

1 AN ACT concerning State government.

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 Social
5 Services Contract Notice Act.

6 Section 5. Definitions. As used in this Act:

7 "Authorized service provider" means a non-governmental
8 agency responsible for providing services on behalf of the
9 State of Illinois under a grant awarded or a contract,
10 fee-for-service agreement, fixed-rate agreement, or service
11 agreement entered into by a State agency.

12 "Direct services" means those services that are provided
13 directly to Illinois residents by an authorized service
14 provider through a grant awarded or a contract, fee-for-service
15 agreement, or fixed-rate agreement entered into by a State
16 agency.

17 "Social services" or "services" means direct services that
18 are provided by a State agency through a grant awarded to or
19 service agreement or contract with an authorized service
20 provider and that are designed to ensure the health, safety,
21 education, or welfare of Illinois residents.

22 "State agency" means any department, office, commission,
23 board, or authority within the Executive Department.

1 Section 10. Termination of contract.

2 (a) Any grant agreement, service agreement, or contract
3 between a State agency and an authorized service provider for
4 the provision of social services may be terminated by either
5 party to the agreement, contract, or grant for any or no reason
6 upon 30 days' prior written notice to the other party. Unless
7 the Illinois Grant Funds Recovery Act provides otherwise, any
8 suspension or reduction in the estimated amount of the grant
9 agreement, service agreement, or contract shall be subject to
10 30 days' prior written notice to the other party.

11 (b) A written notice issued by a State agency pursuant to
12 subsection (a) shall include the date upon which the authorized
13 service provider must submit its final invoice to the State
14 agency for payment for services rendered.

15 (c) Notwithstanding subsections (a) and (b), the State
16 agency may, upon written notice, immediately terminate a grant
17 agreement, service agreement, or contract for social services
18 if the authorized service provider has made material
19 misrepresentations or material omissions explicitly prohibited
20 under the designated agreement or contract.

21 (d) Nothing in this Section affects the parties' ability to
22 immediately terminate a grant agreement, service agreement, or
23 contract for breach of contract.

24 (e) This Section applies to agreements or contracts
25 executed on or after the effective date of this Act.

1 Section 15. Notice.

2 (a) If a State agency that provides social services to
3 Illinois residents through a grant awarded to or service
4 agreement or contract with an authorized service provider
5 intends to suspend, terminate, or reduce the amount of a grant
6 agreement, service agreement, or contract for a particular
7 social services program due to the failure of appropriation or
8 a reduction in the amount of available funds to support the
9 program, the State agency shall notify the Governor, the
10 Speaker of the House of Representatives, the Minority Leader of
11 the House of Representatives, the President of the Senate, and
12 the Minority Leader of the Senate in writing of its intent to
13 suspend, terminate, or reduce the grant agreement, service
14 agreement, or contract. Such notice shall be provided no less
15 than 120 days before the State agency suspends, terminates, or
16 reduces the grant agreement, service agreement, or contract and
17 must include the level of appropriations required to prevent
18 any suspension, termination, or reduction.

19 (b) This Section applies to agreements and contracts
20 entered before, on, or after the effective date of this Act.

21 (c) Failure of a State agency to submit notice to the
22 General Assembly as required under this Section shall not
23 prevent termination of a contract or agreement entered into
24 prior to the effective date of this Act.

1 Section 20. Waiver. The requirements of this Act may not
2 be waived by agreement.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.