

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 1. Short title. This Act may be cited as the
5 Funding Accountability and Transparency Act.

6 Section 5. Full Disclosure of entities receiving State
7 funding.

8 (a) Definitions. In this Section:

9 (1) Entity. The term "entity":

10 (A) Includes, whether for-profit or non-profit:

11 (i) a corporation;

12 (ii) an association;

13 (iii) a partnership;

14 (iv) a limited liability company;

15 (v) a limited liability partnership;

16 (vi) a sole proprietorship;

17 (vii) any other legal business entity;

18 (viii) any other grantee or contractor that is
19 not excluded by subparagraph (B) or (C); and

20 (ix) any unit of local government or school
21 district; and

22 (B) on and after January 1, 2009, includes any
23 subcontractor or subgrantee.

1 (C) Does not include:

2 (i) an individual recipient of State
3 assistance; or

4 (ii) a State employee.

5 (2) State award. The term "State award":

6 (A) means State financial assistance and
7 expenditures that include grants, contracts,
8 subgrants, subcontracts, loans, awards, cooperative
9 agreements, purchase orders, task orders, delivery
10 orders, and other forms of financial assistance;

11 (B) does not include individual transactions below
12 \$25,000;

13 (C) does not include moneys received by a retailer
14 serving as a vendor as part of a reimbursement-only
15 program for goods and services through the Department
16 of Children and Family Services, the Department of
17 Human Services, the Department of Healthcare and
18 Family Services, the Department of Public Health, the
19 Department on Aging, or any of their successor
20 agencies; and

21 (D) before October 1, 2008, does not include credit
22 card transactions.

23 (3) Searchable website. The term "searchable website"
24 means a website that allows the public to:

25 (A) search State funding by any element required by
26 subsection (b) (1);

1 (B) ascertain through a single search the total
2 amount of State funding awarded to an entity, by fiscal
3 year; and

4 (C) download data included in subparagraph (A)
5 included in the outcome from searches.

6 (b) In general:

7 (1) Website. Not later than January 1, 2008, the
8 Governor's Office of Management and Budget shall, in
9 accordance with this Section, ensure the existence and
10 operation of a single searchable website, accessible by the
11 public at no cost to access, that includes for each State
12 award:

13 (A) the name of the entity receiving the award;

14 (B) the amount of the award;

15 (C) information on the award, including
16 transaction type, funding agency, program source, and
17 an award title descriptive of the purpose of each
18 funding action;

19 (D) the location of the entity receiving the award
20 and the primary location of performance under the
21 award, including the county, township, municipality,
22 Legislative District, and Representative District;

23 (E) a unique identifier of the entity receiving the
24 award and of the parent entity of the recipient, should
25 the entity be owned by another entity; and

26 (F) any other relevant information specified by

1 the Governor's Office of Management and Budget.

2 (2) Scope of data. The website shall include data for
3 fiscal year 2007 and each fiscal year thereafter.

4 (3) Designation of agencies. The Director of the
5 Governor's Office of Management and Budget is authorized to
6 designate one or more State agencies to participate in the
7 development, establishment, operation, and support of the
8 single website. In the initial designation, or in
9 subsequent instructions and guidance, the Director may
10 specify the scope of the responsibilities of each agency.

11 (4) Agency responsibilities. State agencies shall
12 comply with the instructions and guidance issued by the
13 Director of the Governor's Office of Management and Budget
14 under paragraph (3), and shall provide appropriate
15 assistance to the Director upon request, so as to assist
16 the Director in ensuring the existence and operation of the
17 single website.

18 (c) Website. The website established under this Section:

19 (1) may use any other existing sources of data if these
20 data sources are searchable through the website and can be
21 accessed in a single search;

22 (2) shall not be considered in compliance if it
23 hyperlinks to other existing websites or sources of data
24 and the result is that the information elements required in
25 subsection (b)(1) cannot be searched electronically by
26 field in a single search;

1 (3) shall provide an opportunity for the public to
2 provide input about the utility of the site and
3 recommendations for improvements; and

4 (4) shall be updated not later than 30 days after the
5 award of any State award requiring a posting.

6 (d) Sub-award data.

7 (1) Pilot program.

8 (A) In general. Not later than July 1, 2007, the
9 Director of the Governor's Office of Management and
10 Budget shall commence a pilot program to:

11 (i) test the collection and accession of data
12 about subgrants and subcontracts;

13 (ii) determine how to implement a sub-award
14 reporting program across State government,
15 including a reporting system under which the
16 entity issuing a sub-grant or subcontract is
17 responsible for fulfilling the sub-award reporting
18 requirement; and

19 (iii) a mechanism for collecting and
20 incorporating agency and public feedback on the
21 design and utility of the website.

22 (B) Termination. The pilot program under
23 subparagraph (A) shall terminate not later than
24 January 1, 2009.

25 (2) Reporting of sub-awards.

26 (A) In general. Based on the pilot program

1 conducted under paragraph (1) and, except as provided
2 in subparagraph (B), not later than January 1, 2009,
3 the Director of the Governor's Office of Management and
4 Budget:

5 (i) shall ensure that data regarding
6 sub-awards are disclosed in the same manner as data
7 regarding other State awards, as required by this
8 Act;

9 (ii) shall ensure that the method for
10 collecting and distributing data about sub-awards
11 under clause (i):

12 (I) minimizes burdens imposed on State
13 award recipients and sub-award recipients;

14 (II) allows State award recipients and
15 sub-award recipients to allocate reasonable
16 costs for the collection and reporting of
17 sub-award data as indirect costs; and

18 (III) establishes cost-effective
19 requirements for collecting sub-award data
20 under block grants, formula grants, and other
21 types of assistance to units of local
22 governments and school districts.

23 (B) Extension of deadline. For sub-award
24 recipients that receive State funds through units of
25 local government or school districts, the Director of
26 the Governor's Office of Management and Budget may

1 extend the deadline for ensuring that data regarding
2 such sub-awards are disclosed in the same manner as
3 data regarding other State awards for a period not to
4 exceed 18 months if the Director determines that
5 compliance would impose an undue burden on the
6 sub-award recipient.

7 (e) Exception. Any entity that demonstrates to the Director
8 of the Governor's Office of Management and Budget that the
9 gross income, from all sources, for that entity did not exceed
10 \$300,000 in the previous tax year of that entity shall be
11 exempt from the requirement to report sub-awards under
12 subsection (d) until the Director determines that the
13 imposition of that reporting requirements will not cause an
14 undue burden on that entity.

15 (f) Construction. Nothing in this Act shall prohibit the
16 Governor's Office of Management and Budget from including
17 through the website established under this Section access to
18 data that is publicly available in any other federal database.

19 (g) Report:

20 (1) In general. The Director of the Governor's Office
21 of Management and Budget shall submit to the Governor an
22 annual report regarding the implementation of the website
23 established under this Section.

24 (2) Contents. Each report submitted under paragraph
25 (1) shall include:

26 (A) data regarding the usage and public feedback on

1 the utility of the site (including recommendations for
2 improving data quality and collection);

3 (B) an assessment of the reporting burden placed on
4 State award and sub-award recipients; and

5 (C) an explanation of any extension of the
6 sub-award reporting deadline under subsection
7 (d) (2) (B), if applicable.

8 (3) Recommendations. The Governor shall review the
9 report of the Governor's Office of Management and Budget
10 and in each even-numbered year make recommendations to the
11 General Assembly on how to improve the website.

12 (4) Publication. The Director of the Governor's Office
13 of Management and Budget shall make each report submitted
14 under paragraph (1) publicly available on the website
15 established under this Section.

16 Section 10. Classified information. Nothing in this Act
17 shall require the disclosure of classified information.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.