



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3419

by Rep. Luis Arroyo

SYNOPSIS AS INTRODUCED:

30 ILCS 545/2

from Ch. 127, par. 132.52

Amends the Public Contract Fraud Act. Provides that the State Comptroller may draw a warrant in payment of consideration for all lands needed for a public work or improvement without requiring approval of title by the Attorney General if consideration to be paid does not exceed \$1,500,000 (currently, \$10,000) and the title acquired for such lands is for specified purposes.

LRB101 10413 RJF 55519 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Contract Fraud Act is amended by
5 changing Section 2 as follows:

6 (30 ILCS 545/2) (from Ch. 127, par. 132.52)

7 Sec. 2. Spending money without obtaining title to land;
8 approval of title by Attorney General.

9 (a) Except as otherwise provided in Section 2 of the
10 Superconducting Super Collider Act or for projects constructed
11 under the Bikeway Act, any person or persons, commissioner or
12 commissioners, or other officer or officers, entrusted with the
13 construction or repair of any public work or improvement, as
14 set forth in Section 1, who shall expend or cause to be
15 expended upon such public work or improvement, the whole or any
16 part of the moneys appropriated therefor, or who shall commence
17 work, or in any way authorize work to be commenced, thereon,
18 without first having obtained a title, by purchase, donation,
19 condemnation or otherwise, to all lands needed for such public
20 work or improvement, running to the People of the State of
21 Illinois; such title to be approved by the Attorney General,
22 and his approval certified by the Secretary of State and placed
23 on record in his office, shall be deemed guilty of a Class A

1 misdemeanor.

2 (b) Approval of title by the Attorney General for all lands
3 needed for a public work or improvement shall not be required
4 as established under subsection (a) of this Section and the
5 State Comptroller may draw warrant in payment of consideration
6 for all such lands without requiring approval of title by the
7 Attorney General if consideration to be paid does not exceed
8 \$1,500,000 ~~\$10,000~~ and the title acquired for such lands is
9 for:

10 (1) a fee simple title or easement acquired by the
11 State for highway right-of-way; or

12 (2) an acquisition of rights or easements of access,
13 crossing, light, air or view to, from or over a freeway
14 vested in abutting property; or

15 (3) a fee simple title or easement used to place
16 utility lines and connect a permanent public work or
17 improvement owned by the State to main utility lines; or

18 (4) for the purpose of flood relief or other water
19 resource projects.

20 (c) This Section does not apply to any otherwise lawful
21 expenditures for the construction, completion, remodeling,
22 maintenance and equipment of buildings and other facilities
23 made in connection with and upon premises owned by the Illinois
24 Building Authority, nor shall this Section apply to
25 improvements to real estate leased by any State agency as
26 defined in the Illinois State Auditing Act, provided the

1 leasehold improvements were contracted for by an agency with
2 leasing authority and in compliance with the rules and
3 regulations promulgated by such agency for that purpose.

4 (Source: P.A. 88-676, eff. 12-14-94; 89-78, eff. 6-30-95.)