



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4340

Introduced 1/14/2026, by Rep. Dagmara Avelar

SYNOPSIS AS INTRODUCED:

705 ILCS 505/8.2 new	
705 ILCS 505/9	from Ch. 37, par. 439.9
705 ILCS 505/10	from Ch. 37, par. 439.10
705 ILCS 505/11	from Ch. 37, par. 439.11
705 ILCS 505/16	from Ch. 37, par. 439.16
705 ILCS 505/19	from Ch. 37, par. 439.19
705 ILCS 505/21	from Ch. 37, par. 439.21
705 ILCS 505/24	from Ch. 37, par. 439.24

Amends the Court of Claims Act. Creates an administrative process for uncontested claims for vendors arising from contracts with the State. Requires a State agency to confirm or reject an uncontested claim that is from a lapsed appropriation and valued at less than \$2,500 within 30 days after being notified in writing by the Attorney General. Provides that if the State agency does not confirm or reject the claim within that 30-day period, then the State agency forfeits the right to reject or contest the claim. Requires the Comptroller, subject to appropriation, then issue payment to the vendor within 30 days of the court entering such an award. Provides that if the court determines that it is unable to process such an uncontested claim because the bill or invoice contains a defect, the court must notify the vendor in writing of the defect no later than 30 days after the bill or invoice was first submitted. Provides that if one or more items on a bill or invoice are disapproved, but not the entire bill or invoice, then the portion that is not disapproved must be transmitted to the Comptroller for payment. Changes the filing fees required under the Act as follows: a fee of \$15 for a petition seeking more than \$500 but less than \$10,000; and \$35 for a petition seeking more than \$10,000 or more. Requires that the court must allow claimants to submit documentation to amend and cure defects. Makes other changes. Authorizes the Court of Claims to adopt rules to implement the Act.

LRB104 17556 JRC 30984 b

1 AN ACT concerning civil law.

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

4 Section 5. The Court of Claims Act is amended by changing
5 Sections 9, 10, 11, 16, 19, 21, and 24 and by adding Section
6 8.2 as follows:

7 (705 ILCS 505/8.2 new)

8 Sec. 8.2. Uncontested contractual claims.

9 (a) A State agency must confirm or reject an uncontested
10 claim arising under subsection (b) of Section 8 of this Act
11 that is from a lapsed appropriation and valued at less than
12 \$2,500 within 30 days after being notified in writing of the
13 claim by the Attorney General. If the State agency does not
14 confirm or reject the claim within that 30-day period, then
15 the State agency forfeits the right to reject or contest the
16 claim. Subject to appropriation, the Comptroller must then
17 issue payment to the vendor within 30 days of the court
18 entering an award for a claim described in this Section.

19 (b) If the court determines that it is unable to process an
20 uncontested claim under this Section because the bill or
21 invoice contains a defect, the court must notify the vendor in
22 writing of the defect no later than 30 days after the bill or
23 invoice was first submitted. The notice must identify the

1 defect and any additional information necessary to correct the
2 defect. If one or more items on a bill or invoice are
3 disapproved, but not the entire bill or invoice, then the
4 portion that is not disapproved must be transmitted to the
5 Comptroller for payment. For disapproved portions of a claim,
6 the court must allow vendors to submit documentation to amend
7 and cure defects.

8 (c) The Court of Claims may adopt rules to implement this
9 Act.

10 (705 ILCS 505/9) (from Ch. 37, par. 439.9)

11 Sec. 9. Powers and duties. ~~The court may:~~

12 (a) The court shall confirm receipt of a claim to the
13 vendor within 30 days for all claims arising under subsection
14 (b) of Section 8 of this Act.

15 (b) The court may establish ~~A. Establish~~ rules for its
16 government and for the regulation of practice therein; appoint
17 commissioners to assist the court in such manner as it directs
18 and discharge them at will; and exercise such powers as are
19 necessary to carry into effect the powers granted in this
20 Section. Any Commissioner appointed shall be an attorney
21 licensed to practice law in the State of Illinois. The rules
22 established hereunder shall not be waived, and any extension
23 of time authorized by such rules shall only be allowed on
24 motion duly filed within the time limitation for which the
25 extension is requested.

1 (c) The court may issue ~~B. Issue~~ subpoenas through the
2 Chief Justice or one of its judges or commissioners to require
3 the attendance of witnesses for the purpose of testifying
4 before it, or before any judge of the court, or before any
5 notary public, or any of its commissioners, and to require the
6 production of any books, records, papers or documents that may
7 be material or relevant as evidence in any matter pending
8 before it. In case any person refuses to comply with any
9 subpoena issued in the name of the chief justice, or one of the
10 judges or commissioners, attested by the clerk, with the seal
11 of the court attached, and served upon the person named
12 therein as a summons in a civil action is served, the circuit
13 court of the proper county, on application of the party at
14 whose instance the subpoena was issued, shall compel obedience
15 by attachment proceedings, as for contempt, as in a case of a
16 disobedience of the requirements of a subpoena from such court
17 on a refusal to testify therein.

18 ~~6.~~ The court may adopt administrative rules to provide for
19 remote or electronic filing of a claim or other motion,
20 participation in any capacity before the court, taking of
21 evidence or testimony, conducting any business of the court,
22 or payment of any fees to the court.

23 (Source: P.A. 104-188, eff. 1-1-26.)

24 (705 ILCS 505/10) (from Ch. 37, par. 439.10)

25 Sec. 10. Oaths; administrative determination of claims;

1 rules.

2 (a) The judges, commissioners and the clerk of the court
3 may administer oaths and affirmations, take acknowledgments of
4 instruments in writing, and give certificates of them.

5 (b) The clerk of the court may administratively determine
6 claims against the State if the claim includes all of the
7 following:

8 (1) the claim arises under subsection (b) of Section 8
9 of this Act;

10 (2) the claim does not arise under an appropriation
11 for the current fiscal year;

12 (3) the relevant State agency concurs in the claim;

13 (4) the amount claimed is less than \$2,500; and

14 (5) the Attorney General recommends that the court
15 approve the claim.

16 The relevant State agency shall prepare the record of the
17 claim consisting of all documents required to be filed or
18 submitted to the court and file them with the clerk. The clerk
19 shall consider the claim informally upon the record submitted.
20 If the clerk determines that the claim meets the requirements
21 of this Act, the clerk shall file a statement with the court to
22 that effect. If the clerk finds that the record is inadequate
23 or does not comply with the requirements of this Act, the clerk
24 shall reject the claim. The rejection of a claim under this
25 Section does not bar its resubmission under the court's
26 regular procedure.

1 (Source: Laws 1945, p. 660.)

2 (705 ILCS 505/11) (from Ch. 37, par. 439.11)

3 Sec. 11. Filing claims.

4 (a) Except as otherwise provided in subsection (b) of this
5 Section and subsection (4) of Section 24, the claimant shall
6 in all cases set forth fully in his petition the claim, the
7 action thereon, if any, on behalf of the State, what persons
8 are owners or trustees as defined in Section 3 of the
9 Charitable Trust Act thereof or interested therein, when and
10 upon what consideration such persons became so interested;
11 that no assignment or transfer of the claim or any part thereof
12 or interest therein has been made, except as stated in the
13 petition; that the claimant is justly entitled to the amount
14 therein claimed from the State of Illinois, after allowing all
15 just credits; and that claimant believes the facts stated in
16 the petition to be true. The petition shall be verified, as to
17 statements of facts, by the affidavit of the claimant, his
18 agent, or attorney.

19 (b) Whenever a person has served a term of imprisonment
20 and has received a pardon by the Governor stating that such
21 pardon was issued on the ground of innocence of the crime for
22 which he or she was imprisoned, the Prisoner Review Board
23 shall transmit this information to the clerk of the Court of
24 Claims, together with the claimant's current address. Whenever
25 a person has served a term of imprisonment and has received a

1 certificate of innocence from the Circuit Court as provided in
2 Section 2-702 of the Code of Civil Procedure, the clerk of the
3 issuing Circuit Court shall transmit this information to the
4 clerk of the Court of Claims, together with the claimant's
5 current address. The clerk of the Court of Claims shall
6 immediately docket the case for consideration by the Court of
7 Claims, and shall provide notice to the claimant of such
8 docketing together with all hearing dates and applicable
9 deadlines. The Court of Claims shall hear the case and render a
10 decision within 90 days after its docketing.

11 (Source: P.A. 95-970, eff. 9-22-08; 96-328, eff. 8-11-09.)

12 (705 ILCS 505/16) (from Ch. 37, par. 439.16)

13 Sec. 16. Concurrence of judges. Except as provided in
14 Section 10, concurrence ~~Concurrence~~ of 4 judges is necessary
15 to the decision of any case; provided, however, the court in
16 its discretion may assign any case to a commissioner for
17 hearing and final decision, subject to whatever right of
18 review the court by rule may choose to exercise. In matters
19 involving the award of emergency funds under the Crime Victims
20 Compensation Act, the decision of one judge is necessary to
21 award emergency funds.

22 (Source: P.A. 92-286, eff. 1-1-02.)

23 (705 ILCS 505/19) (from Ch. 37, par. 439.19)

24 Sec. 19. The Attorney General, or his assistants under his

1 direction, shall appear for the defense and protection of the
2 interests of the State of Illinois in all cases filed in the
3 court, and may make claim for recoupment by the State. Except
4 as provided in Section 8.2, for all claims arising under
5 subsection (b) of Section 8 of this Act:

6 (1) the State agency must confirm or reject in writing
7 the allegations in the claim with the Attorney General's
8 office within 90 days of being contacted by the Attorney
9 General; and

10 (2) the Attorney General must notify the claimant of
11 the State agency's decision and file a stipulation or
12 motion with the Court within 90 days of the State agency
13 confirming or rejecting the claim.

14 (Source: Laws 1945, p. 660.)

15 (705 ILCS 505/21) (from Ch. 37, par. 439.21)

16 Sec. 21. The court is authorized to impose, by uniform
17 rules, a fee of \$15 for the filing of a petition in any case in
18 which the award sought is more than \$500 ~~\$50~~ and less than
19 \$10,000 ~~\$1,000~~ and \$35 in any case in which the award sought is
20 \$10,000 ~~\$1,000~~ or more; and to charge and collect for copies of
21 opinions or other documents filed in the Court of Claims such
22 fees as may be prescribed by the rules of the Court. All fees
23 and charges so collected shall be forthwith paid into the
24 State Treasury. For claims that arise under subsection (b) of
25 Section 8 of this Act, when the clerk issues an order in favor

1 of the vendor or the court rules in favor of the vendor, the
2 filing fee shall be refunded to the vendor. The Court may
3 determine the form and manner of all filing fees and other
4 charges due the court by administrative rule.

5 A petitioner who is a prisoner in an Illinois Department
6 of Corrections facility who files a pleading, motion, or other
7 filing that purports to be a legal document against the State,
8 the Illinois Department of Corrections, the Prisoner Review
9 Board, or any of their officers or employees in which the court
10 makes a specific finding that it is frivolous shall pay all
11 filing fees and court costs in the manner provided in Article
12 XXII of the Code of Civil Procedure.

13 In claims based upon lapsed appropriations or lost warrant
14 or in claims filed under the Line of Duty Compensation Act, the
15 Illinois National Guardsman's Compensation Act, or the Crime
16 Victims Compensation Act or in claims filed by medical vendors
17 for medical services rendered by the claimant to persons
18 eligible for Medical Assistance under programs administered by
19 the Department of Healthcare and Family Services, no filing
20 fee shall be required.

21 (Source: P.A. 104-188, eff. 1-1-26.)

22 (705 ILCS 505/24) (from Ch. 37, par. 439.24)

23 Sec. 24. Payment of awards.

24 (1) From funds appropriated by the General Assembly for
25 the purposes of this Section the Court may direct immediate

1 payment of:

2 (a) All claims arising solely as a result of the
3 lapsing of an appropriation out of which the obligation
4 could have been paid.

5 (b) All claims pursuant to the Line of Duty
6 Compensation Act.

7 (c) All claims pursuant to the "Illinois National
8 Guardsman's and Naval Militiaman's Compensation Act",
9 approved August 12, 1971, as amended.

10 (d) All claims pursuant to the "Crime Victims
11 Compensation Act", approved August 23, 1973, as amended.

12 (d-5) All claims against the State for unjust
13 imprisonment as provided in subsection (c) of Section 8 of
14 this Act.

15 (e) All other claims wherein the amount of the award
16 of the Court is less than \$50,000.

17 (2) The court may, from funds specifically appropriated
18 from the General Revenue Fund for this purpose, direct the
19 payment of awards less than \$100,000 ~~\$50,000~~ solely as a
20 result of the lapsing of an appropriation originally made from
21 any fund held by the State Treasurer. For any such award paid
22 from the General Revenue Fund, the court shall thereafter seek
23 an appropriation from the fund from which the liability
24 originally accrued in reimbursement of the General Revenue
25 Fund.

26 (3) In directing payment of a claim pursuant to the Line of

1 Duty Compensation Act, the Court must direct the Comptroller
2 to add an interest penalty if payment of a claim is not made
3 within 6 months after a claim is filed in accordance with
4 Section 3 of the Line of Duty Compensation Act and all
5 information has been submitted as required under Section 4 of
6 the Line of Duty Compensation Act. If payment is not issued
7 within the 6-month period, an interest penalty of 1% of the
8 amount of the award shall be added for each month or fraction
9 thereof after the end of the 6-month period, until final
10 payment is made. This interest penalty shall be added
11 regardless of whether the payment is not issued within the
12 6-month period because of the appropriation process, the
13 consideration of the matter by the Court, or any other reason.

14 (3.5) The interest penalty payment provided for in
15 subsection (3) shall be added to all claims for which benefits
16 were not paid as of the effective date of P.A. 95-928. The
17 interest penalty shall be calculated starting from the
18 effective date of P.A. 95-928, provided that the effective
19 date of P.A. 95-928 is at least 6 months after the date on
20 which the claim was filed in accordance with Section 3 of the
21 Line of Duty Compensation Act. In the event that the date 6
22 months after the date on which the claim was filed is later
23 than the effective date of P.A. 95-928, the Court shall
24 calculate the interest payment penalty starting from the date
25 6 months after the date on which the claim was filed in
26 accordance with Section 3 of the Line of Duty Compensation

1 Act. This subsection (3.5) of this amendatory Act of the 96th
2 General Assembly is declarative of existing law.

3 (3.6) In addition to the interest payments provided for in
4 subsections (3) and (3.5), the Court shall direct the
5 Comptroller to add a "catch-up" payment to the claims of
6 eligible claimants. For the purposes of this subsection (3.6),
7 an "eligible claimant" is a claimant whose claim is not paid in
8 the year in which it was filed. For purposes of this subsection
9 (3.6), "'catch-up' payment" is defined as the difference
10 between the amount paid to claimants whose claims were filed
11 in the year in which the eligible claimant's claim is paid and
12 the amount paid to claimants whose claims were filed in the
13 year in which the eligible claimant filed his or her claim. The
14 "catch-up" payment is payable simultaneously with the claim
15 award.

16 (4) From funds appropriated by the General Assembly for
17 the purposes of paying claims under paragraph (c) of Section
18 8, the court must direct payment of each claim and the payment
19 must be received by the claimant within 60 days after the date
20 that the funds are appropriated for that purpose.

21 (Source: P.A. 100-1124, eff. 11-27-18.)