



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5121

by Rep. Christian L. Mitchell

SYNOPSIS AS INTRODUCED:

5 ILCS 220/4.5
30 ILCS 105/9.03

from Ch. 127, par. 145d

Amends the Intergovernmental Cooperation Act. Provides that no intergovernmental or interagency agreement or contract may be entered into, implemented, or given effect if the agreement's or contract's intent or effect is, among other requirements, to circumvent any limitation established by law pertaining to payroll certification under the State Finance Act or to authorize the payment of employees of the Office of the Governor out of appropriations other than those established for that purpose. Amends the State Finance Act. Provides that, for the Office of the Governor, the certification on every State payroll voucher shall be required for expenditures from amounts appropriated to the Office of the Governor for payment of salaries of Governor's Office employees and executed by the Governor, or his or her designee, in addition to any other certifications or approvals which may be required by law to be made. Provides that in no event shall salaries of employees of the Office of the Governor be paid from appropriations other than those established for that purpose. Effective immediately.

LRB100 20351 RJF 35639 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning government.

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

4 Section 5. The Intergovernmental Cooperation Act is
5 amended by changing Section 4.5 as follows:

6 (5 ILCS 220/4.5)

7 Sec. 4.5. Prohibited agreements and contracts. No
8 intergovernmental or interagency agreement or contract may be
9 entered into, implemented, or given effect if the agreement's
10 or contract's intent or effect is: (i) to circumvent any
11 limitation established by law on State appropriation or State
12 expenditure authority with respect to health care and employee
13 benefits contracts; ~~or~~ (ii) to expend State moneys in a manner
14 inconsistent with the purpose for which they were appropriated
15 with respect to health care and employee benefits contracts;
16 (iii) to circumvent any limitation established by law
17 pertaining to payroll certification under Section 9.03 of the
18 State Finance Act; or (iv) to authorize the payment of
19 employees of the Office of the Governor out of appropriations
20 other than those established for that purpose.

21 (Source: P.A. 93-839, eff. 7-30-04.)

22 Section 10. The State Finance Act is amended by changing

1 Section 9.03 as follows:

2 (30 ILCS 105/9.03) (from Ch. 127, par. 145d)

3 Sec. 9.03. The certification on every State payroll voucher
4 shall be as follows:

5 "I certify that the employees named, their respective
6 indicated positions and service times, and appropriation to be
7 charged, as shown on the accompanying payroll sheets are true,
8 complete, correct and according to the provisions of law; that
9 such employees are involved in decision making or have direct
10 line responsibility to a person who has decision making
11 authority concerning the objectives, functions, goals and
12 policies of the organizational unit for which the appropriation
13 was made; that the results of the work performed by these
14 employees and that substantially all of their working time is
15 directly related to the objectives, functions, goals, and
16 policies of the organizational unit for which the appropriation
17 is made; that all working time was expended in the service of
18 the State; and that the employees named are entitled to payment
19 in the amounts indicated. If applicable, the reporting
20 requirements of Section 5.1 of the Governor's Office of
21 Management and Budget Act have been met.

22

23 _____
(Date)

_____ (Signature)"

24 For departments under the Civil Administrative Code, the
25 foregoing certification shall be executed by the Chief

1 Executive Officer of the department from whose appropriation
2 the payment will be made or his designee, in addition to any
3 other certifications or approvals which may be required by law.

4 The foregoing certification shall not be required for
5 expenditures from amounts appropriated to the Comptroller for
6 payment of the salaries of State officers.

7 For the Office of the Governor, the foregoing certification
8 shall be required for expenditures from amounts appropriated to
9 the Office of the Governor for payment of salaries of
10 Governor's Office employees and executed by the Governor, or
11 his or her designee, in addition to any other certifications or
12 approvals which may be required by law to be made. In no event
13 shall salaries of employees of the Office of the Governor be
14 paid from appropriations other than those established for that
15 purpose.

16 (Source: P.A. 94-793, eff. 5-19-06.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.