



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4464

Introduced 2/3/2020, by Rep. Allen Skillicorn

SYNOPSIS AS INTRODUCED:

30 ILCS 105/14.3 new	
30 ILCS 330/2	from Ch. 127, par. 652
30 ILCS 330/2.5	
30 ILCS 330/7.8 new	
30 ILCS 330/9	from Ch. 127, par. 659
30 ILCS 330/11	from Ch. 127, par. 661
30 ILCS 330/12	from Ch. 127, par. 662
30 ILCS 330/13	from Ch. 127, par. 663

Amends the State Finance Act. Provides that if State spending exceeds \$31,374,000,000, then no member of the General Assembly shall receive any compensation for his or her service as a member of the General Assembly, including any salary, stipend, or per diem, for the remainder of the fiscal year or until such time as the Governor is presented with a bill or bills passed by the General Assembly to reduce State spending to a level that does not exceed the State spending limitation. Provides further requirements concerning the State spending limitation. Amends the General Obligation Bond Act. Authorizes the issuance of an additional \$7,000,000,000 in State General Obligation Restructuring Bonds. Provides that the proceeds from that bond sale shall be used for the purpose of paying vouchers incurred by the State prior to July 1, 2020. Makes conforming changes. Effective immediately.

LRB101 16443 RJF 65822 b

1 AN ACT concerning finance.

2 WHEREAS, the purpose of this amendatory Act of the 101st
3 General Assembly is to provide financial relief to providers
4 and vendors who do business with the State of Illinois;
5 therefore

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

8 Section 5. The State Finance Act is amended by adding
9 Sections 14.3 as follows:

10 (30 ILCS 105/14.3 new)

11 Sec. 14.3. Spending limitation.

12 (a) If, in State fiscal years 2021 through 2028, State
13 spending exceeds the State spending limitation set forth in
14 subsection (b) of this Section, then no member of the General
15 Assembly shall receive any compensation for his or her service
16 as a member of the General Assembly, including any salary,
17 stipend, or per diem, for the remainder of the fiscal year or
18 until such time as the Governor is presented with a bill or
19 bills passed by the General Assembly to reduce State spending
20 to a level that does not exceed the State spending limitation,
21 whichever occurs sooner.

22 (b) The State spending limitation for each fiscal year

1 specified in subsection (a) is \$31,374,000,000.

2 (c) Notwithstanding any other provision of law to the
3 contrary, the Auditor General shall examine each Public Act
4 authorizing State spending from State general funds and prepare
5 a report no later than 30 days after receiving notification of
6 the Public Act from the Secretary of State or 60 days after the
7 effective date of the Public Act, whichever is earlier. The
8 Auditor General shall file the report with the Secretary of
9 State and copies with the Governor, the State Treasurer, the
10 State Comptroller, the Senate, and the House of
11 Representatives. The report shall indicate: (i) the amount of
12 State spending set forth in the applicable Public Act; (ii) the
13 total amount of State spending authorized by law for the
14 applicable fiscal year as of the date of the report; and (iii)
15 whether State spending exceeds the State spending limitation
16 set forth in subsection (b). The Auditor General may examine
17 multiple Public Acts in one consolidated report, provided that
18 each Public Act is examined within the time period mandated by
19 this subsection (c). The Auditor General shall issue reports in
20 accordance with this Section through June 30, 2028.

21 At the request of the Auditor General, each State agency
22 shall, without delay, make available to the Auditor General or
23 his or her designated representative any record or information
24 requested and shall provide for examination or copying all
25 records, accounts, papers, reports, vouchers, correspondence,
26 books and other documentation in the custody of that agency,

1 including information stored in electronic data processing
2 systems, which is related to or within the scope of a report
3 prepared under this Section. The Auditor General shall report
4 to the Governor each instance in which a State agency fails to
5 cooperate promptly and fully with his or her office as required
6 by this Section.

7 The Auditor General's report shall not be in the nature of
8 a post-audit or examination and shall not lead to the issuance
9 of an opinion as that term is defined in generally accepted
10 government auditing standards.

11 (d) If the Auditor General reports that State spending has
12 exceeded the State spending limitation set forth in subsection
13 (b) and if the Governor has not been presented with a bill or
14 bills passed by the General Assembly to reduce State spending
15 to a level that does not exceed the State spending limitation
16 within 45 calendar days after receipt of the Auditor General's
17 report, then the Governor may, for the purpose of reducing
18 State spending to a level that does not exceed the State
19 spending limitation set forth in subsection (b), designate
20 amounts to be set aside as a reserve from the amounts
21 appropriated from the State general funds for all boards,
22 commissions, agencies, institutions, authorities, colleges,
23 universities, and bodies politic and corporate of the State,
24 but not other constitutional officers, the legislative or
25 judicial branch, the office of the Executive Inspector General,
26 or the Executive Ethics Commission. Such a designation must be

1 made within 15 calendar days after the end of that 45-day
2 period. If the Governor designates amounts to be set aside as a
3 reserve, the Governor shall give notice of the designation to
4 the Auditor General, the State Treasurer, the State
5 Comptroller, the Senate, and the House of Representatives. The
6 amounts placed in reserves shall not be transferred, obligated,
7 encumbered, expended, or otherwise committed unless so
8 authorized by law. Any amount placed in reserves is not State
9 spending and shall not be considered when calculating the total
10 amount of State spending. Any Public Act authorizing the use of
11 amounts placed in reserve by the Governor is considered State
12 spending, unless such Public Act authorizes the use of amounts
13 placed in reserves in response to a fiscal emergency under
14 subsection (g).

15 (e) If the Auditor General reports under subsection (c)
16 that State spending has exceeded the State spending limitation
17 set forth in subsection (b), then the Auditor General shall
18 issue a supplemental report no sooner than the 61st day and no
19 later than the 65th day after issuing the report pursuant to
20 subsection (c). The supplemental report shall: (i) summarize
21 details of actions taken by the General Assembly and the
22 Governor after the issuance of the initial report to reduce
23 State spending, if any, (ii) indicate whether the level of
24 State spending has changed since the initial report, and (iii)
25 indicate whether State spending exceeds the State spending
26 limitation. The Auditor General shall file the report with the

1 Secretary of State and copies with the Governor, the State
2 Treasurer, the State Comptroller, the Senate, and the House of
3 Representatives. If the supplemental report of the Auditor
4 General provides that State spending exceeds the State spending
5 limitation, then the compensation of members of the General
6 Assembly shall be withheld in accordance with subsection (a)
7 beginning with the first pay period after the issuance of the
8 supplemental report.

9 (f) Notwithstanding the State spending limitation set
10 forth in subsection (b) of this Section, the Governor may
11 declare a fiscal emergency by filing a declaration with the
12 Secretary of State and copies with the State Treasurer, the
13 State Comptroller, the Senate, and the House of
14 Representatives. The declaration must be limited to only one
15 State fiscal year, set forth compelling reasons for declaring a
16 fiscal emergency, and request a specific dollar amount. Unless,
17 within 10 calendar days after receipt of the Governor's
18 declaration, the State Comptroller or State Treasurer notifies
19 the Senate and the House of Representatives that he or she does
20 not concur in the Governor's declaration, State spending
21 authorized by law to address the fiscal emergency in an amount
22 no greater than the dollar amount specified in the declaration
23 shall not be considered "State spending" for purposes of the
24 State spending limitation.

25 (g) As used in this Section:

26 "State general funds" means the General Revenue Fund, the

1 Common School Fund, the General Revenue Common School Special
2 Account Fund, the Education Assistance Fund, and the Budget
3 Stabilization Fund.

4 "State spending" means (i) the total amount authorized for
5 spending by appropriation or statutory transfer from the State
6 general funds in the applicable fiscal year, and (ii) any
7 amounts the Governor places in reserves in accordance with
8 subsection (d) that are subsequently released from reserves
9 following authorization by a Public Act. For the purpose of
10 this definition, "appropriation" means authority to spend
11 money from a State general fund for a specific amount, purpose,
12 and time period, including any supplemental appropriation or
13 continuing appropriation, but does not include
14 reappropriations from a previous fiscal year. For the purpose
15 of this definition, "statutory transfer" means authority to
16 transfer funds from one State general fund to any other fund in
17 the State treasury, but does not include transfers made from
18 one State general fund to another State general fund.

19 "State spending limitation" means the amount described in
20 subsection (b) of this Section for the applicable fiscal year.

21 Section 10. The General Obligation Bond Act is amended by
22 changing Sections 2, 2.5, 9, 11, 12, and 13 and by adding
23 Section 7.8 as follows:

24 (30 ILCS 330/2) (from Ch. 127, par. 652)

1 Sec. 2. Authorization for Bonds. The State of Illinois is
2 authorized to issue, sell and provide for the retirement of
3 General Obligation Bonds of the State of Illinois for the
4 categories and specific purposes expressed in Sections 2
5 through 8 of this Act, in the total amount of \$85,256,839,969
6 ~~\$78,256,839,969~~.

7 The bonds authorized in this Section 2 and in Section 16 of
8 this Act are herein called "Bonds".

9 Of the total amount of Bonds authorized in this Act, up to
10 \$2,200,000,000 in aggregate original principal amount may be
11 issued and sold in accordance with the Baccalaureate Savings
12 Act in the form of General Obligation College Savings Bonds.

13 Of the total amount of Bonds authorized in this Act, up to
14 \$300,000,000 in aggregate original principal amount may be
15 issued and sold in accordance with the Retirement Savings Act
16 in the form of General Obligation Retirement Savings Bonds.

17 Of the total amount of Bonds authorized in this Act, the
18 additional \$10,000,000,000 authorized by Public Act 93-2, the
19 \$3,466,000,000 authorized by Public Act 96-43, and the
20 \$4,096,348,300 authorized by Public Act 96-1497 shall be used
21 solely as provided in Section 7.2.

22 Of the total amount of Bonds authorized in this Act, the
23 additional \$6,000,000,000 authorized by Public Act 100-23
24 shall be used solely as provided in Section 7.6 and shall be
25 issued by December 31, 2017.

26 Of the total amount of Bonds authorized in this Act,

1 \$1,000,000,000 of the additional amount authorized by Public
2 Act 100-587 shall be used solely as provided in Section 7.7.

3 Of the total amount of Bonds authorized in this Act, the
4 additional \$7,000,000,000 authorized by Section 7.8 shall be
5 used solely as provided in Section 7.8 and shall be issued by
6 September 1, 2020.

7 The issuance and sale of Bonds pursuant to the General
8 Obligation Bond Act is an economical and efficient method of
9 financing the long-term capital needs of the State. This Act
10 will permit the issuance of a multi-purpose General Obligation
11 Bond with uniform terms and features. This will not only lower
12 the cost of registration but also reduce the overall cost of
13 issuing debt by improving the marketability of Illinois General
14 Obligation Bonds.

15 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
16 101-30, eff. 6-28-19.)

17 (30 ILCS 330/2.5)

18 Sec. 2.5. Limitation on issuance of Bonds.

19 (a) Except as provided in subsection (b), no Bonds may be
20 issued if, after the issuance, in the next State fiscal year
21 after the issuance of the Bonds, the amount of debt service
22 (including principal, whether payable at maturity or pursuant
23 to mandatory sinking fund installments, and interest) on all
24 then-outstanding Bonds, other than (i) Bonds authorized by
25 Public Act 100-23, (ii) Bonds issued by Public Act 96-43, (iii)

1 Bonds authorized by Public Act 96-1497, ~~and~~ (iv) Bonds
2 authorized by Public Act 100-587, and (V) Bonds authorized by
3 this amendatory Act of the 101st General Assembly, would exceed
4 7% of the aggregate appropriations from the general funds, the
5 State Construction Account Fund, and the Road Fund for the
6 fiscal year immediately prior to the fiscal year of the
7 issuance. For the purposes of this subsection (a), "general
8 funds" has the same meaning as ascribed to that term under
9 Section 50-40 of the State Budget Law of the Civil
10 Administrative Code of Illinois.

11 (b) If the Comptroller and Treasurer each consent in
12 writing, Bonds may be issued even if the issuance does not
13 comply with subsection (a). In addition, \$2,000,000,000 in
14 Bonds for the purposes set forth in Sections 3, 4, 5, 6, and 7,
15 and \$2,000,000,000 in Refunding Bonds under Section 16, may be
16 issued during State fiscal year 2017 without complying with
17 subsection (a). In addition, \$2,000,000,000 in Bonds for the
18 purposes set forth in Sections 3, 4, 5, 6, and 7, and
19 \$2,000,000,000 in Refunding Bonds under Section 16, may be
20 issued during State fiscal year 2018 without complying with
21 subsection (a).

22 (Source: P.A. 100-23, Article 25, Section 25-5, eff. 7-6-17;
23 100-23, Article 75, Section 75-10, eff. 7-6-17; 100-587, eff.
24 6-4-18; 100-863, eff. 8-14-18; 101-30, eff. 6-28-19.)

1 Sec. 7.8. State General Obligation Restructuring Bonds.

2 (a) As used in this Act, "State General Obligation
3 Restructuring Bonds" means Bonds (i) authorized by this
4 amendatory Act of the 101st General Assembly or any other
5 Public Act of the 101st General Assembly authorizing the
6 issuance of State General Obligation Restructuring Bonds and
7 (ii) used for the payment of unpaid obligations of the State as
8 incurred from time to time and as authorized by the General
9 Assembly.

10 (b) State General Obligation Restructuring Bonds in the
11 amount of \$7,000,000,000 are hereby authorized to be used for
12 purpose of paying vouchers incurred by the State prior to July
13 1, 2020.

14 (c) The proceeds of State General Obligation Restructuring
15 Bonds authorized in subsection (b) of this Section, less the
16 amounts authorized in the Bond Sale Order to be deposited
17 directly into the capitalized interest account of the General
18 Obligation Bond Retirement and Interest Fund or otherwise
19 directly paid out for bond sale expenses under Section 8, shall
20 be deposited into the General Revenue Fund, and the Comptroller
21 and the Treasurer shall, as soon as practical, make payments as
22 contemplated by this Section.

23 (30 ILCS 330/9) (from Ch. 127, par. 659)

24 Sec. 9. Conditions for issuance and sale of Bonds;
25 requirements for Bonds.

1 (a) Except as otherwise provided in this subsection,
2 subsection (h), ~~and~~ subsection (i), and subsection (j), Bonds
3 shall be issued and sold from time to time, in one or more
4 series, in such amounts and at such prices as may be directed
5 by the Governor, upon recommendation by the Director of the
6 Governor's Office of Management and Budget. Bonds shall be in
7 such form (either coupon, registered or book entry), in such
8 denominations, payable within 25 years from their date, subject
9 to such terms of redemption with or without premium, bear
10 interest payable at such times and at such fixed or variable
11 rate or rates, and be dated as shall be fixed and determined by
12 the Director of the Governor's Office of Management and Budget
13 in the order authorizing the issuance and sale of any series of
14 Bonds, which order shall be approved by the Governor and is
15 herein called a "Bond Sale Order"; provided however, that
16 interest payable at fixed or variable rates shall not exceed
17 that permitted in the Bond Authorization Act, as now or
18 hereafter amended. Bonds shall be payable at such place or
19 places, within or without the State of Illinois, and may be
20 made registrable as to either principal or as to both principal
21 and interest, as shall be specified in the Bond Sale Order.
22 Bonds may be callable or subject to purchase and retirement or
23 tender and remarketing as fixed and determined in the Bond Sale
24 Order. Bonds, other than Bonds issued under Section 3 of this
25 Act for the costs associated with the purchase and
26 implementation of information technology, (i) except for

1 refunding Bonds satisfying the requirements of Section 16 of
2 this Act must be issued with principal or mandatory redemption
3 amounts in equal amounts, with the first maturity issued
4 occurring within the fiscal year in which the Bonds are issued
5 or within the next succeeding fiscal year and (ii) must mature
6 or be subject to mandatory redemption each fiscal year
7 thereafter up to 25 years, except for refunding Bonds
8 satisfying the requirements of Section 16 of this Act and sold
9 during fiscal year 2009, 2010, or 2011 which must mature or be
10 subject to mandatory redemption each fiscal year thereafter up
11 to 16 years. Bonds issued under Section 3 of this Act for the
12 costs associated with the purchase and implementation of
13 information technology must be issued with principal or
14 mandatory redemption amounts in equal amounts, with the first
15 maturity issued occurring with the fiscal year in which the
16 respective bonds are issued or with the next succeeding fiscal
17 year, with the respective bonds issued maturing or subject to
18 mandatory redemption each fiscal year thereafter up to 10
19 years. Notwithstanding any provision of this Act to the
20 contrary, the Bonds authorized by Public Act 96-43 shall be
21 payable within 5 years from their date and must be issued with
22 principal or mandatory redemption amounts in equal amounts,
23 with payment of principal or mandatory redemption beginning in
24 the first fiscal year following the fiscal year in which the
25 Bonds are issued.

26 Notwithstanding any provision of this Act to the contrary,

1 the Bonds authorized by Public Act 96-1497 shall be payable
2 within 8 years from their date and shall be issued with payment
3 of maturing principal or scheduled mandatory redemptions in
4 accordance with the following schedule, except the following
5 amounts shall be prorated if less than the total additional
6 amount of Bonds authorized by Public Act 96-1497 are issued:

7	Fiscal Year After Issuance	Amount
8	1-2	\$0
9	3	\$110,712,120
10	4	\$332,136,360
11	5	\$664,272,720
12	6-8	\$996,409,080

13 Notwithstanding any provision of this Act to the contrary,
14 Income Tax Proceed Bonds issued under Section 7.6 shall be
15 payable 12 years from the date of sale and shall be issued with
16 payment of principal or mandatory redemption.

17 Notwithstanding any provision of this Act to the contrary,
18 State General Obligation Restructuring Bonds issued under
19 Section 7.8 shall be payable within 7 years from the date of
20 sale and shall be issued with payment of principal or mandatory
21 redemption as set forth in subsection (j) of this Section.

22 In the case of any series of Bonds bearing interest at a
23 variable interest rate ("Variable Rate Bonds"), in lieu of
24 determining the rate or rates at which such series of Variable
25 Rate Bonds shall bear interest and the price or prices at which
26 such Variable Rate Bonds shall be initially sold or remarketed

1 (in the event of purchase and subsequent resale), the Bond Sale
2 Order may provide that such interest rates and prices may vary
3 from time to time depending on criteria established in such
4 Bond Sale Order, which criteria may include, without
5 limitation, references to indices or variations in interest
6 rates as may, in the judgment of a remarketing agent, be
7 necessary to cause Variable Rate Bonds of such series to be
8 remarketable from time to time at a price equal to their
9 principal amount, and may provide for appointment of a bank,
10 trust company, investment bank, or other financial institution
11 to serve as remarketing agent in that connection. The Bond Sale
12 Order may provide that alternative interest rates or provisions
13 for establishing alternative interest rates, different
14 security or claim priorities, or different call or amortization
15 provisions will apply during such times as Variable Rate Bonds
16 of any series are held by a person providing credit or
17 liquidity enhancement arrangements for such Bonds as
18 authorized in subsection (b) of this Section. The Bond Sale
19 Order may also provide for such variable interest rates to be
20 established pursuant to a process generally known as an auction
21 rate process and may provide for appointment of one or more
22 financial institutions to serve as auction agents and
23 broker-dealers in connection with the establishment of such
24 interest rates and the sale and remarketing of such Bonds.

25 (b) In connection with the issuance of any series of Bonds,
26 the State may enter into arrangements to provide additional

1 security and liquidity for such Bonds, including, without
2 limitation, bond or interest rate insurance or letters of
3 credit, lines of credit, bond purchase contracts, or other
4 arrangements whereby funds are made available to retire or
5 purchase Bonds, thereby assuring the ability of owners of the
6 Bonds to sell or redeem their Bonds. The State may enter into
7 contracts and may agree to pay fees to persons providing such
8 arrangements, but only under circumstances where the Director
9 of the Governor's Office of Management and Budget certifies
10 that he or she reasonably expects the total interest paid or to
11 be paid on the Bonds, together with the fees for the
12 arrangements (being treated as if interest), would not, taken
13 together, cause the Bonds to bear interest, calculated to their
14 stated maturity, at a rate in excess of the rate that the Bonds
15 would bear in the absence of such arrangements.

16 The State may, with respect to Bonds issued or anticipated
17 to be issued, participate in and enter into arrangements with
18 respect to interest rate protection or exchange agreements,
19 guarantees, or financial futures contracts for the purpose of
20 limiting, reducing, or managing interest rate exposure. The
21 authority granted under this paragraph, however, shall not
22 increase the principal amount of Bonds authorized to be issued
23 by law. The arrangements may be executed and delivered by the
24 Director of the Governor's Office of Management and Budget on
25 behalf of the State. Net payments for such arrangements shall
26 constitute interest on the Bonds and shall be paid from the

1 General Obligation Bond Retirement and Interest Fund. The
2 Director of the Governor's Office of Management and Budget
3 shall at least annually certify to the Governor and the State
4 Comptroller his or her estimate of the amounts of such net
5 payments to be included in the calculation of interest required
6 to be paid by the State.

7 (c) Prior to the issuance of any Variable Rate Bonds
8 pursuant to subsection (a), the Director of the Governor's
9 Office of Management and Budget shall adopt an interest rate
10 risk management policy providing that the amount of the State's
11 variable rate exposure with respect to Bonds shall not exceed
12 20%. This policy shall remain in effect while any Bonds are
13 outstanding and the issuance of Bonds shall be subject to the
14 terms of such policy. The terms of this policy may be amended
15 from time to time by the Director of the Governor's Office of
16 Management and Budget but in no event shall any amendment cause
17 the permitted level of the State's variable rate exposure with
18 respect to Bonds to exceed 20%.

19 (d) "Build America Bonds" in this Section means Bonds
20 authorized by Section 54AA of the Internal Revenue Code of
21 1986, as amended ("Internal Revenue Code"), and bonds issued
22 from time to time to refund or continue to refund "Build
23 America Bonds".

24 (e) Notwithstanding any other provision of this Section,
25 Qualified School Construction Bonds shall be issued and sold
26 from time to time, in one or more series, in such amounts and

1 at such prices as may be directed by the Governor, upon
2 recommendation by the Director of the Governor's Office of
3 Management and Budget. Qualified School Construction Bonds
4 shall be in such form (either coupon, registered or book
5 entry), in such denominations, payable within 25 years from
6 their date, subject to such terms of redemption with or without
7 premium, and if the Qualified School Construction Bonds are
8 issued with a supplemental coupon, bear interest payable at
9 such times and at such fixed or variable rate or rates, and be
10 dated as shall be fixed and determined by the Director of the
11 Governor's Office of Management and Budget in the order
12 authorizing the issuance and sale of any series of Qualified
13 School Construction Bonds, which order shall be approved by the
14 Governor and is herein called a "Bond Sale Order"; except that
15 interest payable at fixed or variable rates, if any, shall not
16 exceed that permitted in the Bond Authorization Act, as now or
17 hereafter amended. Qualified School Construction Bonds shall
18 be payable at such place or places, within or without the State
19 of Illinois, and may be made registrable as to either principal
20 or as to both principal and interest, as shall be specified in
21 the Bond Sale Order. Qualified School Construction Bonds may be
22 callable or subject to purchase and retirement or tender and
23 remarketing as fixed and determined in the Bond Sale Order.
24 Qualified School Construction Bonds must be issued with
25 principal or mandatory redemption amounts or sinking fund
26 payments into the General Obligation Bond Retirement and

1 Interest Fund (or subaccount therefor) in equal amounts, with
2 the first maturity issued, mandatory redemption payment or
3 sinking fund payment occurring within the fiscal year in which
4 the Qualified School Construction Bonds are issued or within
5 the next succeeding fiscal year, with Qualified School
6 Construction Bonds issued maturing or subject to mandatory
7 redemption or with sinking fund payments thereof deposited each
8 fiscal year thereafter up to 25 years. Sinking fund payments
9 set forth in this subsection shall be permitted only to the
10 extent authorized in Section 54F of the Internal Revenue Code
11 or as otherwise determined by the Director of the Governor's
12 Office of Management and Budget. "Qualified School
13 Construction Bonds" in this subsection means Bonds authorized
14 by Section 54F of the Internal Revenue Code and for bonds
15 issued from time to time to refund or continue to refund such
16 "Qualified School Construction Bonds".

17 (f) Beginning with the next issuance by the Governor's
18 Office of Management and Budget to the Procurement Policy Board
19 of a request for quotation for the purpose of formulating a new
20 pool of qualified underwriting banks list, all entities
21 responding to such a request for quotation for inclusion on
22 that list shall provide a written report to the Governor's
23 Office of Management and Budget and the Illinois Comptroller.
24 The written report submitted to the Comptroller shall (i) be
25 published on the Comptroller's Internet website and (ii) be
26 used by the Governor's Office of Management and Budget for the

1 purposes of scoring such a request for quotation. The written
2 report, at a minimum, shall:

3 (1) disclose whether, within the past 3 months,
4 pursuant to its credit default swap market-making
5 activities, the firm has entered into any State of Illinois
6 credit default swaps ("CDS");

7 (2) include, in the event of State of Illinois CDS
8 activity, disclosure of the firm's cumulative notional
9 volume of State of Illinois CDS trades and the firm's
10 outstanding gross and net notional amount of State of
11 Illinois CDS, as of the end of the current 3-month period;

12 (3) indicate, pursuant to the firm's proprietary
13 trading activities, disclosure of whether the firm, within
14 the past 3 months, has entered into any proprietary trades
15 for its own account in State of Illinois CDS;

16 (4) include, in the event of State of Illinois
17 proprietary trades, disclosure of the firm's outstanding
18 gross and net notional amount of proprietary State of
19 Illinois CDS and whether the net position is short or long
20 credit protection, as of the end of the current 3-month
21 period;

22 (5) list all time periods during the past 3 months
23 during which the firm held net long or net short State of
24 Illinois CDS proprietary credit protection positions, the
25 amount of such positions, and whether those positions were
26 net long or net short credit protection positions; and

1 (6) indicate whether, within the previous 3 months, the
2 firm released any publicly available research or marketing
3 reports that reference State of Illinois CDS and include
4 those research or marketing reports as attachments.

5 (g) All entities included on a Governor's Office of
6 Management and Budget's pool of qualified underwriting banks
7 list shall, as soon as possible after March 18, 2011 (the
8 effective date of Public Act 96-1554), but not later than
9 January 21, 2011, and on a quarterly fiscal basis thereafter,
10 provide a written report to the Governor's Office of Management
11 and Budget and the Illinois Comptroller. The written reports
12 submitted to the Comptroller shall be published on the
13 Comptroller's Internet website. The written reports, at a
14 minimum, shall:

15 (1) disclose whether, within the past 3 months,
16 pursuant to its credit default swap market-making
17 activities, the firm has entered into any State of Illinois
18 credit default swaps ("CDS");

19 (2) include, in the event of State of Illinois CDS
20 activity, disclosure of the firm's cumulative notional
21 volume of State of Illinois CDS trades and the firm's
22 outstanding gross and net notional amount of State of
23 Illinois CDS, as of the end of the current 3-month period;

24 (3) indicate, pursuant to the firm's proprietary
25 trading activities, disclosure of whether the firm, within
26 the past 3 months, has entered into any proprietary trades

1 for its own account in State of Illinois CDS;

2 (4) include, in the event of State of Illinois
3 proprietary trades, disclosure of the firm's outstanding
4 gross and net notional amount of proprietary State of
5 Illinois CDS and whether the net position is short or long
6 credit protection, as of the end of the current 3-month
7 period;

8 (5) list all time periods during the past 3 months
9 during which the firm held net long or net short State of
10 Illinois CDS proprietary credit protection positions, the
11 amount of such positions, and whether those positions were
12 net long or net short credit protection positions; and

13 (6) indicate whether, within the previous 3 months, the
14 firm released any publicly available research or marketing
15 reports that reference State of Illinois CDS and include
16 those research or marketing reports as attachments.

17 (h) Notwithstanding any other provision of this Section,
18 for purposes of maximizing market efficiencies and cost
19 savings, Income Tax Proceed Bonds may be issued and sold from
20 time to time, in one or more series, in such amounts and at
21 such prices as may be directed by the Governor, upon
22 recommendation by the Director of the Governor's Office of
23 Management and Budget. Income Tax Proceed Bonds shall be in
24 such form, either coupon, registered, or book entry, in such
25 denominations, shall bear interest payable at such times and at
26 such fixed or variable rate or rates, and be dated as shall be

1 fixed and determined by the Director of the Governor's Office
2 of Management and Budget in the order authorizing the issuance
3 and sale of any series of Income Tax Proceed Bonds, which order
4 shall be approved by the Governor and is herein called a "Bond
5 Sale Order"; provided, however, that interest payable at fixed
6 or variable rates shall not exceed that permitted in the Bond
7 Authorization Act. Income Tax Proceed Bonds shall be payable at
8 such place or places, within or without the State of Illinois,
9 and may be made registrable as to either principal or as to
10 both principal and interest, as shall be specified in the Bond
11 Sale Order. Income Tax Proceed Bonds may be callable or subject
12 to purchase and retirement or tender and remarketing as fixed
13 and determined in the Bond Sale Order.

14 (i) Notwithstanding any other provision of this Section,
15 for purposes of maximizing market efficiencies and cost
16 savings, State Pension Obligation Acceleration Bonds may be
17 issued and sold from time to time, in one or more series, in
18 such amounts and at such prices as may be directed by the
19 Governor, upon recommendation by the Director of the Governor's
20 Office of Management and Budget. State Pension Obligation
21 Acceleration Bonds shall be in such form, either coupon,
22 registered, or book entry, in such denominations, shall bear
23 interest payable at such times and at such fixed or variable
24 rate or rates, and be dated as shall be fixed and determined by
25 the Director of the Governor's Office of Management and Budget
26 in the order authorizing the issuance and sale of any series of

1 State Pension Obligation Acceleration Bonds, which order shall
2 be approved by the Governor and is herein called a "Bond Sale
3 Order"; provided, however, that interest payable at fixed or
4 variable rates shall not exceed that permitted in the Bond
5 Authorization Act. State Pension Obligation Acceleration Bonds
6 shall be payable at such place or places, within or without the
7 State of Illinois, and may be made registrable as to either
8 principal or as to both principal and interest, as shall be
9 specified in the Bond Sale Order. State Pension Obligation
10 Acceleration Bonds may be callable or subject to purchase and
11 retirement or tender and remarketing as fixed and determined in
12 the Bond Sale Order.

13 (j) Notwithstanding any other provision of this Section,
14 for purposes of maximizing market efficiencies and cost
15 savings, State General Obligation Restructuring Bonds may be
16 issued and sold from time to time, in one or more series, in
17 such amounts and at such prices as may be directed by the
18 Governor, upon recommendation by the Director of the Governor's
19 Office of Management and Budget. State General Obligation
20 Restructuring Bonds shall be in such form, either coupon,
21 registered, or book entry, in such denominations, shall bear
22 interest payable at such times and at such fixed or variable
23 rate or rates, and be dated as shall be fixed and determined by
24 the Director of the Governor's Office of Management and Budget
25 in the order authorizing the issuance and sale of any series of
26 State General Obligation Restructuring Bonds, which order

1 shall be approved by the Governor and is herein called a "Bond
2 Sale Order"; provided, however, that interest payable at fixed
3 or variable rates shall not exceed that permitted in the Bond
4 Authorization Act. State General Obligation Restructuring
5 Bonds shall be payable at such place or places, within or
6 without the State of Illinois, and may be made registrable as
7 to either principal or as to both principal and interest, as
8 shall be specified in the Bond Sale Order. State General
9 Obligation Restructuring Bonds may be callable or subject to
10 purchase and retirement or tender and remarketing as fixed and
11 determined in the Bond Sale Order.

12 The aggregate principal and interest amounts of State
13 General Obligation Restructuring Bonds authorized by and
14 issued pursuant to this amendatory Act of the 101st General
15 Assembly or other such amendatory Acts of the 101st General
16 Assembly authorizing the issuance of State General Obligation
17 Restructuring Bonds shall, in the aggregate, mature or be
18 subject to redemption in the annual percentages set forth in
19 the following schedule:

20 (1) for fiscal year 2022, 14.2857%;

21 (2) for fiscal year 2023, 14.2857%;

22 (3) for fiscal year 2024, 14.2857%;

23 (4) for fiscal year 2025, 14.2857%;

24 (5) for fiscal year 2026, 14.2857%;

25 (6) for fiscal year 2027, 14.2857%; and

26 (7) for fiscal year 2028, 14.2858%.

1 Notwithstanding the foregoing, the principal amounts
2 calculated above shall be in increments of \$5,000. Moreover,
3 the percentages set forth in items (1) through (7) shall be
4 applicable to the aggregate principal amount of State General
5 Obligation Restructuring Bonds authorized by this amendatory
6 Act of the 101st General Assembly and any other amendatory Acts
7 of the 101st General Assembly authorizing State General
8 Obligation Restructuring Bonds. While individual series of
9 State General Obligation Restructuring Bonds as may be sold
10 from time to time need not be scheduled to mature or be subject
11 to redemption in accordance with the percentages above,
12 redemptions whether by maturity or sinking fund, in any fiscal
13 year for all State General Obligation Restructuring Bonds, in
14 the aggregate, shall be no less than the percentages shown
15 above. Notwithstanding the foregoing, in the event that fewer
16 than all of the State General Obligation Restructuring Bonds
17 authorized by this amendatory Act of the 101st General Assembly
18 have been issued by September 1, 2020, failure of the
19 then-outstanding State General Obligation Restructuring Bonds
20 to satisfy the repayment schedule set forth above shall not
21 affect the validity of any of those outstanding Bonds.

22 (Source: P.A. 100-23, Article 25, Section 25-5, eff. 7-6-17;
23 100-23, Article 75, Section 75-10, eff. 7-6-17; 100-587,
24 Article 60, Section 60-5, eff. 6-4-18; 100-587, Article 110,
25 Section 110-15, eff. 6-4-18; 100-863, eff. 8-14-18; 101-30,
26 eff. 6-28-19; 101-81, eff. 7-12-19.)

1 (30 ILCS 330/11) (from Ch. 127, par. 661)

2 Sec. 11. Sale of Bonds. Except as otherwise provided in
3 this Section, Bonds shall be sold from time to time pursuant to
4 notice of sale and public bid or by negotiated sale in such
5 amounts and at such times as is directed by the Governor, upon
6 recommendation by the Director of the Governor's Office of
7 Management and Budget. At least 25%, based on total principal
8 amount, of all Bonds issued each fiscal year shall be sold
9 pursuant to notice of sale and public bid. At all times during
10 each fiscal year, no more than 75%, based on total principal
11 amount, of the Bonds issued each fiscal year, shall have been
12 sold by negotiated sale. Failure to satisfy the requirements in
13 the preceding 2 sentences shall not affect the validity of any
14 previously issued Bonds; provided that all Bonds authorized by
15 Public Act 96-43 and Public Act 96-1497 shall not be included
16 in determining compliance for any fiscal year with the
17 requirements of the preceding 2 sentences; and further provided
18 that refunding Bonds satisfying the requirements of Section 16
19 of this Act shall not be subject to the requirements in the
20 preceding 2 sentences.

21 If any Bonds, including refunding Bonds, are to be sold by
22 negotiated sale, the Director of the Governor's Office of
23 Management and Budget shall comply with the competitive request
24 for proposal process set forth in the Illinois Procurement Code
25 and all other applicable requirements of that Code.

1 If Bonds are to be sold pursuant to notice of sale and
2 public bid, the Director of the Governor's Office of Management
3 and Budget may, from time to time, as Bonds are to be sold,
4 advertise the sale of the Bonds in at least 2 daily newspapers,
5 one of which is published in the City of Springfield and one in
6 the City of Chicago. The sale of the Bonds shall also be
7 advertised in the volume of the Illinois Procurement Bulletin
8 that is published by the Department of Central Management
9 Services, and shall be published once at least 10 days prior to
10 the date fixed for the opening of the bids. The Director of the
11 Governor's Office of Management and Budget may reschedule the
12 date of sale upon the giving of such additional notice as the
13 Director deems adequate to inform prospective bidders of such
14 change; provided, however, that all other conditions of the
15 sale shall continue as originally advertised.

16 Executed Bonds shall, upon payment therefor, be delivered
17 to the purchaser, and the proceeds of Bonds shall be paid into
18 the State Treasury as directed by Section 12 of this Act.

19 All Income Tax Proceed Bonds shall comply with this
20 Section. Notwithstanding anything to the contrary, however,
21 for purposes of complying with this Section, Income Tax Proceed
22 Bonds, regardless of the number of series or issuances sold
23 thereunder, shall be considered a single issue or series.
24 Furthermore, for purposes of complying with the competitive
25 bidding requirements of this Section, the words "at all times"
26 shall not apply to any such sale of the Income Tax Proceed

1 Bonds. The Director of the Governor's Office of Management and
2 Budget shall determine the time and manner of any competitive
3 sale of the Income Tax Proceed Bonds; however, that sale shall
4 under no circumstances take place later than 60 days after the
5 State closes the sale of 75% of the Income Tax Proceed Bonds by
6 negotiated sale.

7 All State Pension Obligation Acceleration Bonds shall
8 comply with this Section. Notwithstanding anything to the
9 contrary, however, for purposes of complying with this Section,
10 State Pension Obligation Acceleration Bonds, regardless of the
11 number of series or issuances sold thereunder, shall be
12 considered a single issue or series. Furthermore, for purposes
13 of complying with the competitive bidding requirements of this
14 Section, the words "at all times" shall not apply to any such
15 sale of the State Pension Obligation Acceleration Bonds. The
16 Director of the Governor's Office of Management and Budget
17 shall determine the time and manner of any competitive sale of
18 the State Pension Obligation Acceleration Bonds; however, that
19 sale shall under no circumstances take place later than 60 days
20 after the State closes the sale of 75% of the State Pension
21 Obligation Acceleration Bonds by negotiated sale.

22 All State General Obligation Restructuring Bonds shall
23 comply with this Section. Notwithstanding anything to the
24 contrary, however, for purposes of complying with this Section,
25 State General Obligation Restructuring Bonds, regardless of
26 the number of series or issuances sold thereunder, shall be

1 considered a single issue or series. Furthermore, for purposes
2 of complying with the competitive bidding requirements of this
3 Section, the words "at all times" shall not apply to any such
4 sale of the State General Obligation Restructuring Bonds. The
5 Director of the Governor's Office of Management and Budget
6 shall determine the time and manner of any competitive sale of
7 the State General Obligation Restructuring Bonds; however,
8 that sale shall under no circumstances take place later than 60
9 days after the State closes the sale of 75% of the State
10 General Obligation Restructuring Bonds by negotiated sale.

11 (Source: P.A. 100-23, Article 25, Section 25-5, eff. 7-6-17;
12 100-23, Article 75, Section 75-10, eff. 7-6-17; 100-587,
13 Article 60, Section 60-5, eff. 6-4-18; 100-587, Article 110,
14 Section 110-15, eff. 6-4-18; 100-863, eff. 8-4-18; 101-30, eff.
15 6-28-19; 101-81, eff. 7-12-19.)

16 (30 ILCS 330/12) (from Ch. 127, par. 662)

17 Sec. 12. Allocation of proceeds from sale of Bonds.

18 (a) Proceeds from the sale of Bonds, authorized by Section
19 3 of this Act, shall be deposited in the separate fund known as
20 the Capital Development Fund.

21 (b) Proceeds from the sale of Bonds, authorized by
22 paragraph (a) of Section 4 of this Act, shall be deposited in
23 the separate fund known as the Transportation Bond, Series A
24 Fund.

25 (c) Proceeds from the sale of Bonds, authorized by

1 paragraphs (b) and (c) of Section 4 of this Act, shall be
2 deposited in the separate fund known as the Transportation
3 Bond, Series B Fund.

4 (c-1) Proceeds from the sale of Bonds, authorized by
5 paragraph (d) of Section 4 of this Act, shall be deposited into
6 the Transportation Bond Series D Fund, which is hereby created.

7 (c-2) Proceeds from the sale of Bonds, authorized by
8 paragraph (e) of Section 4 of this Act, shall be deposited into
9 the Multi-modal Transportation Bond Fund, which is hereby
10 created.

11 (d) Proceeds from the sale of Bonds, authorized by Section
12 5 of this Act, shall be deposited in the separate fund known as
13 the School Construction Fund.

14 (e) Proceeds from the sale of Bonds, authorized by Section
15 6 of this Act, shall be deposited in the separate fund known as
16 the Anti-Pollution Fund.

17 (f) Proceeds from the sale of Bonds, authorized by Section
18 7 of this Act, shall be deposited in the separate fund known as
19 the Coal Development Fund.

20 (f-2) Proceeds from the sale of Bonds, authorized by
21 Section 7.2 of this Act, shall be deposited as set forth in
22 Section 7.2.

23 (f-5) Proceeds from the sale of Bonds, authorized by
24 Section 7.5 of this Act, shall be deposited as set forth in
25 Section 7.5.

26 (f-7) Proceeds from the sale of Bonds, authorized by

1 Section 7.6 of this Act, shall be deposited as set forth in
2 Section 7.6.

3 (f-8) Proceeds from the sale of Bonds, authorized by
4 Section 7.7 of this Act, shall be deposited as set forth in
5 Section 7.7.

6 (f-9) Proceeds from the sale of Bonds, authorized by
7 Section 7.8 of this Act, shall be deposited as set forth in
8 Section 7.8.

9 (g) Proceeds from the sale of Bonds, authorized by Section
10 8 of this Act, shall be deposited in the Capital Development
11 Fund.

12 (h) Subsequent to the issuance of any Bonds for the
13 purposes described in Sections 2 through 8 of this Act, the
14 Governor and the Director of the Governor's Office of
15 Management and Budget may provide for the reallocation of
16 unspent proceeds of such Bonds to any other purposes authorized
17 under said Sections of this Act, subject to the limitations on
18 aggregate principal amounts contained therein. Upon any such
19 reallocation, such unspent proceeds shall be transferred to the
20 appropriate funds as determined by reference to paragraphs (a)
21 through (g) of this Section.

22 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
23 101-30, eff. 6-28-19.)

24 (30 ILCS 330/13) (from Ch. 127, par. 663)

25 Sec. 13. Appropriation of proceeds from sale of Bonds.

1 (a) At all times, the proceeds from the sale of Bonds
2 issued pursuant to this Act are subject to appropriation by the
3 General Assembly and, except as provided in Sections 7.2, 7.6,
4 ~~and 7.7,~~ and 7.8, may be obligated or expended only with the
5 written approval of the Governor, in such amounts, at such
6 times, and for such purposes as the respective State agencies,
7 as defined in Section 1-7 of the Illinois State Auditing Act,
8 as amended, deem necessary or desirable for the specific
9 purposes contemplated in Sections 2 through 8 of this Act.
10 Notwithstanding any other provision of this Act, proceeds from
11 the sale of Bonds issued pursuant to this Act appropriated by
12 the General Assembly to the Architect of the Capitol may be
13 obligated or expended by the Architect of the Capitol without
14 the written approval of the Governor.

15 (b) Proceeds from the sale of Bonds for the purpose of
16 development of coal and alternative forms of energy shall be
17 expended in such amounts and at such times as the Department of
18 Commerce and Economic Opportunity, with the advice and
19 recommendation of the Illinois Coal Development Board for coal
20 development projects, may deem necessary and desirable for the
21 specific purpose contemplated by Section 7 of this Act. In
22 considering the approval of projects to be funded, the
23 Department of Commerce and Economic Opportunity shall give
24 special consideration to projects designed to remove sulfur and
25 other pollutants in the preparation and utilization of coal,
26 and in the use and operation of electric utility generating

1 plants and industrial facilities which utilize Illinois coal as
2 their primary source of fuel.

3 (c) Except as directed in subsection (c-1) or (c-2), any
4 monies received by any officer or employee of the state
5 representing a reimbursement of expenditures previously paid
6 from general obligation bond proceeds shall be deposited into
7 the General Obligation Bond Retirement and Interest Fund
8 authorized in Section 14 of this Act.

9 (c-1) Any money received by the Department of
10 Transportation as reimbursement for expenditures for high
11 speed rail purposes pursuant to appropriations from the
12 Transportation Bond, Series B Fund for (i) CREATE (Chicago
13 Region Environmental and Transportation Efficiency), (ii) High
14 Speed Rail, or (iii) AMTRAK projects authorized by the federal
15 government under the provisions of the American Recovery and
16 Reinvestment Act of 2009 or the Safe Accountable Flexible
17 Efficient Transportation Equity Act-A Legacy for Users
18 (SAFETEA-LU), or any successor federal transportation
19 authorization Act, shall be deposited into the Federal High
20 Speed Rail Trust Fund.

21 (c-2) Any money received by the Department of
22 Transportation as reimbursement for expenditures for transit
23 capital purposes pursuant to appropriations from the
24 Transportation Bond, Series B Fund for projects authorized by
25 the federal government under the provisions of the American
26 Recovery and Reinvestment Act of 2009 or the Safe Accountable

1 Flexible Efficient Transportation Equity Act-A Legacy for
2 Users (SAFETEA-LU), or any successor federal transportation
3 authorization Act, shall be deposited into the Federal Mass
4 Transit Trust Fund.

5 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.