Rep. Sara Feigenholtz

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09700SB1802ham003   LRB097 09314 KTG 56495 a

1   AMENDMENT TO SENATE BILL 1802

2   AMENDMENT NO. _____. Amend Senate Bill 1802, AS AMENDED,

3   with reference to page and line numbers of House Amendment No.

4   2, as follows:

5   on page 8, by replacing line 15 with the following:

6   "based on income standards developed by rule by the Department

7   with input from the superintendent of each school, parents";

8   and

9   on page 8, line 17, by replacing "shall" with "may"; and

10   on page 9, line 16, after "to the", by inserting

11   "superintendent for initial recommendation with a final

12   determination by the"; and

13   on page 9, line 17, by deleting "for review"; and

1   on page 9, immediately below line 17, by inserting the
2   following:
3   "Any fees collected under this subsection (c) shall be held
4   locally by the school and used exclusively for the purpose for
5   which the fee was assessed."; and

6   on page 9, by replacing lines 20 through 24 with the following:

7   "(30 ILCS 540/3-2)
8   Sec. 3-2. Beginning July 1, 1993, in any instance where a
9   State official or agency is late in payment of a vendor's bill
10   or invoice for goods or services furnished to the State, as
11   defined in Section 1, properly approved in accordance with
12   rules promulgated under Section 3-3, the State official or
13   agency shall pay interest to the vendor in accordance with the
14   following:
15   (1) Any bill, except a bill submitted under Article V
16   of the Illinois Public Aid Code and except as provided
17   under paragraph (1.05), approved for payment under this
18   Section must be paid or the payment issued to the payee
19   within 60 days of receipt of a proper bill or invoice. If
20   payment is not issued to the payee within this 60-day 60
21   day period, an interest penalty of 1.0% of any amount
22   approved and unpaid shall be added for each month or
23   fraction thereof after the end of this 60-day 60 day
24   period, until final payment is made. Any bill, except a

1   bill for pharmacy or nursing facility services or goods,
2   submitted under Article V of the Illinois Public Aid Code
3   approved for payment under this Section must be paid or the
4   payment issued to the payee within 60 days after receipt of
5   a proper bill or invoice, and, if payment is not issued to
6   the payee within this 60-day period, an interest penalty of
7   2.0% of any amount approved and unpaid shall be added for
8   each month or fraction thereof after the end of this 60-day
9   period, until final payment is made. Any bill for pharmacy
10   or nursing facility services or goods submitted under
11   Article V of the Illinois Public Aid Code and, approved for
12   payment under this Section must be paid or the payment
13   issued to the payee within 60 days of receipt of a proper
14   bill or invoice. If payment is not issued to the payee
15   within this 60-day 60 day period, an interest penalty of
16   1.0% of any amount approved and unpaid shall be added for
17   each month or fraction thereof after the end of this 60-day
18   60 day period, until final payment is made.

19   (1.05) For State fiscal year 2012 and future fiscal
20   years, any bill approved for payment under this Section
21   must be paid or the payment issued to the payee within 90
22   days of receipt of a proper bill or invoice. If payment is
23   not issued to the payee within this 90-day period, an
24   interest penalty of 1.0% of any amount approved and unpaid
25   shall be added for each month or fraction thereof after the
26   end of this 90-day period, until final payment is made.

1   (1.1) A State agency shall review in a timely manner
2   each bill or invoice after its receipt. If the State agency
3   determines that the bill or invoice contains a defect
4   making it unable to process the payment request, the agency
5   shall notify the vendor requesting payment as soon as
6   possible after discovering the defect pursuant to rules
7   promulgated under Section 3-3; provided, however, that the
8   notice for construction related bills or invoices must be
9   given not later than 30 days after the bill or invoice was
10   first submitted. The notice shall identify the defect and
11   any additional information necessary to correct the
12   defect. If one or more items on a construction related bill
13   or invoice are disapproved, but not the entire bill or
14   invoice, then the portion that is not disapproved shall be
15   paid.

16   (2) Where a State official or agency is late in payment
17   of a vendor's bill or invoice properly approved in
18   accordance with this Act, and different late payment terms
19   are not reduced to writing as a contractual agreement, the
20   State official or agency shall automatically pay interest
21   penalties required by this Section amounting to $50 or more
22   to the appropriate vendor. Each agency shall be responsible
23   for determining whether an interest penalty is owed and for
24   paying the interest to the vendor. Interest due to a vendor
25   that amounts to less than $50 shall not be paid but shall
26   be accrued until all interest due the vendor for all

1   similar warrants exceeds $50, at which time the accrued

2   interest shall be payable and interest will begin accruing

3   again, except that interest accrued as of the end of the

4   fiscal year that does not exceed $50 shall be payable at

5   that time. In the event an individual has paid a vendor for

6   services in advance, the provisions of this Section shall

7   apply until payment is made to that individual.

8   (3) The provisions of Public Act 96-1501 ~~this~~

9   ~~amendatory Act of the 96th General Assembly~~ reducing the

10   interest rate on pharmacy claims under Article V of the

11   Illinois Public Aid Code to 1.0% per month shall apply to

12   any pharmacy bills for services and goods under Article V

13   of the Illinois Public Aid Code received on or after the

14   date 60 days before January 25, 2011 (the effective date of

15   Public Act 96-1501) until the effective date of this

16   amendatory Act of the 97th General Assembly ~~this amendatory~~

17   ~~Act of the 96th General Assembly~~.

18   (Source: P.A. 96-555, eff. 8-18-09; 96-802, eff. 1-1-10;

19   96-959, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1501, eff.

20   1-25-11; 96-1530, eff. 2-16-11; revised 2-22-11.)"; and

21   by deleting pages 10 and 11; and

22   on page 12, by deleting lines 1 through 24.