



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0581

Introduced 2/23/2021, by Sen. John Connor

SYNOPSIS AS INTRODUCED:

| | |
|-----------------------|------------------------|
| 5 ILCS 340/3 | from Ch. 15, par. 503 |
| 5 ILCS 340/5 | from Ch. 15, par. 505 |
| 5 ILCS 340/7 | from Ch. 15, par. 507 |
| 15 ILCS 405/17 | from Ch. 15, par. 217 |
| 30 ILCS 105/25 | from Ch. 127, par. 161 |
| 30 ILCS 105/11.5 rep. | |
| 30 ILCS 500/20-80 | |
| 30 ILCS 540/9 | |
| 35 ILCS 200/30-31 | |

Amends the Voluntary Payroll Deductions Act of 1983. Requires the Comptroller (rather than the Governor) to perform specified duties concerning the designation of organizations qualified to receive payroll deductions and the creation of an Advisory Committee under the Act. Amends the State Comptroller Act. Removes a provision requiring the Department of Central Management Services to transmit to the Comptroller a certified copy of all reports it may issue concerning State property. Amends the State Finance Act. Makes changes concerning fiscal year limitations. Repeals provisions concerning contracts signed by State agencies with procurement authority. Amends the Illinois Procurement Code. Makes changes concerning the filing of contracts with the Comptroller. Amends the State Prompt Payment Act. Requires specified information under the Vendor Payment Program to be disclosed on August 1 of each year (currently, July 1 of each year) for the previous fiscal year. Amends the Property Tax Code. Requires the State Comptroller to make available on the Comptroller's website a Fiscal Responsibility Report Card (currently, submit to the General Assembly and the clerk of each county a Fiscal Responsibility Report Card). Makes other changes. Effective immediately.

LRB102 13774 RJF 19124 b

FISCAL NOTE ACT
MAY APPLY

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 Voluntary Payroll Deductions Act of 1983 is
5 amended by changing Sections 3, 5, and 7 as follows:

6 (5 ILCS 340/3) (from Ch. 15, par. 503)

7 Sec. 3. Definitions. As used in this Act unless the
8 context otherwise requires:

9 (a) "Employee" means any regular officer or employee who
10 receives salary or wages for personal services rendered to the
11 State of Illinois, and includes an individual hired as an
12 employee by contract with that individual.

13 (b) "Qualified organization" means an organization
14 representing one or more benefiting agencies, which
15 organization is designated by the State Comptroller as
16 qualified to receive payroll deductions under this Act. An
17 organization desiring to be designated as a qualified
18 organization shall:

19 (1) Submit written or electronic designations on forms
20 approved by the State Comptroller by 500 or more employees
21 or State annuitants, in which such employees or State
22 annuitants indicate that the organization is one for which
23 the employee or State annuitant intends to authorize

1 withholding. The forms shall require the name, last 4
2 digits only of the social security number, and employing
3 State agency for each employee. Upon notification by the
4 Comptroller that such forms have been approved, the
5 organization shall, within 30 days, notify in writing the
6 Comptroller ~~Governor~~ or his or her designee of its
7 intention to obtain the required number of designations.
8 Such organization shall have 12 months from that date to
9 obtain the necessary designations and return to the State
10 Comptroller's office the completed designations, which
11 shall be subject to verification procedures established by
12 the State Comptroller;

13 (2) Certify that all benefiting agencies are tax
14 exempt under Section 501(c)(3) of the Internal Revenue
15 Code;

16 (3) Certify that all benefiting agencies are in
17 compliance with the Illinois Human Rights Act;

18 (4) Certify that all benefiting agencies are in
19 compliance with the Charitable Trust Act and the
20 Solicitation for Charity Act;

21 (5) Certify that all benefiting agencies actively
22 conduct health or welfare programs and provide services to
23 individuals directed at one or more of the following
24 common human needs within a community: service, research,
25 and education in the health fields; family and child care
26 services; protective services for children and adults;

1 services for children and adults in foster care; services
2 related to the management and maintenance of the home; day
3 care services for adults; transportation services;
4 information, referral and counseling services; services to
5 eliminate illiteracy; the preparation and delivery of
6 meals; adoption services; emergency shelter care and
7 relief services; disaster relief services; safety
8 services; neighborhood and community organization
9 services; recreation services; social adjustment and
10 rehabilitation services; health support services; or a
11 combination of such services designed to meet the special
12 needs of specific groups, such as children and youth, the
13 ill and infirm, and persons with physical disabilities;
14 and that all such benefiting agencies provide the above
15 described services to individuals and their families in
16 the community and surrounding area in which the
17 organization conducts its fund drive, or that such
18 benefiting agencies provide relief to victims of natural
19 disasters and other emergencies on a where and as needed
20 basis;

21 (6) Certify that the organization has disclosed the
22 percentage of the organization's total collected receipts
23 from employees or State annuitants that are distributed to
24 the benefiting agencies and the percentage of the
25 organization's total collected receipts from employees or
26 State annuitants that are expended for fund-raising and

1 overhead costs. These percentages shall be the same
2 percentage figures annually disclosed by the organization
3 to the Attorney General. The disclosure shall be made to
4 all solicited employees and State annuitants and shall be
5 in the form of a factual statement on all petitions and in
6 the campaign's brochures for employees and State
7 annuitants;

8 (7) Certify that all benefiting agencies receiving
9 funds which the employee or State annuitant has requested
10 or designated for distribution to a particular community
11 and surrounding area use a majority of such funds
12 distributed for services in the actual provision of
13 services in that community and surrounding area;

14 (8) Certify that neither it nor its member
15 organizations will solicit State employees for
16 contributions at their workplace, except pursuant to this
17 Act and the rules promulgated thereunder. Each qualified
18 organization, and each participating United Fund, is
19 encouraged to cooperate with all others and with all State
20 agencies and educational institutions so as to simplify
21 procedures, to resolve differences and to minimize costs;

22 (9) Certify that it will pay its share of the campaign
23 costs and will comply with the Code of Campaign Conduct as
24 approved by the Comptroller ~~Governor~~ or other agency as
25 designated by the Comptroller ~~Governor~~; and

26 (10) Certify that it maintains a year-round office,

1 the telephone number, and person responsible for the
2 operations of the organization in Illinois. That
3 information shall be provided to the State Comptroller at
4 the time the organization is seeking participation under
5 this Act.

6 Each qualified organization shall submit to the State
7 Comptroller between January 1 and March 1 of each year, a
8 statement that the organization is in compliance with all of
9 the requirements set forth in paragraphs (2) through (10). The
10 State Comptroller shall exclude any organization that fails to
11 submit the statement from the next solicitation period.

12 In order to be designated as a qualified organization, the
13 organization shall have existed at least 2 years prior to
14 submitting the written or electronic designation forms
15 required in paragraph (1) and shall certify to the State
16 Comptroller that such organization has been providing services
17 described in paragraph (5) in Illinois. If the organization
18 seeking designation represents more than one benefiting
19 agency, it need not have existed for 2 years but shall certify
20 to the State Comptroller that each of its benefiting agencies
21 has existed for at least 2 years prior to submitting the
22 written or electronic designation forms required in paragraph
23 (1) and that each has been providing services described in
24 paragraph (5) in Illinois.

25 Organizations which have met the requirements of this Act
26 shall be permitted to participate in the State and

1 Universities Combined Appeal as of January 1st of the year
2 immediately following their approval by the Comptroller.

3 Where the certifications described in paragraphs (2), (3),
4 (4), (5), (6), (7), (8), (9), and (10) above are made by an
5 organization representing more than one benefiting agency they
6 shall be based upon the knowledge and belief of such qualified
7 organization. Any qualified organization shall immediately
8 notify the State Comptroller in writing if the qualified
9 organization receives information or otherwise believes that a
10 benefiting agency is no longer in compliance with the
11 certification of the qualified organization. A qualified
12 organization representing more than one benefiting agency
13 shall thereafter withhold and refrain from distributing to
14 such benefiting agency those funds received pursuant to this
15 Act until the benefiting agency is again in compliance with
16 the qualified organization's certification. The qualified
17 organization shall immediately notify the State Comptroller of
18 the benefiting agency's resumed compliance with the
19 certification, based upon the qualified organization's
20 knowledge and belief, and shall pay over to the benefiting
21 agency those funds previously withheld.

22 In order to qualify, a qualified organization must receive
23 250 deduction pledges from the immediately preceding
24 solicitation period as set forth in Section 6. The Comptroller
25 shall, by February 1st of each year, so notify any qualified
26 organization that failed to receive the minimum deduction

1 requirement. The notification shall give such qualified
2 organization until March 1st to provide the Comptroller with
3 documentation that the minimum deduction requirement has been
4 met. On the basis of all the documentation, the Comptroller
5 shall, by March 15th of each year, make publicly available
6 ~~submit to the Governor or his or her designee, or such other~~
7 ~~agency as may be determined by the Governor,~~ a list of all
8 organizations which have met the minimum payroll deduction
9 requirement. Only those organizations which have met such
10 requirements, as well as the other requirements of this
11 Section, shall be permitted to solicit State employees or
12 State annuitants for voluntary contributions, and the
13 Comptroller shall discontinue withholding for any such
14 organization which fails to meet these requirements, except
15 qualified organizations that received deduction pledges during
16 the 2004 solicitation period are deemed to be qualified for
17 the 2005 solicitation period.

18 (c) "United Fund" means the organization conducting the
19 single, annual, consolidated effort to secure funds for
20 distribution to agencies engaged in charitable and public
21 health, welfare and services purposes, which is commonly known
22 as the United Fund, or the organization which serves in place
23 of the United Fund organization in communities where an
24 organization known as the United Fund is not organized.

25 In order for a United Fund to participate in the State and
26 Universities Employees Combined Appeal, it shall comply with

1 the provisions of paragraph (9) of subsection (b).

2 (d) "State and Universities Employees Combined Appeal",
3 otherwise known as "SECA", means the State-directed joint
4 effort of all of the qualified organizations, together with
5 the United Funds, for the solicitation of voluntary
6 contributions from State and University employees and State
7 annuitants.

8 (e) "Retirement system" means any or all of the following:
9 the General Assembly Retirement System, the State Employees'
10 Retirement System of Illinois, the State Universities
11 Retirement System, the Teachers' Retirement System of the
12 State of Illinois, and the Judges Retirement System.

13 (f) "State annuitant" means a person receiving an annuity
14 or disability benefit under Article 2, 14, 15, 16, or 18 of the
15 Illinois Pension Code.

16 (Source: P.A. 99-143, eff. 7-27-15.)

17 (5 ILCS 340/5) (from Ch. 15, par. 505)

18 Sec. 5. Rules; Advisory Committee. The State Comptroller
19 shall promulgate and issue reasonable rules and regulations as
20 deemed necessary for the administration of this Act.

21 All ~~However, all~~ solicitations of State employees for
22 contributions at their workplace and all solicitations of
23 State annuitants for contributions shall be in accordance with
24 rules promulgated by the Comptroller ~~Governor~~ or his or her
25 designee or other agency as may be designated by the

1 Comptroller ~~Governor~~. All solicitations of State annuitants
2 for contributions shall also be in accordance with the rules
3 promulgated by the applicable retirement system.

4 The rules promulgated by the Comptroller ~~Governor~~ or his
5 or her designee or other agency as designated by the
6 Comptroller ~~Governor~~ shall include a Code of Campaign Conduct
7 that all qualified organizations and United Funds shall
8 subscribe to in writing, sanctions for violations of the Code
9 of Campaign Conduct, provision for the handling of cash
10 contributions, provision for an Advisory Committee, provisions
11 for the allocation of expenses among the participating
12 organizations, an organizational plan and structure whereby
13 responsibilities are set forth for the appropriate State
14 employees or State annuitants and the participating
15 organizations, and any other matters that are necessary to
16 accomplish the purposes of this Act.

17 The Comptroller ~~Governor~~ or the Comptroller's ~~Governor's~~
18 designee shall promulgate rules to establish the composition
19 and the duties of the Advisory Committee. The Comptroller
20 ~~Governor~~ or the Comptroller's ~~Governor's~~ designee shall make
21 appointments to the Advisory Committee. The powers of the
22 Advisory Committee shall include, at a minimum, the ability to
23 impose the sanctions authorized by rule. Each State agency and
24 each retirement system shall file an annual report that sets
25 forth, for the prior calendar year, (i) the total amount of
26 money contributed to each qualified organization and united

1 fund through both payroll deductions and cash contributions,
2 (ii) the number of employees or State annuitants who have
3 contributed to each qualified organization and united fund,
4 and (iii) any other information required by the rules. The
5 report shall not include the names of any contributing or
6 non-contributing employees or State annuitants. The report
7 shall be filed with the Advisory Committee no later than March
8 15. The report shall be available for inspection.

9 Other constitutional officers, retirement systems, the
10 University of Illinois, Southern Illinois University, Chicago
11 State University, Eastern Illinois University, Governors State
12 University, Illinois State University, Northeastern Illinois
13 University, Northern Illinois University, and Western Illinois
14 University shall be governed by the rules promulgated pursuant
15 to this Section, unless such entities adopt their own rules
16 governing solicitation of contributions at the workplace.

17 All rules promulgated pursuant to this Section shall not
18 discriminate against one or more qualified organizations or
19 United Funds.

20 (Source: P.A. 90-799, eff. 6-1-99; 91-896, eff. 7-6-00.)

21 (5 ILCS 340/7) (from Ch. 15, par. 507)

22 Sec. 7. Notwithstanding any other provision of this Act, a
23 participating organization or a United Fund may be denied
24 participation in SECA for willful failure to comply with the
25 provisions of paragraph (9) of subsection (b) of Section 3 of

1 this Act. The agency designated by the Comptroller ~~Governor~~
2 under paragraph (9) of subsection (b) of Section 3 of this Act
3 shall adopt rules providing for procedures for review by the
4 agency of alleged violations of that paragraph and appropriate
5 remedial sanctions for noncompliance. The rules shall include
6 an appeal procedure for any affected participating
7 organization or United Fund. The agency designated by the
8 Comptroller ~~Governor~~ shall notify the Comptroller immediately
9 of any final decision to remove a qualified organization or
10 United Fund from participation in SECA.

11 (Source: P.A. 91-357, eff. 7-29-99.)

12 Section 10. The State Comptroller Act is amended by
13 changing Section 17 as follows:

14 (15 ILCS 405/17) (from Ch. 15, par. 217)

15 Sec. 17. Inventory control records. The comptroller shall
16 maintain current inventory records of property held by or on
17 behalf of the State or any State agency, which may be copies of
18 the official inventory control records maintained by State
19 agencies or summaries thereof. The Office of the Comptroller
20 shall define reporting requirements and thresholds to be used
21 by State agencies in the Comptroller's Statewide Accounting
22 Management System (SAMS) manual. The Department of Central
23 Management Services and each other State agency so holding
24 such property shall report to the comptroller, on forms

1 prescribed by the comptroller, all property acquired or
2 disposed of by that agency, in such detail and at such times as
3 the comptroller requires, by rule, to maintain accurate,
4 current inventory records. ~~The Department of Central
5 Management Services shall transmit to the comptroller a
6 certified copy of all reports it may issue concerning State
7 property, including its annual report.~~

8 (Source: P.A. 98-904, eff. 8-15-14.)

9 Section 15. The State Finance Act is amended by changing
10 Section 25 as follows:

11 (30 ILCS 105/25) (from Ch. 127, par. 161)

12 Sec. 25. Fiscal year limitations.

13 (a) All appropriations shall be available for expenditure
14 for the fiscal year or for a lesser period if the Act making
15 that appropriation so specifies. A deficiency or emergency
16 appropriation shall be available for expenditure only through
17 June 30 of the year when the Act making that appropriation is
18 enacted unless that Act otherwise provides.

19 (b) Outstanding liabilities as of June 30, payable from
20 appropriations which have otherwise expired, may be paid out
21 of the expiring appropriations during the 2-month period
22 ending at the close of business on August 31. Extensions of
23 lapse period may be made for individual agencies or funds only
24 upon the signed authorization of the Governor and Comptroller,

1 and shall not be extended by more than an additional 30 days.

2 Any service involving professional or artistic skills or any
3 personal services by an employee whose compensation is subject
4 to income tax withholding must be performed as of June 30 of
5 the fiscal year in order to be considered an "outstanding
6 liability as of June 30" that is thereby eligible for payment
7 out of the expiring appropriation.

8 (b-1) However, payment of tuition reimbursement claims
9 under Section 14-7.03 or 18-3 of the School Code may be made by
10 the State Board of Education from its appropriations for those
11 respective purposes for any fiscal year, even though the
12 claims reimbursed by the payment may be claims attributable to
13 a prior fiscal year, and payments may be made at the direction
14 of the State Superintendent of Education from the fund from
15 which the appropriation is made without regard to any fiscal
16 year limitations, except as required by subsection (j) of this
17 Section. Beginning on June 30, 2021, payment of tuition
18 reimbursement claims under Section 14-7.03 or 18-3 of the
19 School Code as of June 30, payable from appropriations that
20 have otherwise expired, may be paid out of the expiring
21 appropriation during the 4-month period ending at the close of
22 business on October 31.

23 (b-2) (Blank).

24 (b-2.5) (Blank).

25 (b-2.6) (Blank).

26 (b-2.6a) (Blank).

1 (b-2.6b) (Blank).

2 (b-2.6c) (Blank).

3 (b-2.6d) All outstanding liabilities as of June 30, 2020,
4 payable from appropriations that would otherwise expire at the
5 conclusion of the lapse period for fiscal year 2020, and
6 interest penalties payable on those liabilities under the
7 State Prompt Payment Act, may be paid out of the expiring
8 appropriations until December 31, 2020, without regard to the
9 fiscal year in which the payment is made, as long as vouchers
10 for the liabilities are received by the Comptroller no later
11 than September 30, 2020.

12 (b-2.7) For fiscal years 2012, 2013, 2014, 2018, 2019,
13 2020, and 2021, interest penalties payable under the State
14 Prompt Payment Act associated with a voucher for which payment
15 is issued after June 30 may be paid out of the next fiscal
16 year's appropriation. The future year appropriation must be
17 for the same purpose and from the same fund as the original
18 payment. An interest penalty voucher submitted against a
19 future year appropriation must be submitted within 60 days
20 after the issuance of the associated voucher, except that, for
21 fiscal year 2018 only, an interest penalty voucher submitted
22 against a future year appropriation must be submitted within
23 60 days of June 5, 2019 (the effective date of Public Act
24 101-10). The Comptroller must issue the interest payment
25 within 60 days after acceptance of the interest voucher.

26 (b-3) Medical payments may be made by the Department of

1 Veterans' Affairs from its appropriations for those purposes
2 for any fiscal year, without regard to the fact that the
3 medical services being compensated for by such payment may
4 have been rendered in a prior fiscal year, except as required
5 by subsection (j) of this Section. Beginning on June 30, 2021,
6 medical payments payable from appropriations that have
7 otherwise expired may be paid out of the expiring
8 appropriation during the 4-month period ending at the close of
9 business on October 31.

10 (b-4) Medical payments and child care payments may be made
11 by the Department of Human Services (as successor to the
12 Department of Public Aid) from appropriations for those
13 purposes for any fiscal year, without regard to the fact that
14 the medical or child care services being compensated for by
15 such payment may have been rendered in a prior fiscal year; and
16 payments may be made at the direction of the Department of
17 Healthcare and Family Services (or successor agency) from the
18 Health Insurance Reserve Fund without regard to any fiscal
19 year limitations, except as required by subsection (j) of this
20 Section. Beginning on June 30, 2021, medical and child care
21 payments made by the Department of Human Services and payments
22 made at the discretion of the Department of Healthcare and
23 Family Services (or successor agency) from the Health
24 Insurance Reserve Fund and payable from appropriations that
25 have otherwise expired may be paid out of the expiring
26 appropriation during the 4-month period ending at the close of

1 business on October 31.

2 (b-5) Medical payments may be made by the Department of
3 Human Services from its appropriations relating to substance
4 abuse treatment services for any fiscal year, without regard
5 to the fact that the medical services being compensated for by
6 such payment may have been rendered in a prior fiscal year,
7 provided the payments are made on a fee-for-service basis
8 consistent with requirements established for Medicaid
9 reimbursement by the Department of Healthcare and Family
10 Services, except as required by subsection (j) of this
11 Section. Beginning on June 30, 2021, medical payments made by
12 the Department of Human Services relating to substance abuse
13 treatment services payable from appropriations that have
14 otherwise expired may be paid out of the expiring
15 appropriation during the 4-month period ending at the close of
16 business on October 31.

17 (b-6) (Blank).

18 (b-7) Payments may be made in accordance with a plan
19 authorized by paragraph (11) or (12) of Section 405-105 of the
20 Department of Central Management Services Law from
21 appropriations for those payments without regard to fiscal
22 year limitations.

23 (b-8) Reimbursements to eligible airport sponsors for the
24 construction or upgrading of Automated Weather Observation
25 Systems may be made by the Department of Transportation from
26 appropriations for those purposes for any fiscal year, without

1 regard to the fact that the qualification or obligation may
2 have occurred in a prior fiscal year, provided that at the time
3 the expenditure was made the project had been approved by the
4 Department of Transportation prior to June 1, 2012 and, as a
5 result of recent changes in federal funding formulas, can no
6 longer receive federal reimbursement.

7 (b-9) (Blank).

8 (c) Further, payments may be made by the Department of
9 Public Health and the Department of Human Services (acting as
10 successor to the Department of Public Health under the
11 Department of Human Services Act) from their respective
12 appropriations for grants for medical care to or on behalf of
13 premature and high-mortality risk infants and their mothers
14 and for grants for supplemental food supplies provided under
15 the United States Department of Agriculture Women, Infants and
16 Children Nutrition Program, for any fiscal year without regard
17 to the fact that the services being compensated for by such
18 payment may have been rendered in a prior fiscal year, except
19 as required by subsection (j) of this Section. Beginning on
20 June 30, 2021, payments made by the Department of Public
21 Health and the Department of Human Services from their
22 respective appropriations for grants for medical care to or on
23 behalf of premature and high-mortality risk infants and their
24 mothers and for grants for supplemental food supplies provided
25 under the United States Department of Agriculture Women,
26 Infants and Children Nutrition Program payable from

1 appropriations that have otherwise expired may be paid out of
2 the expiring appropriations during the 4-month period ending
3 at the close of business on October 31.

4 (d) The Department of Public Health and the Department of
5 Human Services (acting as successor to the Department of
6 Public Health under the Department of Human Services Act)
7 shall each annually submit to the State Comptroller, Senate
8 President, Senate Minority Leader, Speaker of the House, House
9 Minority Leader, and the respective Chairmen and Minority
10 Spokesmen of the Appropriations Committees of the Senate and
11 the House, on or before December 31, a report of fiscal year
12 funds used to pay for services provided in any prior fiscal
13 year. This report shall document by program or service
14 category those expenditures from the most recently completed
15 fiscal year used to pay for services provided in prior fiscal
16 years.

17 (e) The Department of Healthcare and Family Services, the
18 Department of Human Services (acting as successor to the
19 Department of Public Aid), and the Department of Human
20 Services making fee-for-service payments relating to substance
21 abuse treatment services provided during a previous fiscal
22 year shall each annually submit to the State Comptroller,
23 Senate President, Senate Minority Leader, Speaker of the
24 House, House Minority Leader, the respective Chairmen and
25 Minority Spokesmen of the Appropriations Committees of the
26 Senate and the House, on or before November 30, a report that

1 shall document by program or service category those
2 expenditures from the most recently completed fiscal year used
3 to pay for (i) services provided in prior fiscal years and (ii)
4 services for which claims were received in prior fiscal years.

5 (f) The Department of Human Services (as successor to the
6 Department of Public Aid) shall annually submit to the State
7 Comptroller, Senate President, Senate Minority Leader, Speaker
8 of the House, House Minority Leader, and the respective
9 Chairmen and Minority Spokesmen of the Appropriations
10 Committees of the Senate and the House, on or before December
11 31, a report of fiscal year funds used to pay for services
12 (other than medical care) provided in any prior fiscal year.
13 This report shall document by program or service category
14 those expenditures from the most recently completed fiscal
15 year used to pay for services provided in prior fiscal years.

16 (g) In addition, each annual report required to be
17 submitted by the Department of Healthcare and Family Services
18 under subsection (e) shall include the following information
19 with respect to the State's Medicaid program:

20 (1) Explanations of the exact causes of the variance
21 between the previous year's estimated and actual
22 liabilities.

23 (2) Factors affecting the Department of Healthcare and
24 Family Services' liabilities, including, but not limited
25 to, numbers of aid recipients, levels of medical service
26 utilization by aid recipients, and inflation in the cost

1 of medical services.

2 (3) The results of the Department's efforts to combat
3 fraud and abuse.

4 (h) As provided in Section 4 of the General Assembly
5 Compensation Act, any utility bill for service provided to a
6 General Assembly member's district office for a period
7 including portions of 2 consecutive fiscal years may be paid
8 from funds appropriated for such expenditure in either fiscal
9 year.

10 (i) An agency which administers a fund classified by the
11 Comptroller as an internal service fund may issue rules for:

12 (1) billing user agencies in advance for payments or
13 authorized inter-fund transfers based on estimated charges
14 for goods or services;

15 (2) issuing credits, refunding through inter-fund
16 transfers, or reducing future inter-fund transfers during
17 the subsequent fiscal year for all user agency payments or
18 authorized inter-fund transfers received during the prior
19 fiscal year which were in excess of the final amounts owed
20 by the user agency for that period; and

21 (3) issuing catch-up billings to user agencies during
22 the subsequent fiscal year for amounts remaining due when
23 payments or authorized inter-fund transfers received from
24 the user agency during the prior fiscal year were less
25 than the total amount owed for that period.

26 User agencies are authorized to reimburse internal service

1 funds for catch-up billings by vouchers drawn against their
2 respective appropriations for the fiscal year in which the
3 catch-up billing was issued or by increasing an authorized
4 inter-fund transfer during the current fiscal year. For the
5 purposes of this Act, "inter-fund transfers" means transfers
6 without the use of the voucher-warrant process, as authorized
7 by Section 9.01 of the State Comptroller Act.

8 (i-1) Beginning on July 1, 2021, all outstanding
9 liabilities, not payable during the 4-month lapse period as
10 described in subsections (b-1), (b-3), (b-4), (b-5), and (c)
11 of this Section, that are made from appropriations for that
12 purpose for any fiscal year, without regard to the fact that
13 the services being compensated for by those payments may have
14 been rendered in a prior fiscal year, are limited to only those
15 claims that have been incurred but for which a proper bill or
16 invoice as defined by the State Prompt Payment Act has not been
17 received by September 30th following the end of the fiscal
18 year in which the service was rendered.

19 (j) Notwithstanding any other provision of this Act, the
20 aggregate amount of payments to be made without regard for
21 fiscal year limitations as contained in subsections (b-1),
22 (b-3), (b-4), (b-5), and (c) of this Section, and determined
23 by using Generally Accepted Accounting Principles, shall not
24 exceed the following amounts:

25 (1) \$6,000,000,000 for outstanding liabilities related
26 to fiscal year 2012;

1 (2) \$5,300,000,000 for outstanding liabilities related
2 to fiscal year 2013;

3 (3) \$4,600,000,000 for outstanding liabilities related
4 to fiscal year 2014;

5 (4) \$4,000,000,000 for outstanding liabilities related
6 to fiscal year 2015;

7 (5) \$3,300,000,000 for outstanding liabilities related
8 to fiscal year 2016;

9 (6) \$2,600,000,000 for outstanding liabilities related
10 to fiscal year 2017;

11 (7) \$2,000,000,000 for outstanding liabilities related
12 to fiscal year 2018;

13 (8) \$1,300,000,000 for outstanding liabilities related
14 to fiscal year 2019;

15 (9) \$600,000,000 for outstanding liabilities related
16 to fiscal year 2020; and

17 (10) \$0 for outstanding liabilities related to fiscal
18 year 2021 and fiscal years thereafter.

19 (k) Department of Healthcare and Family Services Medical
20 Assistance Payments.

21 (1) Definition of Medical Assistance.

22 For purposes of this subsection, the term "Medical
23 Assistance" shall include, but not necessarily be
24 limited to, medical programs and services authorized
25 under Titles XIX and XXI of the Social Security Act,
26 the Illinois Public Aid Code, the Children's Health

1 Insurance Program Act, the Covering ALL KIDS Health
2 Insurance Act, the Long Term Acute Care Hospital
3 Quality Improvement Transfer Program Act, and medical
4 care to or on behalf of persons suffering from chronic
5 renal disease, persons suffering from hemophilia, and
6 victims of sexual assault.

7 (2) Limitations on Medical Assistance payments that
8 may be paid from future fiscal year appropriations.

9 (A) The maximum amounts of annual unpaid Medical
10 Assistance bills received and recorded by the
11 Department of Healthcare and Family Services on or
12 before June 30th of a particular fiscal year
13 attributable in aggregate to the General Revenue Fund,
14 Healthcare Provider Relief Fund, Tobacco Settlement
15 Recovery Fund, Long-Term Care Provider Fund, and the
16 Drug Rebate Fund that may be paid in total by the
17 Department from future fiscal year Medical Assistance
18 appropriations to those funds are: \$700,000,000 for
19 fiscal year 2013 and \$100,000,000 for fiscal year 2014
20 and each fiscal year thereafter.

21 (B) Bills for Medical Assistance services rendered
22 in a particular fiscal year, but received and recorded
23 by the Department of Healthcare and Family Services
24 after June 30th of that fiscal year, may be paid from
25 either appropriations for that fiscal year or future
26 fiscal year appropriations for Medical Assistance.

1 Such payments shall not be subject to the requirements
2 of subparagraph (A).

3 (C) Medical Assistance bills received by the
4 Department of Healthcare and Family Services in a
5 particular fiscal year, but subject to payment amount
6 adjustments in a future fiscal year may be paid from a
7 future fiscal year's appropriation for Medical
8 Assistance. Such payments shall not be subject to the
9 requirements of subparagraph (A).

10 (D) Medical Assistance payments made by the
11 Department of Healthcare and Family Services from
12 funds other than those specifically referenced in
13 subparagraph (A) may be made from appropriations for
14 those purposes for any fiscal year without regard to
15 the fact that the Medical Assistance services being
16 compensated for by such payment may have been rendered
17 in a prior fiscal year. Such payments shall not be
18 subject to the requirements of subparagraph (A).

19 (3) Extended lapse period for Department of Healthcare
20 and Family Services Medical Assistance payments.
21 Notwithstanding any other State law to the contrary,
22 outstanding Department of Healthcare and Family Services
23 Medical Assistance liabilities, as of June 30th, payable
24 from appropriations which have otherwise expired, may be
25 paid out of the expiring appropriations during the 4-month
26 ~~6-month~~ period ending at the close of business on October

1 ~~December~~ 31st. Extensions of Healthcare and Family
2 Services Medical Assistance payments lapse period may be
3 made upon the signed authorization of the Governor and
4 Comptroller, and shall not be extended by more than an
5 additional 30 days.

6 (1) The changes to this Section made by Public Act 97-691
7 shall be effective for payment of Medical Assistance bills
8 incurred in fiscal year 2013 and future fiscal years. The
9 changes to this Section made by Public Act 97-691 shall not be
10 applied to Medical Assistance bills incurred in fiscal year
11 2012 or prior fiscal years.

12 (m) The Comptroller must issue payments against
13 outstanding liabilities that were received prior to the lapse
14 period deadlines set forth in this Section as soon thereafter
15 as practical, but no payment may be issued after the 4 months
16 following the lapse period deadline without the signed
17 authorization of the Comptroller and the Governor.

18 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
19 101-10, eff. 6-5-19; 101-275, eff. 8-9-19; 101-636, eff.
20 6-10-20.)

21 (30 ILCS 105/11.5 rep.)

22 Section 20. The State Finance Act is amended by repealing
23 Section 11.5.

24 Section 25. The Illinois Procurement Code is amended by

1 changing Section 20-80 as follows:

2 (30 ILCS 500/20-80)

3 Sec. 20-80. Contract files.

4 (a) Written determinations. All written determinations
5 required under this Article shall be placed in the contract
6 file maintained by the chief procurement officer.

7 (b) Filing with Comptroller. Whenever a grant, defined
8 pursuant to accounting standards established by the
9 Comptroller, or a contract liability, except for: (1)
10 contracts paid from personal services, ~~or~~ (2) contracts
11 between the State and its employees to defer compensation in
12 accordance with Article 24 of the Illinois Pension Code, or
13 (3) contracts that do not obligate funds held within the State
14 treasury for fiscal year 2021 and thereafter, exceeding
15 \$20,000 is incurred by any State agency, a copy of the
16 contract, purchase order, grant, or lease shall be filed with
17 the Comptroller within 30 calendar days thereafter. Beginning
18 in fiscal year 2021, information pertaining to contracts
19 exceeding \$20,000 that do not obligate funds held within the
20 State treasury shall be submitted in a quarterly report to the
21 Comptroller in a form and manner prescribed by the
22 Comptroller. The Comptroller shall make the quarterly report
23 available on his or her website. Beginning January 1, 2013,
24 the Comptroller may require that contracts and grants required
25 to be filed with the Comptroller under this Section shall be

1 filed electronically, unless the agency is incapable of filing
2 the contract or grant electronically because it does not
3 possess the necessary technology or equipment. Any State
4 agency that is incapable of electronically filing its
5 contracts or grants shall submit a written statement to the
6 Governor and to the Comptroller attesting to the reasons for
7 its inability to comply. This statement shall include a
8 discussion of what the State agency needs in order to
9 effectively comply with this Section. Prior to requiring
10 electronic filing, the Comptroller shall consult with the
11 Governor as to the feasibility of establishing mutually
12 agreeable technical standards for the electronic document
13 imaging, storage, and transfer of contracts and grants, taking
14 into consideration the technology available to that agency,
15 best practices, and the technological capabilities of State
16 agencies. Nothing in this amendatory Act of the 97th General
17 Assembly shall be construed to impede the implementation of an
18 Enterprise Resource Planning (ERP) system. For each State
19 contract for supplies or services awarded on or after July 1,
20 2010, the contracting agency shall provide the applicable rate
21 and unit of measurement of the supplies or services on the
22 contract obligation document as required by the Comptroller.
23 If the contract obligation document that is submitted to the
24 Comptroller contains the rate and unit of measurement of the
25 supplies or services, the Comptroller shall provide that
26 information on his or her official website. Any cancellation

1 or modification to any such contract liability shall be filed
2 with the Comptroller within 30 calendar days of its execution.

3 (c) Late filing affidavit. When a contract, purchase
4 order, grant, or lease required to be filed by this Section has
5 not been filed within 30 calendar days of execution, the
6 Comptroller shall refuse to issue a warrant for payment
7 thereunder until the agency files with the Comptroller the
8 contract, purchase order, grant, or lease and an affidavit,
9 signed by the chief executive officer of the agency or his or
10 her designee, setting forth an explanation of why the contract
11 liability was not filed within 30 calendar days of execution.
12 A copy of this affidavit shall be filed with the Auditor
13 General.

14 (d) Timely execution of contracts. Except as set forth in
15 subsection (b) of this Section, no voucher shall be submitted
16 to the Comptroller for a warrant to be drawn for the payment of
17 money from the State treasury or from other funds held by the
18 State Treasurer on account of any contract unless the contract
19 is reduced to writing before the services are performed and
20 filed with the Comptroller. Contractors shall not be paid for
21 any supplies that were received or services that were rendered
22 before the contract was reduced to writing and signed by all
23 necessary parties. A chief procurement officer may request an
24 exception to this subsection by submitting a written statement
25 to the Comptroller and Treasurer setting forth the
26 circumstances and reasons why the contract could not be

1 reduced to writing before the supplies were received or
2 services were performed. A waiver of this subsection must be
3 approved by the Comptroller and Treasurer. This Section shall
4 not apply to emergency purchases if notice of the emergency
5 purchase is filed with the Procurement Policy Board and
6 published in the Bulletin as required by this Code.

7 (e) Method of source selection. When a contract is filed
8 with the Comptroller under this Section, the Comptroller's
9 file shall identify the method of source selection used in
10 obtaining the contract.

11 (Source: P.A. 100-43, eff. 8-9-17.)

12 Section 30. The State Prompt Payment Act is amended by
13 changing Section 9 as follows:

14 (30 ILCS 540/9)

15 Sec. 9. Vendor Payment Program financial backer
16 disclosure.

17 (a) Within 60 days after August 24, 2018 (the effective
18 date of Public Act 100-1089) ~~this amendatory Act of the 100th~~
19 ~~General Assembly~~, at the time of application, and annually on
20 August ~~July~~ 1 of each year for the previous fiscal year, each
21 qualified purchaser shall submit to the Department and the
22 State Comptroller the following information about each person,
23 director, owner, officer, association, financial backer,
24 partnership, other entity, corporation, or trust with an

1 indirect or direct financial interest in each qualified
2 purchaser:

3 (1) percent ownership;

4 (2) type of ownership;

5 (3) first name, middle name, last name, maiden name
6 (if applicable), including aliases or former names;

7 (4) mailing address;

8 (5) type of business entity, if applicable;

9 (6) dates and jurisdiction of business formation or
10 incorporation, if applicable;

11 (7) names of controlling shareholders, class of stock,
12 percentage ownership;

13 (8) any indirect earnings resulting from the Program;

14 and

15 (9) any earnings associated with the Program to any
16 parties not previously disclosed.

17 (b) Within 60 days after August 24, 2018 (the effective
18 date of Public Act 100-1089) ~~this amendatory Act of the 100th~~
19 ~~General Assembly~~, at the time of application, and annually on
20 August ~~July~~ 1 of each year for the previous fiscal year, each
21 trust associated with the qualified purchaser shall submit to
22 the Department and the State Comptroller the following
23 information:

24 (1) names, addresses, dates of birth, and percentages
25 of interest of all beneficiaries;

26 (2) any indirect earnings resulting from the Program;

1 and

2 (3) any earnings associated with the Program to any
3 parties not previously disclosed.

4 (c) Each qualified purchaser must submit a statement to
5 the State Comptroller and the Department of Central Management
6 Services disclosing whether such qualified purchaser or any
7 related person, director, owner, officer, or financial backer
8 has previously or currently retained or contracted with any
9 registered lobbyist, lawyer, accountant, or other consultant
10 to prepare the disclosure required under this Section.

11 (Source: P.A. 100-1089, eff. 8-24-18.)

12 Section 35. The Property Tax Code is amended by changing
13 Section 30-31 as follows:

14 (35 ILCS 200/30-31)

15 Sec. 30-31. Fiscal Responsibility Report Card; State
16 Comptroller. The State Comptroller, within 180 days of the
17 conclusion of the fiscal year of the State, shall make
18 available on the Comptroller's website ~~submit to the General~~
19 ~~Assembly and the clerk of each county~~ a Fiscal Responsibility
20 Report Card in the form prescribed by the State Comptroller
21 after consultation with other State Constitutional officers
22 selected by the State Comptroller. The Fiscal Responsibility
23 Report Card shall inform the General Assembly and the county
24 clerks about the amounts, sources, and uses of tax revenues

1 received and expended by each taxing district, other than a
2 school district, that imposes ad valorem taxes.

3 (Source: Incorporates P.A. 88-280; 88-670, eff. 12-2-94.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.