



Rep. Esther Golar

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09500HB5788ham003

LRB095 17007 AJ0 49736 a

1 AMENDMENT TO HOUSE BILL 5788

2 AMENDMENT NO. _____. Amend House Bill 5788, AS AMENDED, in
3 Section 10, by replacing Sec. 6z-80, with the following:

4 "(30 ILCS 105/6z-80 new)

5 Sec. 6z-80. The Foreclosure Prevention Counseling Fund.

6 (a) There is created in the State treasury a special fund
7 to be known as the Foreclosure Prevention Counseling Fund. The
8 Fund shall consist of all moneys deposited, transferred, or
9 appropriated into the Fund from any legal source.

10 (b) Subject to appropriations, the Illinois Housing
11 Development Authority shall use the moneys in the Fund in the
12 following manner:

13 1. 75% of the moneys in the Fund, subject to
14 appropriation, shall be used to make grants to
15 HUD-certified housing counseling agencies that provide
16 services outside the City of Chicago and across the State,
17 as provided in Section 7.30 of the Illinois Housing

1 Development Act. Grants made by the Illinois Housing
2 Development Authority shall be based upon the number of
3 foreclosures filed in a HUD-certified counseling agency's
4 service area, the capacity of a HUD-certified housing
5 counseling agency to provide foreclosure counseling
6 services, and any other facts that the Illinois Housing
7 Development Authority deems appropriate.

8 2. The remaining moneys shall, subject to
9 appropriation, be distributed to the City of Chicago to
10 provide grants to HUD-certified housing counseling
11 agencies located within the City of Chicago to support
12 pre-purchase and post-purchase home-ownership education
13 and foreclosure prevention counseling activities under
14 programs administered by the City of Chicago.

15 (c) Notwithstanding any other law to the contrary, the Fund
16 is not subject to sweeps, administrative charges or
17 charge-backs, or any other fiscal or budgetary maneuver that
18 would in any way transfer any funds from the Fund into any
19 other fund of the State.

20 (d) This Section shall be repealed 3 years after the
21 effective date of this amendatory Act of the 95th General
22 Assembly.

23 (e) Notwithstanding any other rulemaking authority that
24 may exist, neither the Governor nor any agency or agency head
25 under the jurisdiction of the Governor has any authority to
26 make or promulgate rules to implement or enforce the provisions

1 of this amendatory Act of the 95th General Assembly. If,
2 however, the Governor believes that rules are necessary to
3 implement or enforce the provisions of this amendatory Act of
4 the 95th General Assembly, the Governor may suggest rules to
5 the General Assembly by filing them with the Clerk of the House
6 and Secretary of the Senate and by requesting that the General
7 Assembly authorize such rulemaking by law, enact those
8 suggested rules into law, or take any other appropriate action
9 in the General Assembly's discretion. Nothing contained in this
10 amendatory Act of the 95th General Assembly shall be
11 interpreted to grant rulemaking authority under any other
12 Illinois statute where such authority is not otherwise
13 explicitly given. For the purposes of this amendatory Act of
14 the 95th General Assembly, "rules" is given the meaning
15 contained in Section 1-70 of the Illinois Administrative
16 Procedure Act, and "agency" and "agency head" are given the
17 meanings contained in Sections 1-20 and 1-25 of the Illinois
18 Administrative Procedure Act to the extent that such
19 definitions apply to agencies or agency heads under the
20 jurisdiction of the Governor."; and

21 by deleting Section 15.