for ~~such~~ offsets processed
2 without the assistance of a third-party vendor and a processing
3 charge of up to \$20 per transaction for offsets processed with
4 the assistance of a third-party vendor. A third-party vendor
5 may be selected by the Comptroller, pursuant to lawful
6 procurement practices, in order to provide enhanced
7 identification services to the State. The Comptroller shall
8 deduct, from a warrant or other payment described in Section
9 10.05, in accordance with the procedures provided therein, its
10 processing charge and the amount certified as necessary to
11 satisfy, in whole or in part, the delinquent obligation owed to
12 the unit of local government, school district, public
13 institution of higher education, or clerk of the circuit court,
14 as applicable. The Comptroller shall provide the unit of local
15 government, school district, public institution of higher
16 education, or clerk of the circuit court, as applicable, with
17 the address to which the warrant or other payment was to be
18 mailed and any other information pertaining to each person from
19 whom a deduction is made pursuant to this Section. All
20 deductions ordered under this Section and processing charges
21 imposed under this Section shall be deposited into the
22 Comptroller Debt Recovery Trust Fund, a special fund that the
23 Comptroller shall use for the collection of deductions and
24 processing charges, as provided by law, and the payment of
25 deductions and administrative expenses, as provided by law.

26 Upon processing a deduction, the Comptroller shall give

1 written notice to the person subject to the offset. The notice
2 shall inform the person that he or she may make a written
3 protest to the Comptroller within 60 days after the Comptroller
4 has given notice. The protest shall include the reason for
5 contesting the deduction and any other information that will
6 enable the Comptroller to determine the amount due and payable.
7 The intergovernmental agreement entered into under Section
8 10.05 and this Section shall establish procedures through which
9 the Comptroller shall determine the validity of the protest and
10 shall make a final disposition concerning the deduction. If the
11 person subject to the offset has not made a written protest
12 within 60 days after the Comptroller has given notice or if a
13 final disposition is made concerning the deduction, the
14 Comptroller shall pay the deduction to the unit of local
15 government, school district, public institution of higher
16 education, or clerk of the circuit court, as applicable, from
17 the Comptroller Debt Recovery Trust Fund.

18 For the purposes of this Section, "clerk of a circuit
19 court" means a clerk of the circuit court in any county in the
20 State.

21 For purposes of this Section, "third-party vendor" means
22 the vendor selected by the Comptroller to provide enhanced
23 identification services to the State.

24 (Source: P.A. 97-632, eff. 12-16-11; 97-970, eff. 8-16-12.)

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

1 becoming law.".