102ND GENERAL ASSEMBLY
State of Illinois
2021 and 2022
SB1615

Introduced 2/26/2021, by Sen. Dale Fowler

SYNOPSIS AS INTRODUCED:
20 ILCS 605/605-1050

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that of the federal funds received by the State for purposes related to the COVID-19 public health emergency, 25% of any such funds received on or after March 1, 2021 shall be allocated for use by the Coronavirus Business Interruption Grant Program (BIG Program). Effective immediately.

FISCAL NOTE ACT
MAY APPLY
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 changing Section 605-1050 as follows:

(20 ILCS 605/605-1050)

Sec. 605-1050. Coronavirus Business Interruption Grant Program (or BIG Program).

(a) Purpose. The Department may receive, directly or indirectly, federal funds under the authority of legislation passed in response to the Coronavirus epidemic including, but not limited to, the Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (the "CARES Act"). Section 5001 of the CARES Act establishes the Coronavirus Relief Fund, which authorizes the State to expend funds that are necessary to respond to the COVID-19 public health emergency. The financial support of Qualifying Businesses is a necessary expense under federal guidance for implementing Section 5001 of the CARES Act. Upon receipt or availability of such funds, and subject to appropriations for their use, the Department shall administer a program to provide financial assistance to Qualifying Businesses that have experienced interruption of
business or other adverse conditions attributable to the COVID-19 public health emergency. Support may be provided directly by the Department to businesses and organizations or in cooperation with a Qualified Partner. Financial assistance may include, but not be limited to grants, expense reimbursements, or subsidies.

(a-5) Of the federal funds received by the State for purposes related to the COVID-19 public health emergency, 25% of any such funds received on or after March 1, 2021 shall be allocated for use by the Program created under this Section.

(b) From appropriations for the BIG Program, up to $60,000,000 may be allotted to the repayment or conversion of Eligible Loans made pursuant to the Department's Emergency Loan Fund Program. An Eligible Loan may be repaid or converted through a grant payment, subsidy, or reimbursement payment to the recipient or, on behalf of the recipient, to the Qualified Partner, or by any other lawful method.

(c) From appropriations for the BIG Program, the Department shall provide financial assistance through grants, expense reimbursements, or subsidies to Qualifying Businesses or a Qualified Partner to cover expenses or losses incurred due to the COVID-19 public health emergency. With a minimum of 50% going to Qualified Businesses that enable critical support services such as child care, day care, and early childhood education, the BIG Program will reimburse costs or losses incurred by Qualifying Businesses due to business interruption.
caused by required closures, as authorized in federal guidance regarding the Coronavirus Relief Fund. All spending related to this program must be reimbursable by the Federal Coronavirus Relief Fund in accordance with Section 5001 of the federal CARES Act and any related federal guidance, or the provisions of any other federal source supporting the program.

(d) As more fully described in subsection (c), funds will be appropriated to the BIG Program for distribution to or on behalf of Qualifying Businesses. Of the funds appropriated, a minimum of 30% shall be allotted for Qualified Businesses with ZIP codes located in the most disproportionately impacted areas of Illinois, based on positive COVID-19 cases.

(e) The Department shall coordinate with the Department of Human Services with respect to making grants, expense reimbursements or subsidies to any child care or day care provider providing services under Section 9A-11 of the Illinois Public Aid Code to determine what resources the Department of Human Services may be providing to a child care or day care provider under Section 9A-11 of the Illinois Public Aid Code.

(f) The Department may establish by rule administrative procedures for the grant program, including any application procedures, grant agreements, certifications, payment methodologies, and other accountability measures that may be imposed upon participants in the program. The emergency rulemaking process may be used to promulgate the initial rules
(g) Definitions. As used in this Section:


(2) "Qualifying Business" means a business or organization that is experiencing business interruption due to the COVID-19 public health emergency and is eligible for reimbursement as prescribed by Section 601(a) of the Social Security Act and added by Section 5001 of the CARES Act or other federal legislation addressing the COVID-19 crisis.

(3) "Eligible Loan" means a loan of up to $50,000 that was deemed eligible for funding under the Department's Emergency Loan Fund Program and for which repayment will be eligible for reimbursement from Coronavirus Relief Fund monies pursuant to Section 5001 of the federal CARES Act and any related federal guidance.

(4) "Emergency Loan Fund Program", also referred to as the "COVID-19 Emergency Relief Program", is a program executed by the Department by which the State Small Business Credit Initiative fund is utilized to guarantee loans released by a financial intermediary or Qualified Partner.

(5) "Qualified Partner" means a financial institution or nonprofit with which the Department has entered into an
agreement or contract to provide or incentivize assistance
to Qualifying Businesses.

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

(1) provide grants, subsidies and expense
reimbursements to Qualified Businesses or, on behalf of
Qualified Businesses, to Qualified Partners from
appropriations to cover Qualified Businesses eligible
costs or losses incurred due to the COVID-19 public health
emergency, including losses caused by business
interruption or closure;

(2) enter into agreements, accept funds, issue grants,
and engage in cooperation with agencies of the federal
government, units of local government, financial
institutions, and nonprofit organizations to carry out the
purposes of this Program, and to use funds appropriated
for the BIG Program;

(3) prepare forms for application, notification,
contract, and other matters, and establish procedures,
rules, or regulations deemed necessary and appropriate to
carry out the provisions of this Section;

(4) provide staff, administration, and related support
required to manage the BIG Program and pay for the
staffing, administration, and related support;

(5) using data provided by the Illinois Department of
Public Health and other reputable sources, determine which
geographic regions in Illinois have been most disproportionately impacted by the COVID-19 public health emergency, considering factors of positive cases, positive case rates, and economic impact; and

(6) determine which industries and businesses in Illinois have been most disproportionately impacted by the COVID-19 public health emergency and establish procedures that prioritize greatly impacted industries and businesses, as well as Qualified Businesses that did not receive paycheck protection program assistance.

(Source: P.A. 101-636, eff. 6-10-20.)

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