



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3675

Introduced 1/21/2022, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-45 new
30 ILCS 5/3-25 new

Amends the State Budget Law of the Civil Administrative Code of Illinois. Provides that in any year in which a public university has a repeated material audit finding reported in any audit conducted by the Auditor General, the Auditor General shall specially report the repeated material audit finding to the Governor and the General Assembly. Provides that any such public university to which the report applies shall have 5% of the funds to be appropriated to the public university during the fiscal year in which the Auditor General's report was issued withheld by the State Comptroller until the public university rectifies the deficiencies found in the material audit findings. Provides that if the public university has been allotted more than 95% of its appropriated funding at the time of the Auditor General's report, the public university shall, within 90 days after issuance of the Auditor General's report, remit 5% of the allotted funding for that fiscal year to a trust fund held outside of the State treasury, with the State Treasurer as custodian, to be held until the public university rectifies the deficiencies found in the material audit findings. Provides that upon request of a public university, the Auditor General shall determine whether a material finding has been rectified, and shall certify the same to the State Comptroller and the State Treasurer without regard to any other scheduled audit. Provides that upon a determination that the deficiency found in the material audit findings has been rectified, the 5% of appropriated funds that were either withheld from or remitted by the public university shall be released to the public university within 10 business days. Amends the Illinois State Auditing Act. Provides requirements concerning public university material audit findings reports. Defines "public university". Effective immediately.

LRB102 24205 RJF 33434 b

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 State Budget Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 50-45 as follows:

7 (15 ILCS 20/50-45 new)

8 Sec. 50-45. Public university audit compliance; funding
9 withheld.

10 (a) Notwithstanding any other provision of law to the
11 contrary, in any year in which a public university has a
12 repeated material audit finding reported in any audit
13 conducted by the Auditor General, in addition to the regular
14 report of the audit findings made by the Auditor General, the
15 Auditor General shall specially report the repeated material
16 audit finding concerning that public university to the
17 Governor and the General Assembly.

18 (b) Upon a repeated material finding and report issued by
19 the Auditor General under subsection (a), any such public
20 university to which the report applies shall have 5% of the
21 funds to be appropriated to the public university during the
22 fiscal year in which the Auditor General's report was issued
23 withheld by the State Comptroller until the public university

1 rectifies the deficiencies found in the material audit
2 findings, as provided under subsection (d).

3 (c) If the public university has been allotted more than
4 95% of its appropriated funding at the time of the Auditor
5 General's report, the public university shall, within 90 days
6 after issuance of the Auditor General's report, remit 5% of
7 the allotted funding for that fiscal year to a trust fund held
8 outside of the State treasury, with the State Treasurer as
9 custodian. The amount remitted shall remain in the trust fund
10 until the public university rectifies the deficiencies found
11 in the material audit findings, as provided under subsection
12 (d).

13 (d) Upon request of a public university, the Auditor
14 General shall determine whether a material finding has been
15 rectified, and shall as soon as reasonably practicable certify
16 the same to the State Comptroller and the State Treasurer
17 without regard to any other scheduled audit. Upon a
18 determination that the deficiency found in the material audit
19 findings has been rectified, the 5% of appropriated funds that
20 were either withheld from or remitted by the public university
21 shall be released to the public university within 10 business
22 days.

23 (e) For the purposes of this Section, "public university"
24 means Chicago State University, Eastern Illinois University,
25 Governors State University, Illinois State University,
26 Northeastern Illinois University, Northern Illinois

1 University, Southern Illinois University, Western Illinois
2 University, the University of Illinois, or any other public
3 university established or authorized by the General Assembly.

4 Section 10. The Illinois State Auditing Act is amended by
5 adding Section 3-25 as follows:

6 (30 ILCS 5/3-25 new)

7 Sec. 3-25. Public university material audit findings
8 reports. For the purposes of Section 50-45 of the State Budget
9 Law of the Civil Administrative Code of Illinois, in any year
10 in which a public university has a repeated material audit
11 finding reported in any audit conducted by the Auditor
12 General, in addition to the regular report of the audit
13 findings made by the Auditor General, the Auditor General
14 shall specially report the repeated material audit finding
15 concerning that public university to the Governor and the
16 General Assembly. Upon request of a public university, the
17 Auditor General shall determine whether a material finding has
18 been rectified, and shall certify the same to the State
19 Comptroller and the State Treasurer without regard to any
20 other scheduled audit.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.