

1 AN ACT concerning deductions from State warrants.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Comptroller Act is amended by
5 changing Section 10.05 as follows:

6 (15 ILCS 405/10.05) (from Ch. 15, par. 210.05)

7 Sec. 10.05. Deductions from warrants; statement of
8 reason for deduction. Whenever any person shall be entitled
9 to a warrant or other payment from the treasury or other
10 funds held by the State Treasurer, on any account, against
11 whom there shall be any account or claim in favor of the
12 State, then due and payable, the Comptroller, upon
13 notification thereof, shall ascertain the amount due and
14 payable to the State, as aforesaid, and draw a warrant on the
15 treasury or on other funds held by the State Treasurer,
16 stating the amount for which the party was entitled to a
17 warrant or other payment, the amount deducted therefrom, and
18 on what account, and directing the payment of the balance;
19 which warrant or payment as so drawn shall be entered on the
20 books of the Treasurer, and such balance only shall be paid.
21 The Comptroller may deduct the entire amount due and payable
22 to the State or may deduct a portion of the amount due and
23 payable to the State in accordance with the request of the
24 notifying agency. No request from a notifying agency for an
25 amount to be deducted under this Section from a wage or
26 salary payment, or from a contractual payment to an
27 individual for personal services, shall exceed 25% of the net
28 amount of such payment. "Net amount" means that part of the
29 earnings of an individual remaining after deduction of any
30 amounts required by law to be withheld. For purposes of this
31 provision, wage, salary or other payments for personal

1 services shall not include final compensation payments for
2 the value of accrued vacation, overtime or sick leave.
3 Whenever the Comptroller draws a warrant or makes a payment
4 involving a deduction ordered under this Section, the
5 Comptroller shall notify the payee and the State agency that
6 submitted the voucher of the reason for the deduction and he
7 or she shall retain a record of such statement in his or her
8 records. As used in this Section, an "account or claim in
9 favor of the State" includes all amounts owing to "State
10 agencies" as defined in Section 7 of this Act. However, the
11 Comptroller shall not be required to accept accounts or
12 claims owing to funds not held by the State Treasurer, where
13 such accounts or claims do not exceed \$50, nor shall the
14 Comptroller deduct from funds held by the State Treasurer
15 under the Senior Citizens and Disabled Persons Property Tax
16 Relief and Pharmaceutical Assistance Act or the Children's
17 Health Insurance Program Act. The Comptroller and the
18 Department of the Lottery shall enter into an interagency
19 agreement to establish responsibility, duties, and procedures
20 relating to deductions from lottery prizes awarded under
21 Section 20.1 of the Illinois Lottery Law.
22 (Source: P.A. 90-37, eff. 6-27-97.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.