



Rep. Barbara Flynn Currie

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LRB099 04419 KTG 47959 a

1 AMENDMENT TO HOUSE BILL 581

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 581, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the  
6 Social Services Contract Notice Act.

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

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

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

1 agency.

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

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

9 Section 10. Termination of contract.

10 (a) Any grant agreement, service agreement, or contract  
11 between a State agency and an authorized service provider for  
12 the provision of social services may be terminated by either  
13 party to the agreement, contract, or grant for any or no reason  
14 upon 30 days' prior written notice to the other party. Unless  
15 the Illinois Grant Funds Recovery Act provides otherwise, any  
16 suspension or reduction in the estimated amount of the grant  
17 agreement, service agreement, or contract shall be subject to  
18 30 days' prior written notice to the other party.

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

23 (c) Notwithstanding subsections (a) and (b), the State  
24 agency may, upon written notice, immediately terminate a grant  
25 agreement, service agreement, or contract for social services

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

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

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

9 Section 15. Notice.

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

1 any suspension, termination, or reduction.

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

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

8 Section 20. Waiver. The requirements of this Act may not  
9 be waived by agreement.

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law."