



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB1613

Introduced 2/26/2021, by Sen. Chapin Rose

#### SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45.8 new  
20 ILCS 605/605-1055 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Establishes the COVID-19 Small Business Relief Program for specified purposes. Provides that from appropriations for the COVID-19 Small Business Relief Program from the State Coronavirus Urgent Remediation Emergency Fund, the Department of Commerce and Economic Opportunity shall provide financial assistance through grants, expense reimbursements, or subsidies to qualifying businesses or a qualified partner to cover expenses or losses incurred due to business interruptions caused by their forced closure or inability to carry out regular functions in an economically viable manner under Tier 3 of the Governor's Restoring Illinois plan. Provides for the adoption of rules. Provides for powers of the Department concerning the Program. Amends the Illinois Administrative Procedure Act to provide for the adoption of emergency rules. Defines terms. Effective immediately.

LRB102 15884 RJF 21253 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 Illinois Administrative Procedure Act is  
5 amended by adding Section 5-45.8 as follows:

6 (5 ILCS 100/5-45.8 new)

7 Sec. 5-45.8. Emergency rulemaking; COVID-19 Small Business  
8 Relief Program. To provide for the expeditious and timely  
9 implementation of the COVID-19 Small Business Relief Program  
10 created under Section 605-1055 of the Department of Commerce  
11 and Economic Opportunity Law of the Civil Administrative Code  
12 of Illinois, emergency rules implementing the COVID-19 Small  
13 Business Relief Program may be adopted in accordance with  
14 Section 5-45 by the Department of Commerce and Economic  
15 Opportunity. The adoption of emergency rules authorized by  
16 Section 5-45 and this Section is deemed to be necessary for the  
17 public interest, safety, and welfare.

18 This Section is repealed on January 1, 2026.

19 Section 10. The Department of Commerce and Economic  
20 Opportunity Law of the Civil Administrative Code of Illinois  
21 is amended by adding Section 605-1055 as follows:

1 (20 ILCS 605/605-1055 new)

2 Sec. 605-1055. COVID-19 Small Business Relief Program.

3 (a) Purpose. The Department may receive, directly or  
4 indirectly, federal funds under the authority of legislation  
5 passed in response to the Coronavirus epidemic including, but  
6 not limited to, the Coronavirus Aid, Relief, and Economic  
7 Security Act, P.L. 116-136 (the CARES Act). Section 5001 of  
8 the CARES Act establishes the Coronavirus Relief Fund, which  
9 authorized the State to expend funds that are necessary to  
10 respond to the COVID-19 public health emergency. The financial  
11 support of qualifying businesses is a necessary expense under  
12 federal guidance for implementing Section 5001 of the CARES  
13 Act. Upon receipt or availability of such funds, and subject  
14 to appropriations for their use, the Department shall  
15 administer a program to provide financial assistance to  
16 qualifying businesses that have experienced interruption of  
17 business due to their forced closure or inability to carry out  
18 regular functions in an economically viable manner under Tier  
19 3 of the Governor's Restoring Illinois plan. Support may be  
20 provided directly by the Department to qualifying businesses  
21 or in cooperation with a qualified partner. Financial  
22 assistance may include, but not be limited to grants, expense  
23 reimbursements, or subsidies.

24 (b) From appropriations for the COVID-19 Small Business  
25 Relief Program from the State Coronavirus Urgent Remediation  
26 Emergency Fund, the Department shall provide financial

1 assistance through grants, expense reimbursements, or  
2 subsidies to qualifying businesses or a qualified partner to  
3 cover expenses or losses incurred due to business  
4 interruptions caused by their forced closure or inability to  
5 carry out regular functions in an economically viable manner  
6 under Tier 3 of the Governor's Restoring Illinois plan. All  
7 spending related to this program must be reimbursable by the  
8 Federal Coronavirus Relief Fund in accordance with Section  
9 5001 of the federal CARES Act and any related federal  
10 guidance, or the provisions of any other federal source  
11 supporting the program.

12 (c) The Department may establish by rule administrative  
13 procedures for the grant Program, including any application  
14 procedures, grant agreements, certifications, payment  
15 methodologies, and other accountability measures that may be  
16 imposed upon participants in the Program. The emergency  
17 rulemaking process may be used to adopt the initial rules of  
18 the grant Program.

19 (d) The Department has the power to:

20 (1) provide grants, subsidies, and expense  
21 reimbursements to qualified businesses or, on behalf of  
22 qualified businesses, to qualified partners from  
23 appropriations to cover qualified businesses eligible  
24 costs or losses incurred due to their forced closure or  
25 inability to carry out regular functions in an  
26 economically viable manner under Tier 3 of the Governor's

1 Restoring Illinois plan.

2 (2) enter into agreements, accept funds, issue grants,  
3 and engage in cooperation with agencies of the federal  
4 government, units of local government, financial  
5 institutions, and nonprofit organizations to carry out the  
6 purposes of this Program, and to use funds appropriated  
7 for the COVID-19 Small Business Relief Program;

8 (3) prepare forms for application, notification,  
9 contract, and other matters, and establish procedures and  
10 rules deemed necessary and appropriate to carry out the  
11 provisions of this Section; and

12 (4) provide staff, administration, and related support  
13 required to manage the COVID-19 Small Business Relief  
14 Program and pay for the staffing, administration, and  
15 related support.

16 (e) Definitions. As used in the Section:

17 "Qualified partner" means a financial institution or  
18 nonprofit organization with which the Department has entered  
19 into an agreement or contract to provide or incentivize  
20 assistance to qualifying businesses.

21 "Qualifying businesses" means a business that is  
22 experiencing business interruption due to its forced closure  
23 or inability to carry out regular functions in an economically  
24 viable manner under Tier 3 of the Governor's Restoring  
25 Illinois plan and is eligible for reimbursement as prescribed  
26 by Section 601 (a) of the Social Security Act and added by

1 Section 5001 of the CARES Act or other federal legislation  
2 addressing the COVID-19 crisis.

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