



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4010

Introduced 1/14/2004, by Thomas Holbrook

SYNOPSIS AS INTRODUCED:

15 ILCS 520/7

from Ch. 130, par. 26

Amends the Deposit of State Moneys Act. Provides that the Treasurer may accept a proposal from an eligible institution that provides a reduced rate of interest if the institution agrees to expend an amount equal to the reduction for the delivery of credit union products and services and financial literacy programs to low income persons or economically disadvantaged areas of the State. Effective immediately.

LRB093 17508 RCE 43177 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Deposit of State Moneys Act is amended by
5 changing Section 7 as follows:

6 (15 ILCS 520/7) (from Ch. 130, par. 26)

7 Sec. 7. (a) Proposals made may either be approved or
8 rejected by the State Treasurer. A bank or savings and loan
9 association whose proposal is approved shall be eligible to
10 become a State depository for the class or classes of funds
11 covered by its proposal. A bank or savings and loan association
12 whose proposal is rejected shall not be so eligible. The State
13 Treasurer shall seek to have at all times a total of not less
14 than 20 banks or savings and loan associations which are
15 approved as State depositories for time deposits.

16 (b) The State Treasurer may, in his discretion, accept a
17 proposal from an eligible institution which provides for a
18 reduced rate of interest provided that such institution
19 documents the use of deposited funds for community development
20 projects.

21 (b-5) The State Treasurer may, in his or her discretion,
22 accept a proposal from an eligible institution that provides
23 for a reduced rate of interest, provided that such institution
24 agrees to expend an amount of money equal to the amount of the
25 reduction for the preservation of Cahokia Mounds.

26 (b-10) The State Treasurer may, in his or her discretion,
27 accept a proposal from an eligible institution that provides
28 for a reduced rate of interest, provided that the institution
29 agrees to expend an amount of money equal to the amount of the
30 reduction for senior centers.

31 (b-15) The State Treasurer may, in his or her discretion,
32 accept a proposal from an eligible institution that provides

1 for a reduced rate of interest, provided that the institution
2 agrees to expend an amount of money equal to the amount of the
3 reduction for the delivery of credit union products and
4 services and financial literacy programs to low income persons
5 or economically disadvantaged areas of the State.

6 (c) The State Treasurer may, in his or her discretion,
7 accept a proposal from an eligible institution that provides
8 for interest earnings on deposits of State moneys to be held by
9 the institution in a separate account that the State Treasurer
10 may use to secure up to 10% of any (i) home loans to Illinois
11 citizens purchasing a home in Illinois in situations where the
12 participating financial institution would not offer the
13 borrower a home loan under the institution's prevailing credit
14 standards without the incentive of a reduced rate of interest
15 on deposits of State moneys, (ii) existing home loans of
16 Illinois citizens who have failed to make payments on a home
17 loan as a result of a financial hardship due to circumstances
18 beyond the control of the borrower where there is a reasonable
19 prospect that the borrower will be able to resume full mortgage
20 payments, and (iii) loans in amounts that do not exceed the
21 amount of arrearage on a mortgage and that are extended to
22 enable a borrower to become current on his or her mortgage
23 obligation.

24 The following factors shall be considered by the
25 participating financial institution to determine whether the
26 financial hardship is due to circumstances beyond the control
27 of the borrower: (i) loss, reduction, or delay in the receipt
28 of income because of the death or disability of a person who
29 contributed to the household income, (ii) expenses actually
30 incurred related to the uninsured damage or costly repairs to
31 the mortgaged premises affecting its habitability, (iii)
32 expenses related to the death or illness in the borrower's
33 household or of family members living outside the household
34 that reduce the amount of household income, (iv) loss of income
35 or a substantial increase in total housing expenses because of
36 divorce, abandonment, separation from a spouse, or failure to

1 support a spouse or child, (v) unemployment or underemployment,
2 (vi) loss, reduction, or delay in the receipt of federal,
3 State, or other government benefits, and (vii) participation by
4 the homeowner in a recognized labor action such as a strike. In
5 determining whether there is a reasonable prospect that the
6 borrower will be able to resume full mortgage payments, the
7 participating financial institution shall consider factors
8 including, but not necessarily limited to the following: (i) a
9 favorable work and credit history, (ii) the borrower's ability
10 to and history of paying the mortgage when employed, (iii) the
11 lack of an impediment or disability that prevents reemployment,
12 (iv) new education and training opportunities, (v) non-cash
13 benefits that may reduce household expenses, and (vi) other
14 debts.

15 For the purposes of this Section, "home loan" means a loan,
16 other than an open-end credit plan or a reverse mortgage
17 transaction, for which (i) the principal amount of the loan
18 does not exceed 50% of the conforming loan size limit for a
19 single-family dwelling as established from time to time by the
20 Federal National Mortgage Association, (ii) the borrower is a
21 natural person, (iii) the debt is incurred by the borrower
22 primarily for personal, family, or household purposes, and (iv)
23 the loan is secured by a mortgage or deed of trust on real
24 estate upon which there is located or there is to be located a
25 structure designed principally for the occupancy of no more
26 than 4 families and that is or will be occupied by the borrower
27 as the borrower's principal dwelling.

28 (d) If there is an agreement between the State Treasurer
29 and an eligible institution that details the use of deposited
30 funds, the agreement may not require the gift of money, goods,
31 or services to a third party; this provision does not restrict
32 the eligible institution from contracting with third parties in
33 order to carry out the intent of the agreement or restrict the
34 State Treasurer from placing requirements upon third-party
35 contracts entered into by the eligible institution.

36 (Source: P.A. 92-482, eff. 8-23-01; 92-531, eff. 2-8-02;

1 92-625, eff. 7-11-02; 93-246, eff. 7-22-03.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.