



Sen. Donne E. Trotter

**Filed: 5/13/2005**

09400HB0398sam002

LRB094 06903 RSP 46497 a

1 AMENDMENT TO HOUSE BILL 398

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 398 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois State Auditing Act is amended by  
5 changing Section 3-1 as follows:

6 (30 ILCS 5/3-1) (from Ch. 15, par. 303-1)

7 Sec. 3-1. Jurisdiction of Auditor General. The Auditor  
8 General has jurisdiction over all State agencies to make post  
9 audits and investigations authorized by or under this Act or  
10 the Constitution.

11 The Auditor General has jurisdiction over local government  
12 agencies and private agencies only:

13 (a) to make such post audits authorized by or under  
14 this Act as are necessary and incidental to a post audit of  
15 a State agency or of a program administered by a State  
16 agency involving public funds of the State, but this  
17 jurisdiction does not include any authority to review local  
18 governmental agencies in the obligation, receipt,  
19 expenditure or use of public funds of the State that are  
20 granted without limitation or condition imposed by law,  
21 other than the general limitation that such funds be used  
22 for public purposes;

23 (b) to make investigations authorized by or under this  
24 Act or the Constitution; and

1 (c) to make audits of the records of local government  
2 agencies to verify actual costs of state-mandated programs  
3 when directed to do so by the Legislative Audit Commission  
4 at the request of the State Board of Appeals under the  
5 State Mandates Act.

6 In addition to the foregoing, the Auditor General may  
7 conduct an audit of the Metropolitan Pier and Exposition  
8 Authority, the Regional Transportation Authority, the Suburban  
9 Bus Division, the Commuter Rail Division and the Chicago  
10 Transit Authority and any other subsidized carrier when  
11 authorized by the Legislative Audit Commission. Such audit may  
12 be a financial, management or program audit, or any combination  
13 thereof.

14 The audit shall determine whether they are operating in  
15 accordance with all applicable laws and regulations. Subject to  
16 the limitations of this Act, the Legislative Audit Commission  
17 may by resolution specify additional determinations to be  
18 included in the scope of the audit.

19 In addition to the foregoing, the Auditor General shall  
20 conduct or cause to be conducted a financial audit and  
21 compliance attestation examination for the year ended December  
22 31, 2004, of the Chicago Transit Authority's use of funds and  
23 moneys appropriated by the General Assembly to the Department  
24 of Transportation which are distributed to the Regional  
25 Transportation Authority, by the means of grants, awards, State  
26 aid formula payments, construction funds, and direct or  
27 indirect payments. The audits shall determine if these funds  
28 have been and are being expended consistent with and in  
29 furtherance of the purposes set forth in the Regional  
30 Transportation Authority Act. In conjunction with those  
31 audits, the Auditor General shall conduct a performance audit  
32 to review the Chicago Transit Authority's actual service levels  
33 for the most recent year for which statistics are available and  
34 a comparison to projected service levels for the current budget

1 year.

2 In addition to the foregoing, the Auditor General must also  
3 conduct a financial audit of the Illinois Sports Facilities  
4 Authority's expenditures of public funds in connection with the  
5 reconstruction, renovation, remodeling, extension, or  
6 improvement of all or substantially all of any existing  
7 "facility", as that term is defined in the Illinois Sports  
8 Facilities Authority Act.

9 The Auditor General may also conduct an audit, when  
10 authorized by the Legislative Audit Commission, of any hospital  
11 which receives 10% or more of its gross revenues from payments  
12 from the State of Illinois, Department of Public Aid, Medical  
13 Assistance Program.

14 The Auditor General is authorized to conduct financial and  
15 compliance audits of the Illinois Distance Learning Foundation  
16 and the Illinois Conservation Foundation.

17 As soon as practical after the effective date of this  
18 amendatory Act of 1995, the Auditor General shall conduct a  
19 compliance and management audit of the City of Chicago and any  
20 other entity with regard to the operation of Chicago O'Hare  
21 International Airport, Chicago Midway Airport and Merrill C.  
22 Meigs Field. The audit shall include, but not be limited to, an  
23 examination of revenues, expenses, and transfers of funds;  
24 purchasing and contracting policies and practices; staffing  
25 levels; and hiring practices and procedures. When completed,  
26 the audit required by this paragraph shall be distributed in  
27 accordance with Section 3-14.

28 The Auditor General shall conduct a financial and  
29 compliance and program audit of distributions from the  
30 Municipal Economic Development Fund during the immediately  
31 preceding calendar year pursuant to Section 8-403.1 of the  
32 Public Utilities Act at no cost to the city, village, or  
33 incorporated town that received the distributions.

34 The Auditor General must conduct an audit of the Health

1 Facilities Planning Board pursuant to Section 19.5 of the  
2 Illinois Health Facilities Planning Act.

3 The Auditor General of the State of Illinois shall annually  
4 conduct or cause to be conducted a financial and compliance  
5 audit of the books and records of any county water commission  
6 organized pursuant to the Water Commission Act of 1985 and  
7 shall file a copy of the report of that audit with the Governor  
8 and the Legislative Audit Commission. The filed audit shall be  
9 open to the public for inspection. The cost of the audit shall  
10 be charged to the county water commission in accordance with  
11 Section 6z-27 of the State Finance Act. The county water  
12 commission shall make available to the Auditor General its  
13 books and records and any other documentation, whether in the  
14 possession of its trustees or other parties, necessary to  
15 conduct the audit required. These audit requirements apply only  
16 through July 1, 2007.

17 The Auditor General must conduct audits of the Rend Lake  
18 Conservancy District as provided in Section 25.5 of the River  
19 Conservancy Districts Act.

20 The Auditor General must conduct financial audits of the  
21 Southeastern Illinois Economic Development Authority as  
22 provided in Section 70 of the Southeastern Illinois Economic  
23 Development Authority Act.

24 (Source: P.A. 93-226, eff. 7-22-03; 93-259, eff. 7-22-03;  
25 93-275, eff. 7-22-03; 93-968, eff. 8-20-04.)

26 Section 10. The Abused and Neglected Long Term Care  
27 Facility Residents Reporting Act is amended by changing Section  
28 6.8 as follows:

29 (210 ILCS 30/6.8) (from Ch. 111 1/2, par. 4166.8)

30 Sec. 6.8. Program audit. The Auditor General shall conduct  
31 a biennial program audit of the office of the Inspector General  
32 in relation to the Inspector General's compliance with this

1 Act. The audit shall specifically include the Inspector  
2 General's effectiveness in investigating reports of alleged  
3 neglect or abuse of residents in any facility operated by the  
4 Department of Human Services and in making recommendations for  
5 sanctions to the Departments of Human Services and Public  
6 Health. In conjunction with the audit required by this Section,  
7 the Auditor General shall examine, on a test basis, facility  
8 records concerning reports of injuries to and assaults on  
9 facility staff by patients or residents. The Auditor General  
10 shall conduct the program audit according to the provisions of  
11 the Illinois State Auditing Act and shall report its findings  
12 to the General Assembly no later than January 1 of each  
13 odd-numbered year.

14 (Source: P.A. 92-358, eff. 8-15-01; 93-636, eff. 12-31-03.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law."