



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3170

Introduced 2/6/2024, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

New Act
15 ILCS 20/50-5

Creates the Noncitizen Population Spending Transparency Act. Provides that the Department of Human Services, in collaboration with relevant State agencies, shall prepare an annual report identifying all State spending on services and resources for noncitizen and asylum-seeking populations. Sets forth reporting requirements. Provides that, on or before November 15, 2024, and each year thereafter, the Department of Human Services shall submit the report to the General Assembly. Provides that the Department of Human Services shall post and maintain the report on its publicly available website. Provides that the Department of Human Services is authorized to coordinate efforts with other State agencies to prepare and submit a cohesive report for the General Assembly. Amends the State Budget Law of the Civil Administrative Code of Illinois. Provides that, beginning with budgets prepared for fiscal year 2026, the budgets submitted by the Governor and appropriations made by the General Assembly for all executive branch State agencies must include a detailed accounting of all proposed spending on noncitizen and asylum-seeking populations. Effective immediately.

LRB103 36727 SPS 66837 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 1. Short title. This Act may be cited as the
5 Noncitizen Population Spending Transparency Act.

6 Section 5. Reporting requirements.

7 (a) The Department of Human Services, in collaboration
8 with relevant State agencies, shall prepare an annual report
9 identifying all State spending on services and resources for
10 noncitizen and asylum-seeking populations, including, but not
11 limited to, services and resources provided by the following
12 State entities:

13 (1) the State Board of Education;

14 (2) the Department of Human Services;

15 (A) the Bureau of Refugee and Immigrant Services;

16 (B) the Office of Hispanic/Latino Affairs;

17 (C) the Illinois Welcoming Center;

18 (D) the Chief Homelessness Officer; and

19 (E) programs providing support to victims of
20 trafficking, torture, and other serious crimes.

21 (3) the Department of Public Health, including the
22 State Refugee Health Coordinator;

23 (4) the Illinois Emergency Management Agency and

1 Office of Homeland Security;

2 (5) the Department of Central Management Services;

3 (6) the Department of Labor; and

4 (7) the Department of Healthcare and Family Services.

5 (b) The report shall include the following information
6 concerning the expenditures identified in subsection (a):

7 (1) the total amount spent on noncitizen and
8 asylum-seeking populations in the previous fiscal year;

9 (2) the specific appropriation authorizing the
10 spending;

11 (3) any transfers among line-item appropriations
12 associated with noncitizen and asylum-seeking populations

13 (4) the total number of families or individuals
14 impacted by each service or resource;

15 (5) the funding sources of the service or resource;
16 and

17 (6) contracts awarded to organizations providing
18 noncitizen and asylum-seeking populations access to
19 services or resources in, at a minimum, the following
20 categories:

21 (A) emergency shelter and housing;

22 (B) food;

23 (C) health screenings;

24 (D) medical assessments and treatments;

25 (E) case management services to assist critical
26 needs, including legal services and job readiness

1 support;

2 (F) enrollment in public schools;

3 (G) long-term housing and housing assistance;

4 (H) injury and wound care, vaccinations, and

5 chronic health condition management;

6 (I) mental health assessments; and

7 (J) any other spending related to noncitizen or

8 asylum-seeking populations.

9 Section 10. Submission of the report. On or before

10 November 15, 2024, and each year thereafter, the Department of

11 Human Services shall submit the report described in Section 5

12 to the General Assembly.

13 Section 15. Publication and accessibility. The Department

14 of Human Services shall post and maintain the report described

15 in Section 5 on its publicly available website.

16 Section 20. Coordination with State agencies. The

17 Department of Human Services is authorized to coordinate

18 efforts under this Act with other State agencies to prepare

19 and submit a cohesive report for the General Assembly.

20 Section 90. The State Budget Law of the Civil

21 Administrative Code of Illinois is amended by changing Section

22 50-5 as follows:

1 (15 ILCS 20/50-5)

2 Sec. 50-5. Governor to submit State budget.

3 (a) The Governor shall, as soon as possible and not later
4 than the second Wednesday in March in 2010 (March 10, 2010),
5 the third Wednesday in February in 2011, the fourth Wednesday
6 in February in 2012 (February 22, 2012), the first Wednesday
7 in March in 2013 (March 6, 2013), the fourth Wednesday in March
8 in 2014 (March 26, 2014), the first Wednesday in February in
9 2022 (February 2, 2022), and the third Wednesday in February
10 of each year thereafter, except as otherwise provided in this
11 Section, submit a State budget, embracing therein the amounts
12 recommended by the Governor to be appropriated to the
13 respective departments, offices, and institutions, and for all
14 other public purposes, the estimated revenues from taxation,
15 and the estimated revenues from sources other than taxation.
16 Except with respect to the capital development provisions of
17 the State budget, beginning with the revenue estimates
18 prepared for fiscal year 2012, revenue estimates shall be
19 based solely on: (i) revenue sources (including non-income
20 resources), rates, and levels that exist as of the date of the
21 submission of the State budget for the fiscal year and (ii)
22 revenue sources (including non-income resources), rates, and
23 levels that have been passed by the General Assembly as of the
24 date of the submission of the State budget for the fiscal year
25 and that are authorized to take effect in that fiscal year.

1 Except with respect to the capital development provisions of
2 the State budget, the Governor shall determine available
3 revenue, deduct the cost of essential government services,
4 including, but not limited to, pension payments and debt
5 service, and assign a percentage of the remaining revenue to
6 each statewide prioritized goal, as established in Section
7 50-25 of this Law, taking into consideration the proposed
8 goals set forth in the report of the Commission established
9 under that Section. The Governor shall also demonstrate how
10 spending priorities for the fiscal year fulfill those
11 statewide goals. The amounts recommended by the Governor for
12 appropriation to the respective departments, offices and
13 institutions shall be formulated according to each
14 department's, office's, and institution's ability to
15 effectively deliver services that meet the established
16 statewide goals. The amounts relating to particular functions
17 and activities shall be further formulated in accordance with
18 the object classification specified in Section 13 of the State
19 Finance Act. In addition, the amounts recommended by the
20 Governor for appropriation shall take into account each State
21 agency's effectiveness in achieving its prioritized goals for
22 the previous fiscal year, as set forth in Section 50-25 of this
23 Law, giving priority to agencies and programs that have
24 demonstrated a focus on the prevention of waste and the
25 maximum yield from resources.

26 Beginning in fiscal year 2011, the Governor shall

1 distribute written quarterly financial reports on operating
2 funds, which may include general, State, or federal funds and
3 may include funds related to agencies that have significant
4 impacts on State operations, and budget statements on all
5 appropriated funds to the General Assembly and the State
6 Comptroller. The reports shall be submitted no later than 45
7 days after the last day of each quarter of the fiscal year and
8 shall be posted on the Governor's Office of Management and
9 Budget's website on the same day. The reports shall be
10 prepared and presented for each State agency and on a
11 statewide level in an executive summary format that may
12 include, for the fiscal year to date, individual itemizations
13 for each significant revenue type as well as itemizations of
14 expenditures and obligations, by agency, with an appropriate
15 level of detail. The reports shall include a calculation of
16 the actual total budget surplus or deficit for the fiscal year
17 to date. The Governor shall also present periodic budget
18 addresses throughout the fiscal year at the invitation of the
19 General Assembly.

20 The Governor shall not propose expenditures and the
21 General Assembly shall not enact appropriations that exceed
22 the resources estimated to be available, as provided in this
23 Section. Appropriations may be adjusted during the fiscal year
24 by means of one or more supplemental appropriation bills if
25 any State agency either fails to meet or exceeds the goals set
26 forth in Section 50-25 of this Law.

1 For the purposes of Article VIII, Section 2 of the 1970
2 Illinois Constitution, the State budget for the following
3 funds shall be prepared on the basis of revenue and
4 expenditure measurement concepts that are in concert with
5 generally accepted accounting principles for governments:

- 6 (1) General Revenue Fund.
- 7 (2) Common School Fund.
- 8 (3) Educational Assistance Fund.
- 9 (4) Road Fund.
- 10 (5) Motor Fuel Tax Fund.
- 11 (6) Agricultural Premium Fund.

12 These funds shall be known as the "budgeted funds". The
13 revenue estimates used in the State budget for the budgeted
14 funds shall include the estimated beginning fund balance, plus
15 revenues estimated to be received during the budgeted year,
16 plus the estimated receipts due the State as of June 30 of the
17 budgeted year that are expected to be collected during the
18 lapse period following the budgeted year, minus the receipts
19 collected during the first 2 months of the budgeted year that
20 became due to the State in the year before the budgeted year.
21 Revenues shall also include estimated federal reimbursements
22 associated with the recognition of Section 25 of the State
23 Finance Act liabilities. For any budgeted fund for which
24 current year revenues are anticipated to exceed expenditures,
25 the surplus shall be considered to be a resource available for
26 expenditure in the budgeted fiscal year.

1 Expenditure estimates for the budgeted funds included in
2 the State budget shall include the costs to be incurred by the
3 State for the budgeted year, to be paid in the next fiscal
4 year, excluding costs paid in the budgeted year which were
5 carried over from the prior year, where the payment is
6 authorized by Section 25 of the State Finance Act. For any
7 budgeted fund for which expenditures are expected to exceed
8 revenues in the current fiscal year, the deficit shall be
9 considered as a use of funds in the budgeted fiscal year.

10 Revenues and expenditures shall also include transfers
11 between funds that are based on revenues received or costs
12 incurred during the budget year.

13 Appropriations for expenditures shall also include all
14 anticipated statutory continuing appropriation obligations
15 that are expected to be incurred during the budgeted fiscal
16 year.

17 By March 15 of each year, the Commission on Government
18 Forecasting and Accountability shall prepare revenue and fund
19 transfer estimates in accordance with the requirements of this
20 Section and report those estimates to the General Assembly and
21 the Governor.

22 For all funds other than the budgeted funds, the proposed
23 expenditures shall not exceed funds estimated to be available
24 for the fiscal year as shown in the budget. Appropriation for a
25 fiscal year shall not exceed funds estimated by the General
26 Assembly to be available during that year.

1 (b) By February 24, 2010, the Governor must file a written
2 report with the Secretary of the Senate and the Clerk of the
3 House of Representatives containing the following:

4 (1) for fiscal year 2010, the revenues for all
5 budgeted funds, both actual to date and estimated for the
6 full fiscal year;

7 (2) for fiscal year 2010, the expenditures for all
8 budgeted funds, both actual to date and estimated for the
9 full fiscal year;

10 (3) for fiscal year 2011, the estimated revenues for
11 all budgeted funds, including without limitation the
12 affordable General Revenue Fund appropriations, for the
13 full fiscal year; and

14 (4) for fiscal year 2011, an estimate of the
15 anticipated liabilities for all budgeted funds, including
16 without limitation the affordable General Revenue Fund
17 appropriations, debt service on bonds issued, and the
18 State's contributions to the pension systems, for the full
19 fiscal year.

20 Between July 1 and August 31 of each fiscal year, the
21 members of the General Assembly and members of the public may
22 make written budget recommendations to the Governor.

23 Beginning with budgets prepared for fiscal year 2013, the
24 budgets submitted by the Governor and appropriations made by
25 the General Assembly for all executive branch State agencies
26 must adhere to a method of budgeting where each priority must

1 be justified each year according to merit rather than
2 according to the amount appropriated for the preceding year.

3 Beginning with budgets prepared for fiscal year 2026, the
4 budgets submitted by the Governor and appropriations made by
5 the General Assembly for all executive branch State agencies
6 must include a detailed accounting of all proposed spending on
7 noncitizen and asylum-seeking populations.

8 (Source: P.A. 102-671, eff. 11-30-21.)

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