

HB4214



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4214

Introduced 11/7/2023, by Rep. Fred Crespo

SYNOPSIS AS INTRODUCED:

25 ILCS 10/20

Amends the General Assembly Operations Act. Requires the Legislative Budget Oversight Commission to meet 2 weeks after the effective date of the amendatory Act and quarterly thereafter. Extends the repeal date of the Act's provisions concerning the Commission from July 1, 2024 to July 1, 2026. Effective immediately.

LRB103 35177 JDS 65149 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 General Assembly Operations Act is amended
5 by changing Section 20 as follows:

6 (25 ILCS 10/20)

7 (Section scheduled to be repealed on July 1, 2024)

8 Sec. 20. Legislative Budget Oversight Commission.

9 (a) The General Assembly hereby finds and declares that
10 the State is confronted with an unprecedented fiscal crisis.
11 In light of this crisis, and the challenges it presents for the
12 budgeting process, the General Assembly hereby establishes the
13 Legislative Budget Oversight Commission. The purpose of the
14 Commission is: to monitor budget management actions taken by
15 the Office of the Governor or Governor's Office of Management
16 and Budget; to oversee the distribution and expenditure of
17 federal financial relief for State and local governments
18 related to the COVID-19 pandemic; and to advise and review
19 planned expenditures of State and federal grants for broadband
20 projects.

21 (b) At the request of the Commission, units of local
22 governments and State agency directors or their respective
23 designees shall report to the Commission on the status and

1 distribution of federal CARES money and any other federal
2 financial relief related to the COVID-19 pandemic.

3 (c) In anticipation of constantly changing and
4 unpredictable economic circumstances, the Commission will
5 provide a means for the Governor's Office and the General
6 Assembly to maintain open communication about necessary budget
7 management actions during these unprecedented times. Beginning
8 August 15, 2020, the Governor's Office of Management and
9 Budget shall submit a monthly written report to the Commission
10 reporting any budget management actions taken by the Office of
11 the Governor, Governor's Office of Management and Budget, or
12 any State agency. At the call of one of the co-chairs, the
13 Governor or his or her designee shall give a report to the
14 Commission and each member thereof. The report shall be given
15 either in person or by telephonic or videoconferencing means.
16 The report shall include:

17 (1) any budget management actions taken by the Office
18 of the Governor, Governor's Office of Management and
19 Budget, or any agency or board under the Office of the
20 Governor in the prior quarter;

21 (2) year-to-date general funds revenues as compared to
22 anticipated revenues;

23 (3) year-to-date general funds expenditures as
24 compared to the Fiscal Year 2021 budget as enacted;

25 (4) a list, by program, of the number of grants
26 awarded, the aggregate amount of such grant awards, and

1 the aggregate amount of awards actually paid with respect
2 to all grants awarded from federal funds from the
3 Coronavirus Relief Fund in accordance with Section 5001 of
4 the federal Coronavirus Aid, Relief, and Economic Security
5 (CARES) Act or from the Coronavirus State Fiscal Recovery
6 Fund in accordance with Section 9901 of the federal
7 American Rescue Plan Act of 2021, which shall identify the
8 number of grants awarded, the aggregate amount of such
9 grant awards, and the aggregate amount of such awards
10 actually paid to grantees located in or serving a
11 disproportionately impacted area, as defined in the
12 program from which the grant is awarded; and

13 (5) any additional items reasonably requested by the
14 Commission.

15 (c-5) Any plans, responses to requests, letters of intent,
16 application materials, or other documents prepared on behalf
17 of the State describing the State's intended plan for
18 distributing grants pursuant to Division F of the
19 Infrastructure Investment and Jobs Act must be, to the extent
20 practical, provided to the Legislative Budget Oversight
21 Commission for review at least 30 days prior to submission to
22 the appropriate federal entity. If plans, responses to
23 requests, letters of intent, application materials, or other
24 documents prepared on behalf of the State describing the
25 State's plan or goals for distributing grants pursuant to
26 Division F of the Infrastructure Investment and Jobs Act

1 cannot practically be given the Legislative Budget Oversight
2 Commission 30 days prior to submission to the appropriate
3 federal entity, the materials shall be provided to the
4 Legislative Budget Oversight Commission with as much time for
5 review as practical. All documents provided to the Commission
6 shall be made available to the public on the General
7 Assembly's website. However, the following information shall
8 be redacted from any documents made available to the public:
9 (i) information specifically prohibited from disclosure by
10 federal or State law or federal or State rules and
11 regulations; (ii) trade secrets; (iii) security sensitive
12 information; and (iv) proprietary, privileged, or confidential
13 commercial or financial information from a privately held
14 person or business which, if disclosed, would cause
15 competitive harm. Members of the public and interested parties
16 may submit written comments to the Commission for
17 consideration. Prior to the State's submission to the
18 appropriate federal entity pursuant to this subsection, the
19 Commission shall conduct at least one public hearing during
20 which members of the public and other interested parties may
21 file written comments with and offer testimony before the
22 Commission. After completing its review and consideration of
23 any such testimony offered and written public comments
24 received, the Commission shall submit its written comments and
25 suggestions to the Governor or designated State entity
26 responsible for administering the grant programs under

1 Division F of the Infrastructure Investment and Jobs Act on
2 behalf of the State. The Governor, or designated State entity
3 responsible for administering the grant programs pursuant to
4 Division F of the Infrastructure Investment and Jobs Act, must
5 consider comments and suggestions provided by the members of
6 the Legislative Budget Oversight Commission and members of the
7 public.

8 (c-10) At the request of the Commission, the Governor or
9 the designated State entity responsible for administering
10 programs under Division F of the Infrastructure Investment and
11 Jobs Act on behalf of the State must report on the grants
12 issued by the State pursuant to the programs under Division F
13 of the Infrastructure Investment and Jobs Act.

14 (d) The Legislative Budget Oversight Commission shall
15 consist of the following members:

16 (1) 7 members of the House of Representatives
17 appointed by the Speaker of the House of Representatives;

18 (2) 7 members of the Senate appointed by the Senate
19 President;

20 (3) 4 members of the House of Representatives
21 appointed by the Minority Leader of the House of
22 Representatives; and

23 (4) 4 members of the Senate appointed by the Senate
24 Minority Leader.

25 (e) The Speaker of the House of Representatives and the
26 Senate President shall each appoint one member of the

1 Commission to serve as a co-chair. The members of the
2 Commission shall serve without compensation.

3 (e-5) The Commission shall meet 2 weeks after the
4 effective date of this amendatory Act of the 103rd General
5 Assembly and quarterly thereafter.

6 (f) As used in this Section:

7 "Budget management action" means any fund transfer
8 directed by the Governor or the Governor's Office of
9 Management and Budget, designation of appropriation lines as
10 reserve, or any other discretionary action taken with regard
11 to the budget as enacted;

12 "State agency" means all officers, boards, commissions,
13 departments, and agencies created by the Constitution, by law,
14 by Executive Order, or by order of the Governor in the
15 Executive Branch, other than the Offices of the Attorney
16 General, Secretary of State, Comptroller, or Treasurer.

17 (g) This Section is repealed July 1, 2026 ~~2024~~.

18 (Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22;
19 103-8, eff. 6-7-23.)

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