

HB3079



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3079

Introduced 2/6/2025, by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

30 ILCS 545/2

from Ch. 127, par. 132.52

Amends the Public Contract Fraud Act. Provides that, if the Attorney General fails to approve or disapprove the title within 45 days of submittal, the title shall be deemed approved by the Attorney General.

LRB104 11111 HLH 21193 b

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The Public Contract Fraud Act is amended by
5 changing Section 2 as follows:

6 (30 ILCS 545/2) (from Ch. 127, par. 132.52)

7 Sec. 2. Spending money without obtaining title to land;
8 approval of title by Attorney General.

9 (a) Except as otherwise provided in Section 2 of the
10 Superconducting Super Collider Act or for projects constructed
11 under the Bikeway Act, any person or persons, commissioner or
12 commissioners, or other officer or officers, entrusted with
13 the construction or repair of any public work or improvement,
14 as set forth in Section 1, who shall expend or cause to be
15 expended upon such public work or improvement, the whole or
16 any part of the moneys appropriated therefor, or who shall
17 commence work, or in any way authorize work to be commenced,
18 thereon, without first having obtained a title, by purchase,
19 donation, condemnation or otherwise, to all lands needed for
20 such public work or improvement, running to the People of the
21 State of Illinois; such title to be approved by the Attorney
22 General, and his approval certified by the Secretary of State
23 and placed on record in his office, shall be deemed guilty of a

1 Class A misdemeanor.

2 (b) Approval of title by the Attorney General for all
3 lands needed for a public work or improvement shall not be
4 required as established under subsection (a) of this Section
5 and the State Comptroller may draw warrant in payment of
6 consideration for all such lands without requiring approval of
7 title by the Attorney General if consideration to be paid does
8 not exceed \$25,000 and the title acquired for such lands is
9 for:

10 (1) a fee simple title or easement acquired by the
11 State for highway right-of-way; or

12 (2) an acquisition of rights or easements of access,
13 crossing, light, air or view to, from or over a freeway
14 vested in abutting property; or

15 (3) a fee simple title or easement used to place
16 utility lines and connect a permanent public work or
17 improvement owned by the State to main utility lines; or

18 (4) for the purpose of flood relief or other water
19 resource projects.

20 (c-5) Notwithstanding any other provision of State or
21 federal law, if the Attorney General fails to approve or
22 disapprove the title within 45 days of submittal, the title
23 shall be deemed approved by the Attorney General.

24 (c) This Section does not apply to any otherwise lawful
25 expenditures for the construction, completion, remodeling,
26 maintenance and equipment of buildings and other facilities

1 made in connection with and upon premises owned by the
2 Illinois Building Authority, nor shall this Section apply to
3 improvements to real estate leased by any State agency as
4 defined in the Illinois State Auditing Act, provided the
5 leasehold improvements were contracted for by an agency with
6 leasing authority and in compliance with the rules and
7 regulations promulgated by such agency for that purpose.

8 (Source: P.A. 103-865, eff. 1-1-25.)