102ND GENERAL ASSEMBLY
State of Illinois
2021 and 2022

HB2873

Introduced 2/19/2021, by Rep. Mark Luft

SYNOPSIS AS INTRODUCED:

20 ILCS 605/605-1047

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Modifies the definition of "Local government" or "unit of local government" to include a public safety answering point, 9-1-1 network, 9-1-1 system, or 9-1-1 authority, and any other type of local public safety entity deemed appropriate by the Department of Commerce and Economic Opportunity, for the purpose of receiving funds under the Local Coronavirus Urgent Remediation Emergency (Local CURE) Support Program.
AN ACT concerning State government.

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

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by renumbering and changing Section 605-1045 as follows:

(20 ILCS 605/605-1047)

Sec. 605-1047 605-1045. Local Coronavirus Urgent Remediation Emergency (or Local CURE) Support Program.

(a) Purpose. The Department may receive, directly or indirectly, federal funds from the Coronavirus Relief Fund provided to the State pursuant to Section 5001 of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide financial support to units of local government for purposes authorized by Section 5001 of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act and related federal guidance. Upon receipt of such funds, and appropriations for their use, the Department shall administer a Local Coronavirus Urgent Remediation Emergency (or Local CURE) Support Program to provide financial support to units of local government that have incurred necessary expenditures due to the COVID-19 public health emergency. The Department shall
provide by rule the administrative framework for the Local CURE Support Program.

(b) Allocations. A portion of the funds appropriated for the Local CURE Support Program may be allotted to municipalities and counties based on proportionate population. Units of local government, or portions thereof, located within the five Illinois counties that received direct allotments from the federal Coronavirus Relief Fund will not be included in the support program allotments. The Department may establish other administrative procedures for providing financial support to units of local government. Appropriated funds may be used for administration of the support program, including the hiring of a service provider to assist with coordination and administration.

(c) Administrative Procedures. The Department may establish administrative procedures for the support program, including any application procedures, grant agreements, certifications, payment methodologies, and other accountability measures that may be imposed upon recipients of funds under the grant program. Financial support may be provided in the form of grants or in the form of expense reimbursements for disaster-related expenditures. The emergency rulemaking process may be used to promulgate the initial rules of the grant program.

(d) Definitions. As used in this Section:

(1) "COVID-19" means the novel coronavirus virus
(2) "Local government" or "unit of local government" means any unit of local government as defined in Article VII, Section 1 of the Illinois Constitution, and includes a public safety answering point, 9-1-1 network, 9-1-1 system, or 9-1-1 authority as defined by section 2 of the Emergency Telephone System Act, or any other type of local public safety entity deemed appropriate by the Department.

(3) "Third party administrator" means a service provider selected by the Department to provide operational assistance with the administration of the support program.

(e) Powers of the Department. The Department has the power to:

(1) Provide financial support to eligible units of local government with funds appropriated from the Local Coronavirus Urgent Remediation Emergency (Local CURE) Fund to cover necessary costs incurred due to the COVID-19 public health emergency that are eligible to be paid using federal funds from the Coronavirus Relief Fund.

(2) Enter into agreements, accept funds, issue grants or expense reimbursements, and engage in cooperation with agencies of the federal government and units of local governments to carry out the purposes of this support program, and to use funds appropriated from the Local Coronavirus Urgent Remediation Emergency (Local CURE) Fund
fund upon such terms and conditions as may be established by the federal government and the Department.

(3) Enter into agreements with third-party administrators to assist the state with operational assistance and administrative functions related to review of documentation and processing of financial support payments to units of local government.

(4) Establish applications, notifications, contracts, and procedures and adopt rules deemed necessary and appropriate to carry out the provisions of this Section. To provide for the expeditious and timely implementation of this Act, emergency rules to implement any provision of this Section may be adopted by the Department subject to the provisions of Section 5-45 of the Illinois Administrative Procedure Act.

(5) Provide staff, administration, and related support required to manage the support program and pay for the staffing, administration, and related support with funds appropriated from the Local Coronavirus Urgent Remediation Emergency (Local CURE) Fund.

(6) Exercise such other powers as are necessary or incidental to the foregoing.

(f) Local CURE Financial Support to Local Governments. The Department is authorized to provide financial support to eligible units of local government including, but not limited to, certified local health departments for necessary costs
incurred due to the COVID-19 public health emergency that are eligible to be paid using federal funds from the Coronavirus Relief Fund.

(1) Financial support funds may be used by a unit of local government only for payment of costs that: (i) are necessary expenditures incurred due to the public health emergency of COVID-19; (ii) were not accounted for in the most recent budget approved as of March 27, 2020 for the unit of local government; and (iii) were incurred between March 1, 2020 and December 30, 2020.

(2) A unit of local government receiving financial support funds under this program shall certify to the Department that it shall use the funds in accordance with the requirements of paragraph (1) and that any funds received but not used for such purposes shall be repaid to the Department.

(3) The Department shall make the determination to provide financial support funds to a unit of local government on the basis of criteria established by the Department.

(Source: P.A. 101-636, eff. 6-10-20; revised 8-3-20.)