



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5177

Introduced 2/9/2024, by Rep. Jackie Haas

SYNOPSIS AS INTRODUCED:

30 ILCS 708/105

Amends the Grant Accountability and Transparency Act. Provides that the Governor's Office of Management and Budget shall adopt rules prohibiting issuance of and requiring the lifting of stop-payment orders if: (1) the recipient or subrecipient is a public safety department or agency, including a police or fire department of a unit of local government; (2) the Governor's Office of Management and Budget has verified that the unit of local government, its administration, or a department of the unit is in a state of noncompliance with the Grant Accountability and Transparency Act, but the public safety department or agency recipient or subrecipient is not in a state of noncompliance; (3) the recipient or subrecipient public safety department or agency's award would be applied to costs of the fulfillment of a State legislative or administrative mandate; and (4) the sum total of the award is less than \$200,000. Effective immediately.

LRB103 37242 MXP 67362 b

1 AN ACT concerning finance.

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

4 Section 5. The Grant Accountability and Transparency Act
5 is amended by changing Section 105 as follows:

6 (30 ILCS 708/105)

7 Sec. 105. Stop payment procedures.

8 (a) On or before July 1, 2019, the Governor's Office of
9 Management and Budget shall adopt rules pertaining to the
10 following:

11 (1) factors to be considered in determining whether to
12 issue a stop payment order shall include whether or not a
13 stop payment order is in the best interests of the State;

14 (2) factors to be considered in determining whether a
15 stop payment order should be lifted; and

16 (3) procedures for notification to the recipient or
17 subrecipient of the issuance of a stop payment order, the
18 lifting of a stop payment order, and any other related
19 information.

20 (b) On or before December 31, 2019, the Governor's Office
21 of Management and Budget shall, in conjunction with State
22 grant-making agencies, adopt rules pertaining to the
23 following:

1 (1) policies regarding the issuance of stop payment
2 orders;

3 (2) policies regarding the lifting of stop payment
4 orders;

5 (3) policies regarding corrective actions required of
6 recipients and subrecipients in the event a stop payment
7 order is issued; and

8 (4) policies regarding the coordination of
9 communications between the Office of the Comptroller and
10 State grant-making agencies regarding the issuance of stop
11 payment orders and the lifting of such orders.

12 (b-5) The Governor's Office of Management and Budget shall
13 adopt rules prohibiting issuance of and requiring the lifting
14 of stop-payment orders if:

15 (1) the recipient or subrecipient is a public safety
16 department or agency, including a police or fire
17 department of a unit of local government;

18 (2) the Governor's Office of Management and Budget has
19 verified that the unit of local government, its
20 administration, or a department of the unit is in a state
21 of noncompliance with the Grant Accountability and
22 Transparency Act, but the public safety department or
23 agency recipient or subrecipient is not in a state of
24 noncompliance;

25 (3) the recipient or subrecipient public safety
26 department or agency's award would be applied to costs of

1 the fulfillment of a State legislative or administrative
2 mandate; and

3 (4) the sum total of the award is less than \$200,000.

4 (c) On or before July 1, 2020, the Office of the
5 Comptroller shall establish stop payment procedures that shall
6 cause the cessation of payments to a recipient or
7 subrecipient. Such a temporary or permanent cessation of
8 payments will occur pursuant to a stop payment order requested
9 by a State grant-making agency and implemented by the Office
10 of the Comptroller.

11 (d) The State grant-making agency shall maintain a file
12 pertaining to all stop payment orders which shall include, at
13 a minimum:

14 (1) The notice to the recipient or subrecipient that a
15 stop payment order has been issued. The notice shall
16 include:

17 (A) The name of the grant.

18 (B) The grant number.

19 (C) The name of the State agency that issued the
20 grant.

21 (D) The reasons for the stop payment order.

22 (E) Any other relevant information.

23 (2) The order lifting the stop payment order, if
24 applicable.

25 (e) The Grant Accountability and Transparency Unit shall
26 determine and disseminate factors that State agencies shall

1 consider when determining whether it is in the best interests
2 of the State to permanently or temporarily cease payments to a
3 recipient or subrecipient who has had a stop payment order
4 requested by another State agency.

5 (f) The Office of the Comptroller and the Governor's
6 Office of Management and Budget grant systems shall determine
7 if the recipient or subrecipient has received grants from
8 other State grant-making agencies.

9 (g) Upon notice from the Office of the Comptroller, the
10 Grant Accountability and Transparency Unit shall notify all
11 State grant-making agencies who have issued grants to a
12 recipient or subrecipient whose payments have been subject to
13 a stop payment order that a stop payment order has been
14 requested by another State grant-making agency.

15 (h) Upon notice from the Grant Accountability and
16 Transparency Unit, each State grant-making agency who has
17 issued a grant to a recipient or subrecipient whose payments
18 have been subject to a stop payment order shall review and
19 assess all grants issued to that recipient or subrecipient.
20 State agencies shall use factors provided by the Governor's
21 Office of Management and Budget or the Grant Accountability
22 and Transparency Unit to determine whether it is the best
23 interests of the State to request a stop payment order.

24 (Source: P.A. 100-997, eff. 8-20-18.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.