



Rep. Jay Hoffman

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1 AMENDMENT TO SENATE BILL 2645

2 AMENDMENT NO. _____. Amend Senate Bill 2645 on page 1,
3 immediately below line 16, by inserting the following:

4 "Section 10. The Governor's Office of Management and
5 Budget Act is amended by changing Section 2.9 as follows:

6 (20 ILCS 3005/2.9)

7 Sec. 2.9. Pursuant to the Grant Accountability and
8 Transparency Act, to maintain a list of those individuals and
9 entities that are ineligible, ~~either temporarily or~~
10 ~~permanently,~~ to receive an award of grant funds from the
11 State.

12 (Source: P.A. 98-706, eff. 7-16-14.)

13 Section 15. The Grant Accountability and Transparency Act
14 is amended by changing Sections 15, 60, and 105 as follows:

1 (30 ILCS 708/15)

2 Sec. 15. Definitions. As used in this Act:

3 "Allowable cost" means a cost allowable to a project if:

4 (1) the costs are reasonable and necessary for the
5 performance of the award;

6 (2) the costs are allocable to the specific project;

7 (3) the costs are treated consistently in like
8 circumstances to both federally-financed and other
9 activities of the non-federal entity;

10 (4) the costs conform to any limitations of the cost
11 principles or the sponsored agreement;

12 (5) the costs are accorded consistent treatment; a
13 cost may not be assigned to a State or federal award as a
14 direct cost if any other cost incurred for the same
15 purpose in like circumstances has been allocated to the
16 award as an indirect cost;

17 (6) the costs are determined to be in accordance with
18 generally accepted accounting principles;

19 (7) the costs are not included as a cost or used to
20 meet federal cost-sharing or matching requirements of any
21 other program in either the current or prior period;

22 (8) the costs of one State or federal grant are not
23 used to meet the match requirements of another State or
24 federal grant; and

25 (9) the costs are adequately documented.

26 "Assistance listings" means the publicly available listing

1 of federal assistance programs managed and administered by the
2 General Services Administration, formerly known as the Catalog
3 of Federal Domestic Assistance (CFDA).

4 "Assistance listing number" or "ALN" means a unique number
5 assigned to identify a federal assistance listing, formerly
6 known as the CFDA Number.

7 "Auditee" means any non-federal entity that expends State
8 or federal awards that must be audited.

9 "Auditor" means an auditor who is a public accountant or a
10 federal, State, or local government audit organization that
11 meets the general standards specified in generally-accepted
12 government auditing standards. "Auditor" does not include
13 internal auditors of nonprofit organizations.

14 "Auditor General" means the Auditor General of the State
15 of Illinois.

16 "Award" means financial assistance that provides support
17 or stimulation to accomplish a public purpose. "Awards"
18 include grants and other agreements in the form of money, or
19 property in lieu of money, by the State or federal government
20 to an eligible recipient. "Award" does not include: technical
21 assistance that provides services instead of money; other
22 assistance in the form of loans, loan guarantees, interest
23 subsidies, or insurance; direct payments of any kind to
24 individuals; or contracts that must be entered into and
25 administered under State or federal procurement laws and
26 regulations.

1 "Budget" means the financial plan for the project or
2 program that the awarding agency or pass-through entity
3 approves during the award process or in subsequent amendments
4 to the award. It may include the State or federal and
5 non-federal share or only the State or federal share, as
6 determined by the awarding agency or pass-through entity.

7 "Catalog of State Financial Assistance" means the single,
8 authoritative, statewide, comprehensive source document of
9 State financial assistance program information maintained by
10 the Governor's Office of Management and Budget.

11 "Catalog of State Financial Assistance Number" means the
12 number assigned to a State program in the Catalog of State
13 Financial Assistance. The first 3 digits represent the State
14 agency number and the last 4 digits represent the program.

15 "Cluster of programs" means a grouping of closely related
16 programs that share common compliance requirements. The types
17 of clusters of programs are research and development, student
18 financial aid, and other clusters. A "cluster of programs"
19 shall be considered as one program for determining major
20 programs and, with the exception of research and development,
21 whether a program-specific audit may be elected.

22 "Cognizant agency for audit" means the federal agency
23 designated to carry out the responsibilities described in 2
24 CFR Part 200, Subpart F - Audit Requirements.

25 "Contract" means a legal instrument by which a non-federal
26 entity purchases property or services needed to carry out the

1 project or program under an award. "Contract" does not include
2 a legal instrument, even if the non-federal entity considers
3 it a contract, when the substance of the transaction meets the
4 definition of an award or subaward.

5 "Contractor" means an entity that receives a contract.

6 "Cooperative agreement" means a legal instrument of
7 financial assistance between an awarding agency or
8 pass-through entity and a non-federal entity that:

9 (1) is used to enter into a relationship with the
10 principal purpose of transferring anything of value from
11 the awarding agency or pass-through entity to the
12 non-federal entity to carry out a public purpose
13 authorized by law, but is not used to acquire property or
14 services for the awarding agency's or pass-through
15 entity's direct benefit or use; and

16 (2) is distinguished from a grant in that it provides
17 for substantial involvement between the awarding agency or
18 pass-through entity and the non-federal entity in carrying
19 out the activity contemplated by the award.

20 "Cooperative agreement" does not include a cooperative
21 research and development agreement, nor an agreement that
22 provides only direct cash assistance to an individual, a
23 subsidy, a loan, a loan guarantee, or insurance.

24 "Corrective action" means action taken by the auditee that
25 (i) corrects identified deficiencies, (ii) produces
26 recommended improvements, or (iii) demonstrates that audit

1 findings are either invalid or do not warrant auditee action.

2 "Cost objective" means a program, function, activity,
3 award, organizational subdivision, contract, or work unit for
4 which cost data is desired and for which provision is made to
5 accumulate and measure the cost of processes, products, jobs,
6 and capital projects. A "cost objective" may be a major
7 function of the non-federal entity, a particular service or
8 project, an award, or an indirect cost activity.

9 "Cost sharing" means the portion of project costs not paid
10 by State or federal funds, unless otherwise authorized by
11 statute.

12 "Development" is the systematic use of knowledge and
13 understanding gained from research directed toward the
14 production of useful materials, devices, systems, or methods,
15 including design and development of prototypes and processes.

16 "Direct costs" means:

17 (1) costs that can be identified specifically with a
18 particular final cost objective, such as a State or
19 federal or federal pass-through award or a particular
20 sponsored project, an instructional activity, or any other
21 institutional activity, or that can be directly assigned
22 to such activities relatively easily with a high degree of
23 accuracy;

24 (2) costs charged directly to a State or federal award
25 that are for the compensation of employees who work on
26 that award, their related fringe benefits, or the costs of

1 materials and other items of expense incurred for the
2 State or federal award;

3 (3) costs that are directly related to a specific
4 award but that would otherwise be treated as indirect
5 costs;

6 (4) salaries of administrative and clerical staff only
7 if all the following conditions are met:

8 (A) the individual's services are integral to a
9 project or activity;

10 (B) the individual can be specifically identified
11 with the project or activity;

12 (C) the costs are explicitly included in the
13 budget or have the prior written approval of the State
14 awarding agency; and

15 (D) the costs are not also recovered as indirect
16 costs.

17 Costs incurred for the same purpose in like circumstances
18 must be treated consistently as either direct costs or
19 indirect costs.

20 "Equipment" means tangible personal property (including
21 information technology systems) having a useful life of more
22 than one year and a per-unit acquisition cost that equals or
23 exceeds the lesser of the capitalization level established by
24 the non-federal entity for financial statement purposes, or
25 \$5,000.

26 "Executive branch" means that branch of State government

1 that is under the jurisdiction of the Governor.

2 "Federal agency" has the meaning provided for "agency"
3 under 5 U.S.C. 551(1) together with the meaning provided for
4 "agency" by 5 U.S.C. 552(f).

5 "Federal award" means:

6 (1) the federal financial assistance that a
7 non-federal entity receives directly from a federal
8 awarding agency or indirectly from a pass-through entity;

9 (2) the cost-reimbursement contract under the Federal
10 Acquisition Regulations that a non-federal entity receives
11 directly from a federal awarding agency or indirectly from
12 a pass-through entity; or

13 (3) the instrument setting forth the terms and
14 conditions when the instrument is the grant agreement,
15 cooperative agreement, other agreement for assistance
16 covered in 2 CFR Part 200, Subpart A, Acronyms and
17 Definitions, or the cost-reimbursement contract awarded
18 under the Federal Acquisition Regulations.

19 "Federal award" does not include other contracts that a
20 federal agency uses to buy goods or services from a contractor
21 or a contract to operate federal government owned,
22 contractor-operated facilities.

23 "Federal awarding agency" means the federal agency that
24 provides a federal award directly to a non-federal entity.

25 "Federal interest" means, for purposes of 2 CFR 200,
26 Subpart D, Post Federal Award Requirements (Performance and

1 Financial Monitoring and Reporting) or when used in connection
2 with the acquisition or improvement of real property,
3 equipment, or supplies under a federal award, the dollar
4 amount that is the product of the federal share of total
5 project costs and current fair market value of the property,
6 improvements, or both, to the extent the costs of acquiring or
7 improving the property were included as project costs.

8 "Federal program" means any of the following:

9 (1) All federal awards which are assigned a single
10 number in the assistance listings.

11 (2) When no assistance listing number is assigned, all
12 federal awards to non-federal entities from the same
13 agency made for the same purpose should be combined and
14 considered one program.

15 (3) Notwithstanding paragraphs (1) and (2) of this
16 definition, a cluster of programs. The types of clusters
17 of programs are:

18 (A) research and development;

19 (B) student financial aid; and

20 (C) "other clusters", as described in the
21 definition of "cluster of programs".

22 "Federal share" means the portion of the total project
23 costs that are paid by federal funds.

24 "Final cost objective" means a cost objective which has
25 allocated to it both direct and indirect costs and, in the
26 non-federal entity's accumulation system, is one of the final

1 accumulation points, such as a particular award, internal
2 project, or other direct activity of a non-federal entity.

3 "Financial assistance" means the following:

4 (1) For grants and cooperative agreements, "financial
5 assistance" means assistance that non-federal entities
6 receive or administer in the form of:

7 (A) grants;

8 (B) cooperative agreements;

9 (C) non-cash contributions or donations of
10 property, including donated surplus property;

11 (D) direct appropriations;

12 (E) food commodities; and

13 (F) other financial assistance, except assistance
14 listed in paragraph (2) of this definition.

15 (2) "Financial assistance" includes assistance that
16 non-federal entities receive or administer in the form of
17 loans, loan guarantees, interest subsidies, and insurance.

18 (3) "Financial assistance" does not include amounts
19 received as reimbursement for services rendered to
20 individuals.

21 "Fixed amount awards" means a type of grant agreement
22 under which the awarding agency or pass-through entity
23 provides a specific level of support without regard to actual
24 costs incurred under the award. "Fixed amount awards" reduce
25 some of the administrative burden and record-keeping
26 requirements for both the non-federal entity and awarding

1 agency or pass-through entity. Accountability is based
2 primarily on performance and results.

3 "Foreign public entity" means:

4 (1) a foreign government or foreign governmental
5 entity;

6 (2) a public international organization that is
7 entitled to enjoy privileges, exemptions, and immunities
8 as an international organization under the International
9 Organizations Immunities Act (22 U.S.C. 288-288f);

10 (3) an entity owned, in whole or in part, or
11 controlled by a foreign government; or

12 (4) any other entity consisting wholly or partially of
13 one or more foreign governments or foreign governmental
14 entities.

15 "Foreign organization" means an entity that is:

16 (1) a public or private organization located in a
17 country other than the United States and its territories
18 that are subject to the laws of the country in which it is
19 located, irrespective of the citizenship of project staff
20 or place of performance;

21 (2) a private nongovernmental organization located in
22 a country other than the United States that solicits and
23 receives cash contributions from the general public;

24 (3) a charitable organization located in a country
25 other than the United States that is nonprofit and tax
26 exempt under the laws of its country of domicile and

1 operation, but is not a university, college, accredited
2 degree-granting institution of education, private
3 foundation, hospital, organization engaged exclusively in
4 research or scientific activities, church, synagogue,
5 mosque, or other similar entity organized primarily for
6 religious purposes; or

7 (4) an organization located in a country other than
8 the United States not recognized as a Foreign Public
9 Entity.

10 "Fringe benefits" has the same meaning as provided in 2
11 CFR Part 200, Subpart E - Cost Principles.

12 "Generally Accepted Accounting Principles" has the meaning
13 provided in accounting standards issued by the Government
14 Accounting Standards Board and the Financial Accounting
15 Standards Board.

16 "Generally Accepted Government Auditing Standards" means
17 generally accepted government auditing standards issued by the
18 Comptroller General of the United States that are applicable
19 to financial audits.

20 "Grant agreement" means a legal instrument of financial
21 assistance between an awarding agency or pass-through entity
22 and a non-federal entity that:

23 (1) is used to enter into a relationship, the
24 principal purpose of which is to transfer anything of
25 value from the awarding agency or pass-through entity to
26 the non-federal entity to carry out a public purpose

1 authorized by law and not to acquire property or services
2 for the awarding agency or pass-through entity's direct
3 benefit or use; and

4 (2) is distinguished from a cooperative agreement in
5 that it does not provide for substantial involvement
6 between the awarding agency or pass-through entity and the
7 non-federal entity in carrying out the activity
8 contemplated by the award.

9 "Grant agreement" does not include an agreement that
10 provides only direct cash assistance to an individual, a
11 subsidy, a loan, a loan guarantee, or insurance.

12 "Grant application" means a specified form that is
13 completed by a non-federal entity in connection with a request
14 for a specific funding opportunity or a request for financial
15 support of a project or activity.

16 "Hospital" means a facility licensed as a hospital under
17 the law of any state or a facility operated as a hospital by
18 the United States, a state, or a subdivision of a state.

19 "Illinois Stop Payment List" or "Illinois Debarred and
20 Suspended List" means the list maintained by the Governor's
21 Office of Management and Budget that contains the names of
22 those individuals and entities that are ineligible, ~~either~~
23 ~~temporarily or permanently,~~ from receiving an award of grant
24 funds from the State.

25 "Indirect cost" means those costs incurred for a common or
26 joint purpose benefiting more than one cost objective and not

1 readily assignable to the cost objectives specifically
2 benefited without effort disproportionate to the results
3 achieved.

4 "Inspector General" means the Office of the Executive
5 Inspector General for Executive branch agencies.

6 "Loan" means a State or federal loan or loan guarantee
7 received or administered by a non-federal entity. "Loan" does
8 not include a "program income" as defined in 2 CFR 200, Subpart
9 A, Acronyms and Definitions.

10 "Loan guarantee" means any State or federal government
11 guarantee, insurance, or other pledge with respect to the
12 payment of all or a part of the principal or interest on any
13 debt obligation of a non-federal borrower to a non-federal
14 lender, but does not include the insurance of deposits,
15 shares, or other withdrawable accounts in financial
16 institutions.

17 "Local government" has the meaning provided for the term
18 "units of local government" under Section 1 of Article VII of
19 the Illinois Constitution and includes school districts.

20 "Major program" means a federal program determined by the
21 auditor to be a major program in accordance with 2 CFR Part
22 200, Subpart F - Audit Requirements or a program identified as
23 a major program by a federal awarding agency or pass-through
24 entity in accordance with 2 CFR Part 200, Subpart F - Audit
25 Requirements.

26 "Non-federal entity" means a state, local government,

1 Indian tribe, institution of higher education, or
2 organization, whether nonprofit or for-profit, that carries
3 out a State or federal award as a recipient or subrecipient.

4 "Nonprofit organization" means any corporation, trust,
5 association, cooperative, or other organization, not including
6 institutions of higher education, that:

7 (1) is operated primarily for scientific, educational,
8 service, charitable, or similar purposes in the public
9 interest;

10 (2) is not organized primarily for profit; and

11 (3) uses net proceeds to maintain, improve, or expand
12 the operations of the organization.

13 "Obligations", when used in connection with a non-federal
14 entity's utilization of funds under an award, means orders
15 placed for property and services, contracts and subawards
16 made, and similar transactions during a given period that
17 require payment by the non-federal entity during the same or a
18 future period.

19 "Office of Management and Budget" means the Office of
20 Management and Budget of the Executive Office of the
21 President.

22 "Other clusters" has the meaning provided by the federal
23 Office of Management and Budget in the compliance supplement
24 or has the meaning as it is designated by a state for federal
25 awards the state provides to its subrecipients that meet the
26 definition of a cluster of programs. When designating an

1 "other cluster", a state must identify the federal awards
2 included in the cluster and advise the subrecipients of
3 compliance requirements applicable to the cluster.

4 "Oversight agency for audit" means the federal awarding
5 agency that provides the predominant amount of funding
6 directly to a non-federal entity not assigned a cognizant
7 agency for audit. When there is no direct funding, the
8 awarding agency that is the predominant source of pass-through
9 funding must assume the oversight responsibilities. The duties
10 of the oversight agency for audit and the process for any
11 reassignments are described in 2 CFR Part 200, Subpart F -
12 Audit Requirements.

13 "Pass-through entity" means a non-federal entity that
14 provides a subaward to a subrecipient to carry out part of a
15 program.

16 "Private award" means an award from a person or entity
17 other than a State or federal entity. Private awards are not
18 subject to the provisions of this Act.

19 "Property" means real property or personal property.

20 "Project cost" means total allowable costs incurred under
21 an award and all required cost sharing and voluntary committed
22 cost sharing, including third-party contributions.

23 "Public institutions of higher education" has the meaning
24 provided in Section 1 of the Board of Higher Education Act.

25 "Recipient" means a non-federal entity that receives an
26 award directly from an awarding agency to carry out an

1 activity under a program. "Recipient" does not include
2 subrecipients or individuals who are beneficiaries of the
3 award.

4 "Research and Development" means all research activities,
5 both basic and applied, and all development activities that
6 are performed by non-federal entities.

7 "Single Audit Act" means the federal Single Audit Act
8 Amendments of 1996 (31 U.S.C. 7501-7507).

9 "State agency" means an Executive branch agency. For
10 purposes of this Act, "State agency" does not include public
11 institutions of higher education.

12 "State award" means the financial assistance that a
13 non-federal entity receives from the State and that is funded
14 with either State funds or federal funds; in the latter case,
15 the State is acting as a pass-through entity.

16 "State awarding agency" means a State agency that provides
17 an award to a non-federal entity.

18 "State grant-making agency" has the same meaning as "State
19 awarding agency".

20 "State interest" means the acquisition or improvement of
21 real property, equipment, or supplies under a State award, the
22 dollar amount that is the product of the State share of the
23 total project costs and current fair market value of the
24 property, improvements, or both, to the extent the costs of
25 acquiring or improving the property were included as project
26 costs.

1 "State program" means any of the following:

2 (1) All State awards which are assigned a single
3 number in the Catalog of State Financial Assistance.

4 (2) When no Catalog of State Financial Assistance
5 number is assigned, all State awards to non-federal
6 entities from the same agency made for the same purpose
7 are considered one program.

8 (3) A cluster of programs as defined in this Section.

9 "State share" means the portion of the total project costs
10 that are paid by State funds.

11 "Stop payment order" means a communication from a State
12 grant-making agency to the Office of the Comptroller,
13 following procedures set out by the Office of the Comptroller,
14 causing the cessation of payments to a recipient or
15 subrecipient as a result of the recipient's or subrecipient's
16 failure to comply with one or more terms of the grant or
17 subaward.

18 "Stop payment procedure" means the procedure created by
19 the Office of the Comptroller which effects a stop payment
20 order and the lifting of a stop payment order upon the request
21 of the State grant-making agency.

22 "Student Financial Aid" means federal awards under those
23 programs of general student assistance, such as those
24 authorized by Title IV of the Higher Education Act of 1965, as
25 amended (20 U.S.C. 1070-1099d), that are administered by the
26 United States Department of Education and similar programs

1 provided by other federal agencies. "Student Financial Aid"
2 does not include federal awards under programs that provide
3 fellowships or similar federal awards to students on a
4 competitive basis or for specified studies or research.

5 "Subaward" means a State or federal award provided by a
6 pass-through entity to a subrecipient for the subrecipient to
7 carry out part of a federal award received by the pass-through
8 entity. "Subaward" does not include payments to a contractor
9 or payments to an individual that is a beneficiary of a federal
10 program. A "subaward" may be provided through any form of
11 legal agreement, including an agreement that the pass-through
12 entity considers a contract.

13 "Subrecipient" means a non-federal entity that receives a
14 State or federal subaward from a pass-through entity to carry
15 out part of a State or federal program. "Subrecipient" does
16 not include an individual that is a beneficiary of such
17 program. A "subrecipient" may also be a recipient of other
18 State or federal awards directly from a State or federal
19 awarding agency.

20 "Suspension" means a post-award action by the State or
21 federal agency or pass-through entity that temporarily
22 withdraws the State or federal agency's or pass-through
23 entity's financial assistance sponsorship under an award,
24 pending corrective action by the recipient or subrecipient or
25 pending a decision to terminate the award.

26 "Uniform Administrative Requirements, Costs Principles,

1 and Audit Requirements for Federal Awards" means those rules
2 applicable to grants contained in 2 CFR Part 200.

3 "Unique Entity Identifier" means the number that is
4 established and assigned by the federal government on the
5 System for Award Management website (SAM.gov) to uniquely
6 identify entities and, under federal law, is required for
7 nonfederal entities to apply for, receive, and report on a
8 federal award.

9 "Voluntary committed cost sharing" means cost sharing
10 specifically pledged on a voluntary basis in the proposal's
11 budget or the award on the part of the non-federal entity and
12 that becomes a binding requirement of the award.

13 (Source: P.A. 103-616, eff. 7-1-24; 103-1068, eff. 3-21-25;
14 104-417, eff. 8-15-25.)

15 (30 ILCS 708/60)

16 Sec. 60. Grant Accountability and Transparency Unit
17 responsibilities.

18 (a) The Grant Accountability and Transparency Unit within
19 the Governor's Office of Management and Budget shall be
20 responsible for:

21 (1) The development of minimum requirements applicable
22 to the staff of grant applicants to manage and execute
23 grant awards for programmatic and administrative purposes,
24 including grant management specialists with:

25 (A) general and technical competencies;

1 (B) programmatic expertise;

2 (C) fiscal expertise and systems necessary to
3 adequately account for the source and application of
4 grant funds for each program; and

5 (D) knowledge of compliance requirements.

6 (2) The development of minimum training requirements,
7 including annual training requirements.

8 (3) Accurate, current, and complete disclosure of the
9 financial results of each funded award, as set forth in
10 the financial monitoring and reporting Section of 2 CFR
11 Part 200.

12 (4) Development of criteria for requiring the
13 retention of a fiscal agent and for becoming a fiscal
14 agent.

15 (5) Development of disclosure requirements in the
16 grant application pertaining to:

17 (A) related-party status between grantees and
18 grant-making agencies;

19 (B) past employment of applicant officers and
20 grant managers;

21 (C) disclosure of current or past employment of
22 members of immediate family; and

23 (D) disclosure of senior management of grantee
24 organization and their relationships with contracted
25 vendors.

26 (6) Implementation of rules prohibiting a grantee from

1 charging any cost allocable to a particular award or cost
2 objective to other State or federal awards to overcome
3 fund deficiencies, to avoid restrictions imposed by law or
4 terms of the federal awards, or for other reasons.

5 (7) Implementation of rules prohibiting a non-federal
6 entity from earning or keeping any profit resulting from
7 State or federal financial assistance, unless prior
8 approval has been obtained from the Governor's Office of
9 Management and Budget and is expressly authorized by the
10 terms and conditions of the award.

11 (8) Maintenance of an Illinois Stop Payment List or an
12 Illinois Debarred and Suspended List that contains the
13 names of those individuals and entities that are
14 ~~ineligible, either temporarily or permanently,~~ to receive
15 an award of grant funds from the State.

16 (9) Ensuring the adoption of standardized rules for
17 the implementation of this Act by State grant-making
18 agencies. The Grant Accountability and Transparency Unit
19 shall provide such advice and technical assistance to the
20 State grant-making agencies as is necessary or indicated
21 in order to ensure compliance with this Act.

22 (10) Coordination of financial and Single Audit
23 reviews.

24 (11) Coordination of on-site reviews of grantees and
25 subrecipients.

26 (12) Maintenance of the Catalog of State Financial

1 Assistance, which shall be posted on an Internet website
2 maintained by the Governor's Office of Management and
3 Budget that is available to the public.

4 (13) Promotion of best practices for disseminating
5 information about grant opportunities to grant-making
6 agencies statewide, with an emphasis on reaching
7 previously underserved communities and grantees.

8 (b) The Grant Accountability and Transparency Unit shall
9 have no power or authority regarding the approval,
10 disapproval, management, or oversight of grants entered into
11 or awarded by a State agency or by a public institution of
12 higher education. The power or authority existing under law to
13 grant or award grants by a State agency or by a public
14 institution of higher education shall remain with that State
15 agency or public institution of higher education. The Unit
16 shall be responsible for providing technical assistance to
17 guide the Administrative Code amendments proposed by State
18 grant-making agencies to comply with this Act and shall be
19 responsible for establishing standardized policies and
20 procedures for State grant-making agencies in order to ensure
21 compliance with the Uniform Administrative Requirements, Cost
22 Principles and Audit Requirements for Federal Awards set forth
23 in 2 CFR Part 200, all of which must be adhered to by the State
24 grant-making agencies throughout the life cycle of the grant.

25 (c) The powers and functions of grant making by State
26 agencies or public institutions of higher education may not be

1 transferred to, nor may prior grant approval be transferred
2 to, any other person, office, or entity within the executive
3 branch of State government.

4 (Source: P.A. 103-1068, eff. 3-21-25.)

5 (30 ILCS 708/105)

6 Sec. 105. Stop payment procedures.

7 (a) On or before July 1, 2019, the Governor's Office of
8 Management and Budget shall adopt rules pertaining to the
9 following:

10 (1) factors to be considered in determining whether to
11 issue a stop payment order shall include whether or not a
12 stop payment order is in the best interests of the State;

13 (2) factors to be considered in determining whether a
14 stop payment order should be lifted; and

15 (3) procedures for notification to the recipient or
16 subrecipient of the issuance of a stop payment order, the
17 lifting of a stop payment order, and any other related
18 information.

19 (b) On or before December 31, 2019, the Governor's Office
20 of Management and Budget shall, in conjunction with State
21 grant-making agencies, adopt rules pertaining to the
22 following:

23 (1) policies regarding the issuance of stop payment
24 orders;

25 (2) policies regarding the lifting of stop payment

1 orders;

2 (3) policies regarding corrective actions required of
3 recipients and subrecipients in the event a stop payment
4 order is issued; and

5 (4) policies regarding the coordination of
6 communications between the Office of the Comptroller and
7 State grant-making agencies regarding the issuance of stop
8 payment orders and the lifting of such orders.

9 (c) On or before July 1, 2020, the Office of the
10 Comptroller shall establish stop payment procedures that shall
11 cause the cessation of payments to a recipient or
12 subrecipient. Such a ~~temporary or permanent~~ cessation of
13 payments will occur pursuant to a stop payment order requested
14 by a State grant-making agency and implemented by the Office
15 of the Comptroller.

16 (d) The State grant-making agency shall maintain a file
17 pertaining to all stop payment orders which shall include, at
18 a minimum:

19 (1) The notice to the recipient or subrecipient that a
20 stop payment order has been issued. The notice shall
21 include:

22 (A) The name of the grant.

23 (B) The grant number.

24 (C) The name of the State agency that issued the
25 grant.

26 (D) The reasons for the stop payment order.

1 (E) Any other relevant information.

2 (2) The order lifting the stop payment order, if
3 applicable.

4 (e) The Grant Accountability and Transparency Unit shall
5 determine and disseminate factors that State agencies shall
6 consider when determining whether it is in the best interests
7 of the State to ~~permanently or temporarily~~ cease payments to a
8 recipient or subrecipient who has had a stop payment order
9 requested by another State agency.

10 (f) The Office of the Comptroller and the Governor's
11 Office of Management and Budget grant systems shall determine
12 if the recipient or subrecipient has received grants from
13 other State grant-making agencies.

14 (g) Upon notice from the Office of the Comptroller, the
15 Grant Accountability and Transparency Unit shall notify all
16 State grant-making agencies who have issued grants to a
17 recipient or subrecipient whose payments have been subject to
18 a stop payment order that a stop payment order has been
19 requested by another State grant-making agency.

20 (h) Upon notice from the Grant Accountability and
21 Transparency Unit, each State grant-making agency who has
22 issued a grant to a recipient or subrecipient whose payments
23 have been subject to a stop payment order shall review and
24 assess all grants issued to that recipient or subrecipient.
25 State agencies shall use factors provided by the Governor's
26 Office of Management and Budget or the Grant Accountability

1 and Transparency Unit to determine whether it is in the best
2 interests of the State to request a stop payment order.
3 (Source: P.A. 100-997, eff. 8-20-18.)".