

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 State Finance Act is amended by adding
5 Section 5.826 as follows:

6 (30 ILCS 105/5.826 new)

7 Sec. 5.826. The Human Services Provider Payment Fund.

8 Section 10. The General Obligation Bond Act is amended by
9 changing Sections 2, 2.5 and 12 and by adding Section 7.6 as
10 follows:

11 (30 ILCS 330/2) (from Ch. 127, par. 652)

12 Sec. 2. Authorization for Bonds. The State of Illinois is
13 authorized to issue, sell and provide for the retirement of
14 General Obligation Bonds of the State of Illinois for the
15 categories and specific purposes expressed in Sections 2
16 through 8 of this Act, in the total amount of \$49,592,925,743
17 ~~\$47,092,925,743~~ ~~\$45,476,125,743~~.

18 The bonds authorized in this Section 2 and in Section 16 of
19 this Act are herein called "Bonds".

20 Of the total amount of Bonds authorized in this Act, up to
21 \$2,200,000,000 in aggregate original principal amount may be

1 issued and sold in accordance with the Baccalaureate Savings
2 Act in the form of General Obligation College Savings Bonds.

3 Of the total amount of Bonds authorized in this Act, up to
4 \$300,000,000 in aggregate original principal amount may be
5 issued and sold in accordance with the Retirement Savings Act
6 in the form of General Obligation Retirement Savings Bonds.

7 Of the total amount of Bonds authorized in this Act, the
8 additional \$10,000,000,000 authorized by Public Act 93-2, the
9 \$3,466,000,000 authorized by Public Act 96-43, and the
10 \$4,096,348,300 authorized by Public Act 96-1497 shall be used
11 solely as provided in Section 7.2.

12 The issuance and sale of Bonds pursuant to the General
13 Obligation Bond Act is an economical and efficient method of
14 financing the long-term capital needs of the State. This Act
15 will permit the issuance of a multi-purpose General Obligation
16 Bond with uniform terms and features. This will not only lower
17 the cost of registration but also reduce the overall cost of
18 issuing debt by improving the marketability of Illinois General
19 Obligation Bonds.

20 (Source: P.A. 96-5, eff. 4-3-09; 96-36, eff. 7-13-09; 96-43,
21 eff. 7-15-09; 96-885, eff. 3-11-10; 96-1000, eff. 7-2-10;
22 96-1497, eff. 1-14-11; 96-1554, eff. 3-18-11; 97-333, eff.
23 8-12-11; 97-771, eff. 7-10-12; 97-813, eff. 7-13-12; revised
24 7-23-12.)

25 (30 ILCS 330/2.5)

1 Sec. 2.5. Limitation on issuance of Bonds.

2 (a) Except as provided in subsection (b) and in Section
3 7.6, no Bonds may be issued if, after the issuance, in the next
4 State fiscal year after the issuance of the Bonds, the amount
5 of debt service (including principal, whether payable at
6 maturity or pursuant to mandatory sinking fund installments,
7 and interest) on all then-outstanding Bonds, other than Bonds
8 authorized by Public Act 96-43 and other than Bonds authorized
9 by this amendatory Act of the 96th General Assembly, would
10 exceed 7% of the aggregate appropriations from the general
11 funds (which consist of the General Revenue Fund, the Common
12 School Fund, the General Revenue Common School Special Account
13 Fund, and the Education Assistance Fund) and the Road Fund for
14 the fiscal year immediately prior to the fiscal year of the
15 issuance.

16 (b) If the Comptroller and Treasurer each consent in
17 writing, Bonds may be issued even if the issuance does not
18 comply with subsection (a).

19 (Source: P.A. 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11.)

20 (30 ILCS 330/7.6 new)

21 Sec. 7.6. Payments to bona fide creditors.

22 (a) The amount of \$2,500,000,000 is authorized to be used
23 for the purpose of making payments to bona fide creditors of
24 the State who: (1) have submitted a bill or invoice to the
25 State that was properly approved under rules adopted under

1 Section 3-3 of the State Prompt Payment Act or (2) are entitled
2 to payment from State funds. For the purposes of this Section,
3 the term "bona fide creditor" includes, but is not limited to,
4 healthcare providers, human service providers, and any entity
5 paid from a grant line by the Department of Healthcare and
6 Family Services, the Department of Human Services, the
7 Department of Children and Family Service, the Department of
8 Public Health, or the Department on Aging. The proceeds of the
9 additional \$2,500,000,000 of bonds authorized by this
10 amendatory Act of the 98th General Assembly shall not be used
11 to pay contributions to any pension or retirement system of the
12 State, any unit of local government or school district, or any
13 agency or instrumentality thereof.

14 (b) The proceeds of the additional \$2,500,000,000 of bonds
15 authorized by this amendatory Act of the 98th General Assembly,
16 less the amounts directly paid out for bond sale expenses under
17 Section 8, shall be deposited into the Human Service Provider
18 Payment Fund, a special fund created in the State Treasury.
19 Moneys in the Human Service Provider Payment Fund shall be used
20 to make payments to bona fide creditors of the State, as
21 defined in subsection (a). Priority will be given to payments
22 that receive Federal Medical Assistance Percentage (FMAP) up to
23 \$2,000,000,000 of the total amount authorized. The federal
24 proceeds garnered from the payment of these bills shall be
25 deposited directly into the General Obligation Bond Retirement
26 and Interest Fund and used to pay the principal debt associated

1 with the bonds authorized under this Section. Funds remaining
2 after payments are made that receive FMAP shall be prioritized
3 according to the date on which the debt first became
4 delinquent, with the oldest debts to be paid first.

5 (c) The Human Service Provider Payment Fund is not subject
6 administrative charges or chargebacks, including, but not
7 limited to, those authorized under Section 8h of the State
8 Finance Act.

9 (d) Any federal proceeds received from FMAP for the payment
10 of bills shall be deposited directly into the General
11 Obligation Bond Retirement and Interest Fund. The Comptroller
12 shall use these funds to pay the principal on the debt incurred
13 under this Section no later than 30 days after FMAP proceeds
14 are deposited into the General Obligation Bond Retirement and
15 Interest Fund.

16 (30 ILCS 330/12) (from Ch. 127, par. 662)

17 Sec. 12. Allocation of Proceeds from Sale of Bonds.

18 (a) Proceeds from the sale of Bonds, authorized by Section
19 3 of this Act, shall be deposited in the separate fund known as
20 the Capital Development Fund.

21 (b) Proceeds from the sale of Bonds, authorized by
22 paragraph (a) of Section 4 of this Act, shall be deposited in
23 the separate fund known as the Transportation Bond, Series A
24 Fund.

25 (c) Proceeds from the sale of Bonds, authorized by

1 paragraphs (b) and (c) of Section 4 of this Act, shall be
2 deposited in the separate fund known as the Transportation
3 Bond, Series B Fund.

4 (c-1) Proceeds from the sale of Bonds, authorized by
5 paragraph (d) of Section 4 of this Act, shall be deposited into
6 the Transportation Bond Series D Fund, which is hereby created.

7 (d) Proceeds from the sale of Bonds, authorized by Section
8 5 of this Act, shall be deposited in the separate fund known as
9 the School Construction Fund.

10 (e) Proceeds from the sale of Bonds, authorized by Section
11 6 of this Act, shall be deposited in the separate fund known as
12 the Anti-Pollution Fund.

13 (f) Proceeds from the sale of Bonds, authorized by Section
14 7 of this Act, shall be deposited in the separate fund known as
15 the Coal Development Fund.

16 (f-2) Proceeds from the sale of Bonds, authorized by
17 Section 7.2 of this Act, shall be deposited as set forth in
18 Section 7.2.

19 (f-5) Proceeds from the sale of Bonds, authorized by
20 Section 7.5 of this Act, shall be deposited as set forth in
21 Section 7.5.

22 (f-6) Proceeds from the sale of Bonds authorized by Section
23 7.6 of this Act shall be deposited as set forth in Section 7.6.

24 (g) Proceeds from the sale of Bonds, authorized by Section
25 8 of this Act, shall be deposited in the Capital Development
26 Fund.

1 (h) Subsequent to the issuance of any Bonds for the
2 purposes described in Sections 2 through 8 of this Act, the
3 Governor and the Director of the Governor's Office of
4 Management and Budget may provide for the reallocation of
5 unspent proceeds of such Bonds to any other purposes authorized
6 under said Sections of this Act, subject to the limitations on
7 aggregate principal amounts contained therein. Upon any such
8 reallocation, such unspent proceeds shall be transferred to the
9 appropriate funds as determined by reference to paragraphs (a)
10 through (g) of this Section.

11 (Source: P.A. 96-36, eff. 7-13-09.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.