



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5011

Introduced 2/8/2024, by Rep. Bradley Fritts

SYNOPSIS AS INTRODUCED:

50 ILCS 310/2	from Ch. 85, par. 702
50 ILCS 310/3	from Ch. 85, par. 703
50 ILCS 310/6	from Ch. 85, par. 706

Amends the Governmental Account Audit Act. In provisions requiring an annual audit by a governmental unit to be performed of all the accounts and funds of the governmental unit, provides that township accounts and funds audited under the provisions do not include road district accounts or funds. In provisions relating to the type of audit report a governmental unit must provide based upon whether the unit has revenue of less or more than \$850,000, provides that township revenue shall be calculated exclusive of road district funds. Effective immediately.

LRB103 38092 AWJ 68224 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Governmental Account Audit Act is amended
5 by changing Sections 2, 3, and 6 as follows:

6 (50 ILCS 310/2) (from Ch. 85, par. 702)

7 Sec. 2. Except as otherwise provided in Section 3, the
8 governing body of each governmental unit shall cause an audit
9 of the accounts of the unit to be made by an auditor or
10 auditors. Such audit shall be performed annually and shall
11 cover the immediately preceding fiscal year of the
12 governmental unit. The audit shall include all the accounts
13 and funds of the governmental unit, including the accounts of
14 any officer of the governmental unit who receives fees or
15 handles funds of the unit or who spends money of the unit. The
16 audit shall begin as soon as possible after the close of the
17 last fiscal year to which it pertains, and shall be completed
18 and the audit report filed with the Comptroller within 180
19 days after the close of such fiscal year unless an extension of
20 time is granted by the Comptroller in writing. An audit report
21 which fails to meet the requirements of this Act shall be
22 rejected by the Comptroller and returned to the governing body
23 of the governmental unit for corrective action. The auditor or

1 auditors performing the audit shall submit not less than 3
2 copies of the audit report to the governing body of the
3 governmental unit being audited. Township accounts and funds
4 audited under this Section do not include road district
5 accounts or funds.

6 All audits to be filed with the Comptroller under this
7 Section must be submitted electronically and the Comptroller
8 must post the audit reports on the Internet no later than 45
9 days after they are received. If the governmental unit
10 provides the Comptroller's Office with sufficient evidence
11 that the audit report cannot be filed electronically, the
12 Comptroller may waive this requirement. The Comptroller must
13 also post a list of governmental units that are not in
14 compliance with the reporting requirements set forth in this
15 Section.

16 Any financial report under this Section shall include the
17 name of the purchasing agent who oversees all competitively
18 bid contracts. If there is no purchasing agent, the name of the
19 person responsible for oversight of all competitively bid
20 contracts shall be listed.

21 (Source: P.A. 101-419, eff. 1-1-20.)

22 (50 ILCS 310/3) (from Ch. 85, par. 703)

23 Sec. 3. Any governmental unit receiving revenue of less
24 than \$850,000 for any fiscal year shall, in lieu of complying
25 with the requirements of Section 2 for audits and audit

1 reports, beginning with fiscal year 2016, either: (i) cause an
2 audit of the accounts of the unit to be made once every 4 years
3 and file with the Comptroller an annual financial report
4 containing information required by the Comptroller, or (ii)
5 file with the Comptroller an annual financial report
6 containing information required by the Comptroller, a copy of
7 which has been provided to each member of that governmental
8 unit's board of elected officials, presented either in person
9 or by a live phone or web connection during a public meeting,
10 and approved by a 3/5 majority vote. In addition, a
11 governmental unit receiving revenue of less than \$850,000 may
12 file with the Comptroller any audit reports which may have
13 been prepared under any other law. Any governmental unit
14 receiving revenue of \$850,000 or more for any fiscal year
15 shall, in addition to complying with the requirements of
16 Section 2 for audits and audit reports, file with the
17 Comptroller the financial report required by this Section.
18 Such financial reports shall be on forms so designed by the
19 Comptroller as not to require professional accounting services
20 for its preparation. All reports to be filed with the
21 Comptroller under this Section must be submitted
22 electronically and the Comptroller must post the reports on
23 the Internet no later than 45 days after they are received. If
24 the governmental unit provides the Comptroller's Office with
25 sufficient evidence that the report cannot be filed
26 electronically, the Comptroller may waive this requirement.

1 The Comptroller must also post a list of governmental units
2 that are not in compliance with the reporting requirements set
3 forth in this Section.

4 When calculating township revenue under this Section,
5 township revenue is exclusive of road district funds.

6 Any financial report under this Section shall include the
7 name of the purchasing agent who oversees all competitively
8 bid contracts. If there is no purchasing agent, the name of the
9 person responsible for oversight of all competitively bid
10 contracts shall be listed.

11 (Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12;
12 98-1019, eff. 7-1-15.)

13 (50 ILCS 310/6) (from Ch. 85, par. 706)

14 Sec. 6. When the audit is completed the auditor making
15 such audit shall make and sign at least 3 copies of the report
16 of the audit and immediately file them with the governmental
17 unit audited. Governmental units receiving revenue of \$850,000
18 or more for any fiscal year shall immediately make one copy of
19 the audit report and one copy of the financial report required
20 by Section 3 of this Act a part of its public record.
21 Governmental units receiving revenue of less than \$850,000
22 shall immediately make one copy of the audit report, or one
23 copy of the report authorized by Section 3 of this Act to be
24 filed instead of the audit report, a part of its public record.
25 These copies shall be open to public inspection. In addition,

1 the governmental unit shall file one copy of the report with
2 the Comptroller and with the county clerk of the county in
3 which the principal office of the governmental unit is
4 located. A governmental unit may, in filing its audit report
5 with the Comptroller, transmit with such report any comment or
6 explanation that it wishes to make concerning the report.

7 When calculating township revenue under this Section,
8 township revenue is exclusive of road district funds.

9 (Source: P.A. 101-419, eff. 1-1-20.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.