

SB4011



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB4011

Introduced 1/4/2021, by Sen. Donald P. DeWitte

SYNOPSIS AS INTRODUCED:

20 ILCS 605/605-1047

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that rules adopted for the Local Coronavirus Urgent Remediation Emergency (or Local CURE) Support Program shall not prohibit or restrict municipalities and counties from making expenditures authorized by the United States Department of the Treasury guidelines or as determined by Congress.

LRB101 22232 RJF 73263 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Commerce and Economic
5 Opportunity Law of the Civil Administrative Code of Illinois is
6 amended by changing Section 605-1047 as follows:

7 (20 ILCS 605/605-1047)

8 Sec. 605-1047 ~~605-1045~~. Local Coronavirus Urgent
9 Remediation Emergency (or Local CURE) Support Program.

10 (a) Purpose. The Department may receive, directly or
11 indirectly, federal funds from the Coronavirus Relief Fund
12 provided to the State pursuant to Section 5001 of the federal
13 Coronavirus Aid, Relief, and Economic Security (CARES) Act to
14 provide financial support to units of local government for
15 purposes authorized by Section 5001 of the federal Coronavirus
16 Aid, Relief, and Economic Security (CARES) Act and related
17 federal guidance. Upon receipt of such funds, and
18 appropriations for their use, the Department shall administer a
19 Local Coronavirus Urgent Remediation Emergency (or Local CURE)
20 Support Program to provide financial support to units of local
21 government that have incurred necessary expenditures due to the
22 COVID-19 public health emergency. The Department shall provide
23 by rule the administrative framework for the Local CURE Support

1 Program.

2 (b) Allocations. A portion of the funds appropriated for
3 the Local CURE Support Program may be allotted to
4 municipalities and counties based on proportionate population.
5 Units of local government, or portions thereof, located within
6 the five Illinois counties that received direct allotments from
7 the federal Coronavirus Relief Fund will not be included in the
8 support program allotments. The Department may establish other
9 administrative procedures for providing financial support to
10 units of local government. Appropriated funds may be used for
11 administration of the support program, including the hiring of
12 a service provider to assist with coordination and
13 administration.

14 (c) Administrative Procedures. The Department may
15 establish administrative procedures for the support program,
16 including any application procedures, grant agreements,
17 certifications, payment methodologies, and other
18 accountability measures that may be imposed upon recipients of
19 funds under the grant program. Financial support may be
20 provided in the form of grants or in the form of expense
21 reimbursements for disaster-related expenditures. The
22 emergency rulemaking process may be used to adopt ~~promulgate~~
23 the initial rules of the grant program. The rules adopted under
24 this Section shall not prohibit or restrict municipalities and
25 counties from making expenditures authorized by the United
26 States Department of the Treasury guidelines or as determined

1 by Congress.

2 (d) Definitions. As used in this Section:

3 (1) "COVID-19" means the novel coronavirus virus
4 disease deemed COVID-19 by the World Health Organization on
5 February 11, 2020.

6 (2) "Local government" or "unit of local government"
7 means any unit of local government as defined in Article
8 VII, Section 1 of the Illinois Constitution.

9 (3) "Third party administrator" means a service
10 provider selected by the Department to provide operational
11 assistance with the administration of the support program.

12 (e) Powers of the Department. The Department has the power
13 to:

14 (1) Provide financial support to eligible units of
15 local government with funds appropriated from the Local
16 Coronavirus Urgent Remediation Emergency (Local CURE) Fund
17 to cover necessary costs incurred due to the COVID-19
18 public health emergency that are eligible to be paid using
19 federal funds from the Coronavirus Relief Fund.

20 (2) Enter into agreements, accept funds, issue grants
21 or expense reimbursements, and engage in cooperation with
22 agencies of the federal government and units of local
23 governments to carry out the purposes of this support
24 program, and to use funds appropriated from the Local
25 Coronavirus Urgent Remediation Emergency (Local CURE) Fund
26 fund upon such terms and conditions as may be established

1 by the federal government and the Department.

2 (3) Enter into agreements with third-party
3 administrators to assist the state with operational
4 assistance and administrative functions related to review
5 of documentation and processing of financial support
6 payments to units of local government.

7 (4) Establish applications, notifications, contracts,
8 and procedures and adopt rules deemed necessary and
9 appropriate to carry out the provisions of this Section. To
10 provide for the expeditious and timely implementation of
11 this Act, emergency rules to implement any provision of
12 this Section may be adopted by the Department subject to
13 the provisions of Section 5-45 of the Illinois
14 Administrative Procedure Act.

15 (5) Provide staff, administration, and related support
16 required to manage the support program and pay for the
17 staffing, administration, and related support with funds
18 appropriated from the Local Coronavirus Urgent Remediation
19 Emergency (Local CURE) Fund.

20 (6) Exercise such other powers as are necessary or
21 incidental to the foregoing.

22 (f) Local CURE Financial Support to Local Governments. The
23 Department is authorized to provide financial support to
24 eligible units of local government including, but not limited
25 to, certified local health departments for necessary costs
26 incurred due to the COVID-19 public health emergency that are

1 eligible to be paid using federal funds from the Coronavirus
2 Relief Fund.

3 (1) Financial support funds may be used by a unit of
4 local government only for payment of costs that: (i) are
5 necessary expenditures incurred due to the public health
6 emergency of COVID-19; (ii) were not accounted for in the
7 most recent budget approved as of March 27, 2020 for the
8 unit of local government; and (iii) were incurred between
9 March 1, 2020 and December 30, 2020.

10 (2) A unit of local government receiving financial
11 support funds under this program shall certify to the
12 Department that it shall use the funds in accordance with
13 the requirements of paragraph (1) and that any funds
14 received but not used for such purposes shall be repaid to
15 the Department.

16 (3) The Department shall make the determination to
17 provide financial support funds to a unit of local
18 government on the basis of criteria established by the
19 Department.

20 (Source: P.A. 101-636, eff. 6-10-20; revised 8-3-20.)