



Rep. Barbara Flynn Currie

Filed: 4/14/2016

09900HB0581ham001

LRB099 04419 KTG 47493 a

1 AMENDMENT TO HOUSE BILL 581

2 AMENDMENT NO. _____. Amend House Bill 581 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Social 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.

1 "Social services" or "services" means direct services that
2 are provided by a State agency through a grant awarded to or
3 service agreement or contract with an authorized service
4 provider and that are designed to ensure the health, safety,
5 education, or welfare of Illinois residents.

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

8 Section 10. Termination of contract.

9 (a) Any grant agreement, service agreement, or contract
10 between a State agency and an authorized service provider for
11 the provision of social services may be terminated by either
12 party to the agreement, contract, or grant for any or no reason
13 upon 30 days' prior written notice to the other party. Unless
14 the Illinois Grant Funds Recovery Act provides otherwise, any
15 suspension or reduction in the estimated amount of the grant
16 agreement, service agreement, or contract shall be subject to
17 30 days' prior written notice to the other party.

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

22 (c) Notwithstanding subsections (a) and (b):

23 (1) the State agency may, upon written notice,
24 immediately terminate a grant agreement, service
25 agreement, or contract for social services if the

1 authorized service provider has made material
2 misrepresentations or material omissions explicitly
3 prohibited under the designated agreement or contract; and

4 (2) an authorized service provider may, upon written
5 notice, immediately terminate or suspend a grant,
6 contract, or agreement if the State agency owes the
7 provider funds under the grant agreement, service
8 agreement, or contract that are over 90 days past due.

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

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

14 Section 15. Notice.

15 (a) If a State agency that provides social services to
16 Illinois residents through a grant awarded to or service
17 agreement or contract with an authorized service provider
18 intends to suspend, terminate, or reduce the amount of a grant
19 agreement, service agreement, or contract for a particular
20 social services program due to the failure of appropriation or
21 a reduction in the amount of available funds to support the
22 program, the State agency shall notify the Governor, the
23 Speaker of the House of Representatives, the Minority Leader of
24 the House of Representatives, the President of the Senate, and
25 the Minority Leader of the Senate in writing of its intent to

1 suspend, terminate, or reduce the grant agreement, service
2 agreement, or contract. Such notice shall be provided no less
3 than 120 days before the State agency suspends, terminates, or
4 reduces the grant agreement, service agreement, or contract and
5 must include the level of appropriations required to prevent
6 any suspension, termination, or reduction.

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

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

13 Section 20. Waiver. The requirements of this Act may not
14 be waived by agreement.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."