



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB4213

Introduced 1/5/2022, by Rep. Tom Demmer

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/6z-128

Amends the State Finance Act. Provides that for any amount transferred from the Essential Government Services Support Fund (the EGSS Fund) at the direction of the Governor, the Governor shall provide notice of such transfer to the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. Provides for the timing of the notice. Provides for the content of the notice. Provides that any amount transferred at the direction of the Governor from the EGSS Fund to the General Revenue Fund or other fund in the State treasury for government services shall also be accompanied by an appropriation from the EGSS Fund in an amount equal to the transferred amount with a description of the appropriation that matches the reason stated by the Governor. Provides that if an appropriation is not made within a specified period, then the State Comptroller and the State Treasurer shall automatically transfer from the General Revenue Fund to the EGSS Fund an amount equal to that transferred from the EGSS Fund.

LRB102 21456 RJF 30573 b

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 State Finance Act is amended by changing  
5 Section 6z-128 as follows:

6 (30 ILCS 105/6z-128)

7 Sec. 6z-128. Essential Government Services Support Fund.

8 (a) The Essential Government Services Support Fund (the  
9 EGSS Fund) is created as a federal trust fund within the State  
10 treasury. The EGSS Fund is established: (1) to receive,  
11 directly or indirectly, federal funds from the Coronavirus  
12 State Fiscal Recovery Fund in accordance with Section 9901 of  
13 the federal American Rescue Plan Act of 2021; and (2) to  
14 provide for the use of such funds for purposes permitted by  
15 Section 9901 of the American Rescue Plan Act of 2021,  
16 including the provision of government services as permitted  
17 under Section 602(c)(1)(C) of the Social Security Act as  
18 enacted by Section 9901 of the American Rescue Plan Act of  
19 2021, and as authorized by this Section.

20 (b) Federal funds received by the State from the  
21 Coronavirus State Fiscal Recovery Fund in accordance with  
22 Section 9901 of the American Rescue Plan Act of 2021 may be  
23 deposited, directly or indirectly, into the EGSS Fund.

1 (c) The EGSS Fund shall be subject to appropriation by the  
2 General Assembly. The fund shall be administered by the  
3 Illinois Emergency Management Agency at the direction of the  
4 Governor. The Illinois Emergency Management Agency, and other  
5 agencies as named in appropriations, shall transfer,  
6 distribute or expend the funds. Funds in the EGSS Fund may be  
7 expended, subject to appropriation, directly for purposes  
8 permitted under Section 9901 of the American Rescue Plan Act  
9 of 2021 and related federal guidance governing the use of such  
10 funds, including the provision of government services as  
11 permitted under Section 602(c)(1)(C) of the Social Security  
12 Act as enacted by Section 9901 of the American Rescue Plan Act  
13 of 2021.

14 (d) All funds received, directly or indirectly, into the  
15 EGSS Fund from the Coronavirus State Fiscal Recovery Fund may  
16 be transferred or expended at the direction of the Governor  
17 for the specific purposes permitted under Section 9901 of the  
18 American Rescue Plan Act of 2021 and any related federal  
19 guidance. The State Comptroller shall direct and the State  
20 Treasurer shall transfer from time to time, as directed by the  
21 Governor in writing, any of the funds in the EGSS Fund to the  
22 General Revenue Fund or other funds in the State treasury as  
23 needed for expenditures, or as reimbursement for expenditures  
24 made, from such other funds for permitted purposes under  
25 Section 9901 of the American Rescue Plan Act of 2021,  
26 including the provision of government services.

1       (d-5) For any amount transferred under subsection (d) at  
2 the direction of the Governor, including any amount  
3 transferred prior to the effective date of this amendatory Act  
4 of the 102nd General Assembly, the Governor shall provide  
5 notice to the Speaker of the House of Representatives, the  
6 Minority Leader of the House of Representatives, the President  
7 of the Senate, and the Minority Leader of the Senate. The  
8 notice shall be provided at least 14 days in advance of any  
9 request for such transfer. If the notice pertains to an amount  
10 transferred prior to the effective date of this amendatory Act  
11 of the 102nd General Assembly, then notice must be provided as  
12 soon as practicable after the effective date of this  
13 subsection (d-5). The notice shall include the amount being  
14 transferred, the object the transfer is intended to fund, and  
15 the reason the transfer is needed.

16       Any amount transferred at the direction of the Governor  
17 from the EGSS Fund to the General Revenue Fund or other fund in  
18 the State treasury for government services under subsection  
19 (d) shall also be accompanied by an appropriation from the  
20 EGSS Fund in an amount equal to the transferred amount with a  
21 description of the appropriation that matches the reason  
22 stated by the Governor. If an appropriation is not made within  
23 either the fiscal year in which the transfer was made or the  
24 fiscal year immediately following such transfer, then the  
25 State Comptroller and the State Treasurer shall automatically  
26 transfer from the General Revenue Fund to the EGSS Fund an

1 amount equal to that transferred from the EGSS Fund.

2 (e) Unexpended funds in the EGSS Fund shall be paid back to  
3 the federal government at the direction of the Governor.

4 (Source: P.A. 102-16, eff. 6-17-21.)