



Rep. Barbara Flynn Currie

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1 AMENDMENT TO SENATE BILL 2172

2 AMENDMENT NO. _____. Amend Senate Bill 2172 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by changing
5 Section 25 as follows:

6 (30 ILCS 105/25) (from Ch. 127, par. 161)

7 Sec. 25. Fiscal year limitations.

8 (a) All appropriations shall be available for expenditure
9 for the fiscal year or for a lesser period if the Act making
10 that appropriation so specifies. A deficiency or emergency
11 appropriation shall be available for expenditure only through
12 June 30 of the year when the Act making that appropriation is
13 enacted unless that Act otherwise provides.

14 (b) Outstanding liabilities as of June 30, payable from
15 appropriations which have otherwise expired, may be paid out of
16 the expiring appropriations during the 2-month period ending at

1 the close of business on August 31. Any service involving
2 professional or artistic skills or any personal services by an
3 employee whose compensation is subject to income tax
4 withholding must be performed as of June 30 of the fiscal year
5 in order to be considered an "outstanding liability as of June
6 30" that is thereby eligible for payment out of the expiring
7 appropriation.

8 (b-1) However, payment of tuition reimbursement claims
9 under Section 14-7.03 or 18-3 of the School Code may be made by
10 the State Board of Education from its appropriations for those
11 respective purposes for any fiscal year, even though the claims
12 reimbursed by the payment may be claims attributable to a prior
13 fiscal year, and payments may be made at the direction of the
14 State Superintendent of Education from the fund from which the
15 appropriation is made without regard to any fiscal year
16 limitations, except as required by subsection (j) of this
17 Section. Beginning on June 30, 2021, payment of tuition
18 reimbursement claims under Section 14-7.03 or 18-3 of the
19 School Code as of June 30, payable from appropriations that
20 have otherwise expired, may be paid out of the expiring
21 appropriation during the 4-month period ending at the close of
22 business on October 31.

23 (b-2) All outstanding liabilities as of June 30, 2010,
24 payable from appropriations that would otherwise expire at the
25 conclusion of the lapse period for fiscal year 2010, and
26 interest penalties payable on those liabilities under the State

1 Prompt Payment Act, may be paid out of the expiring
2 appropriations until December 31, 2010, without regard to the
3 fiscal year in which the payment is made, as long as vouchers
4 for the liabilities are received by the Comptroller no later
5 than August 31, 2010.

6 (b-2.5) All outstanding liabilities as of June 30, 2011,
7 payable from appropriations that would otherwise expire at the
8 conclusion of the lapse period for fiscal year 2011, and
9 interest penalties payable on those liabilities under the State
10 Prompt Payment Act, may be paid out of the expiring
11 appropriations until December 31, 2011, without regard to the
12 fiscal year in which the payment is made, as long as vouchers
13 for the liabilities are received by the Comptroller no later
14 than August 31, 2011.

15 (b-3) Medical payments may be made by the Department of
16 Veterans' Affairs from its appropriations for those purposes
17 for any fiscal year, without regard to the fact that the
18 medical services being compensated for by such payment may have
19 been rendered in a prior fiscal year, except as required by
20 subsection (j) of this Section. Beginning on June 30, 2021,
21 medical payments payable from appropriations that have
22 otherwise expired may be paid out of the expiring appropriation
23 during the 4-month period ending at the close of business on
24 October 31.

25 (b-4) Medical payments may be made by the Department of
26 Healthcare and Family Services and medical payments and child

1 care payments may be made by the Department of Human Services
2 (as successor to the Department of Public Aid) from
3 appropriations for those purposes for any fiscal year, without
4 regard to the fact that the medical or child care services
5 being compensated for by such payment may have been rendered in
6 a prior fiscal year; and payments may be made at the direction
7 of the Department of Healthcare and Family Services from the
8 Health Insurance Reserve Fund and the Local Government Health
9 Insurance Reserve Fund without regard to any fiscal year
10 limitations, except as required by subsection (j) of this
11 Section. Beginning on June 30, 2021, medical payments made by
12 the Department of Healthcare and Family Services, child care
13 payments made by the Department of Human Services, and payments
14 made at the discretion of the Department of Healthcare and
15 Family Services from the Health Insurance Reserve Fund and the
16 Local Government Health Insurance Reserve Fund payable from
17 appropriations that have otherwise expired may be paid out of
18 the expiring appropriation during the 4-month period ending at
19 the close of business on October 31.

20 (b-5) Medical payments may be made by the Department of
21 Human Services from its appropriations relating to substance
22 abuse treatment services for any fiscal year, without regard to
23 the fact that the medical services being compensated for by
24 such payment may have been rendered in a prior fiscal year,
25 provided the payments are made on a fee-for-service basis
26 consistent with requirements established for Medicaid

1 reimbursement by the Department of Healthcare and Family
2 Services, except as required by subsection (j) of this Section.
3 Beginning on June 30, 2021, medical payments made by the
4 Department of Human Services relating to substance abuse
5 treatment services payable from appropriations that have
6 otherwise expired may be paid out of the expiring appropriation
7 during the 4-month period ending at the close of business on
8 October 31.

9 (b-6) Additionally, payments may be made by the Department
10 of Human Services from its appropriations, or any other State
11 agency from its appropriations with the approval of the
12 Department of Human Services, from the Immigration Reform and
13 Control Fund for purposes authorized pursuant to the
14 Immigration Reform and Control Act of 1986, without regard to
15 any fiscal year limitations, except as required by subsection
16 (j) of this Section. Beginning on June 30, 2021, payments made
17 by the Department of Human Services from the Immigration Reform
18 and Control Fund for purposes authorized pursuant to the
19 Immigration Reform and Control Act of 1986 payable from
20 appropriations that have otherwise expired may be paid out of
21 the expiring appropriation during the 4-month period ending at
22 the close of business on October 31.

23 (b-7) Payments may be made in accordance with a plan
24 authorized by paragraph (11) or (12) of Section 405-105 of the
25 Department of Central Management Services Law from
26 appropriations for those payments without regard to fiscal year

1 limitations.

2 (c) Further, payments may be made by the Department of
3 Public Health, the Department of Human Services (acting as
4 successor to the Department of Public Health under the
5 Department of Human Services Act), and the Department of
6 Healthcare and Family Services from their respective
7 appropriations for grants for medical care to or on behalf of
8 persons suffering from chronic renal disease, persons
9 suffering from hemophilia, rape victims, and premature and
10 high-mortality risk infants and their mothers and for grants
11 for supplemental food supplies provided under the United States
12 Department of Agriculture Women, Infants and Children
13 Nutrition Program, for any fiscal year without regard to the
14 fact that the services being compensated for by such payment
15 may have been rendered in a prior fiscal year, except as
16 required by subsection (j) of this Section. Beginning on June
17 30, 2021, payments made by the Department of Public Health, the
18 Department of Human Services, and the Department of Healthcare
19 and Family Services from their respective appropriations for
20 grants for medical care to or on behalf of persons suffering
21 from chronic renal disease, persons suffering from hemophilia,
22 rape victims, and premature and high-mortality risk infants and
23 their mothers and for grants for supplemental food supplies
24 provided under the United States Department of Agriculture
25 Women, Infants and Children Nutrition Program payable from
26 appropriations that have otherwise expired may be paid out of

1 the expiring appropriations during the 4-month period ending at
2 the close of business on October 31.

3 (d) The Department of Public Health and the Department of
4 Human Services (acting as successor to the Department of Public
5 Health under the Department of Human Services Act) shall each
6 annually submit to the State Comptroller, Senate President,
7 Senate Minority Leader, Speaker of the House, House Minority
8 Leader, and the respective Chairmen and Minority Spokesmen of
9 the Appropriations Committees of the Senate and the House, on
10 or before December 31, a report of fiscal year funds used to
11 pay for services provided in any prior fiscal year. This report
12 shall document by program or service category those
13 expenditures from the most recently completed fiscal year used
14 to pay for services provided in prior fiscal years.

15 (e) The Department of Healthcare and Family Services, the
16 Department of Human Services (acting as successor to the
17 Department of Public Aid), and the Department of Human Services
18 making fee-for-service payments relating to substance abuse
19 treatment services provided during a previous fiscal year shall
20 each annually submit to the State Comptroller, Senate
21 President, Senate Minority Leader, Speaker of the House, House
22 Minority Leader, the respective Chairmen and Minority
23 Spokesmen of the Appropriations Committees of the Senate and
24 the House, on or before November 30, a report that shall
25 document by program or service category those expenditures from
26 the most recently completed fiscal year used to pay for (i)

1 services provided in prior fiscal years and (ii) services for
2 which claims were received in prior fiscal years.

3 (f) The Department of Human Services (as successor to the
4 Department of Public Aid) shall annually submit to the State
5 Comptroller, Senate President, Senate Minority Leader, Speaker
6 of the House, House Minority Leader, and the respective
7 Chairmen and Minority Spokesmen of the Appropriations
8 Committees of the Senate and the House, on or before December
9 31, a report of fiscal year funds used to pay for services
10 (other than medical care) provided in any prior fiscal year.
11 This report shall document by program or service category those
12 expenditures from the most recently completed fiscal year used
13 to pay for services provided in prior fiscal years.

14 (g) In addition, each annual report required to be
15 submitted by the Department of Healthcare and Family Services
16 under subsection (e) shall include the following information
17 with respect to the State's Medicaid program:

18 (1) Explanations of the exact causes of the variance
19 between the previous year's estimated and actual
20 liabilities.

21 (2) Factors affecting the Department of Healthcare and
22 Family Services' liabilities, including but not limited to
23 numbers of aid recipients, levels of medical service
24 utilization by aid recipients, and inflation in the cost of
25 medical services.

26 (3) The results of the Department's efforts to combat

1 fraud and abuse.

2 (h) As provided in Section 4 of the General Assembly
3 Compensation Act, any utility bill for service provided to a
4 General Assembly member's district office for a period
5 including portions of 2 consecutive fiscal years may be paid
6 from funds appropriated for such expenditure in either fiscal
7 year.

8 (i) An agency which administers a fund classified by the
9 Comptroller as an internal service fund may issue rules for:

10 (1) billing user agencies in advance for payments or
11 authorized inter-fund transfers based on estimated charges
12 for goods or services;

13 (2) issuing credits, refunding through inter-fund
14 transfers, or reducing future inter-fund transfers during
15 the subsequent fiscal year for all user agency payments or
16 authorized inter-fund transfers received during the prior
17 fiscal year which were in excess of the final amounts owed
18 by the user agency for that period; and

19 (3) issuing catch-up billings to user agencies during
20 the subsequent fiscal year for amounts remaining due when
21 payments or authorized inter-fund transfers received from
22 the user agency during the prior fiscal year were less than
23 the total amount owed for that period.

24 User agencies are authorized to reimburse internal service
25 funds for catch-up billings by vouchers drawn against their
26 respective appropriations for the fiscal year in which the

1 catch-up billing was issued or by increasing an authorized
2 inter-fund transfer during the current fiscal year. For the
3 purposes of this Act, "inter-fund transfers" means transfers
4 without the use of the voucher-warrant process, as authorized
5 by Section 9.01 of the State Comptroller Act.

6 (i-1) Beginning on July 1, 2021, all outstanding
7 liabilities, not payable during the 4-month lapse period as
8 described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and
9 (c) of this Section, that are made from appropriations for that
10 purpose for any fiscal year, without regard to the fact that
11 the services being compensated for by those payments may have
12 been rendered in a prior fiscal year, are limited to only those
13 claims that have been incurred but for which a proper bill or
14 invoice as defined by the State Prompt Payment Act has not been
15 received by September 30th following the end of the fiscal year
16 in which the service was rendered.

17 (j) Notwithstanding any other provision of this Act, the
18 aggregate amount of payments to be made without regard for
19 fiscal year limitations as contained in subsections (b-1),
20 (b-3), (b-4), (b-5), (b-6), and (c) of this Section, and
21 determined by using Generally Accepted Accounting Principles,
22 shall not exceed the following amounts:

23 (1) \$6,000,000,000 for outstanding liabilities related
24 to fiscal year 2012;

25 (2) \$5,300,000,000 for outstanding liabilities related
26 to fiscal year 2013;

1 (3) \$4,600,000,000 for outstanding liabilities related
2 to fiscal year 2014;

3 (4) \$4,000,000,000 for outstanding liabilities related
4 to fiscal year 2015;

5 (5) \$3,300,000,000 for outstanding liabilities related
6 to fiscal year 2016;

7 (6) \$2,600,000,000 for outstanding liabilities related
8 to fiscal year 2017;

9 (7) \$2,000,000,000 for outstanding liabilities related
10 to fiscal year 2018;

11 (8) \$1,300,000,000 for outstanding liabilities related
12 to fiscal year 2019;

13 (9) \$600,000,000 for outstanding liabilities related
14 to fiscal year 2020; and

15 (10) \$0 for outstanding liabilities related to fiscal
16 year 2021 and fiscal years thereafter.

17 (Source: P.A. 95-331, eff. 8-21-07; 96-928, eff. 6-15-10;
18 96-958, eff. 7-1-10; 96-1501, eff. 1-25-11.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."