

1 AN ACT concerning State government.

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

4 Section 5. The State Budget Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 50-10 as follows:

7 (15 ILCS 20/50-10) (was 15 ILCS 20/38.1)

8 Sec. 50-10. Budget contents. The budget shall be submitted
9 by the Governor with line item and program data. The budget
10 shall also contain performance data presenting an estimate for
11 the current fiscal year, projections for the budget year, and
12 information for the 3 prior fiscal years comparing department
13 objectives with actual accomplishments, formulated according
14 to the various functions and activities, and, wherever the
15 nature of the work admits, according to the work units, for
16 which the respective departments, offices, and institutions of
17 the State government (including the elective officers in the
18 executive department and including the University of Illinois
19 and the judicial department) are responsible.

20 For the fiscal year beginning July 1, 1992 and for each
21 fiscal year thereafter, the budget shall include the
22 performance measures of each department's accountability
23 report.

1 For the fiscal year beginning July 1, 1997 and for each
2 fiscal year thereafter, the budget shall include one or more
3 line items appropriating moneys to the Department of Human
4 Services to fund participation in the Home-Based Support
5 Services Program for Adults with Mental Disabilities under the
6 Developmental Disability and Mental Disability Services Act by
7 persons described in Section 2-17 of that Act.

8 For the fiscal year beginning July 1, 2019, and for each
9 fiscal year thereafter, the budget shall include a separate
10 line item request appropriating moneys to each State agency
11 for: (1) estimated costs for each fund under the State Prompt
12 Payment Act; and (2) estimated costs for each fund under
13 Sections 368a and 370a of the Illinois Insurance Code.

14 The budget shall contain a capital development section in
15 which the Governor will present (1) information on the capital
16 projects and capital programs for which appropriations are
17 requested, (2) the capital spending plans, which shall
18 document the first and subsequent years cash requirements by
19 fund for the proposed bonded program, and (3) a statement that
20 shall identify by year the principal and interest costs until
21 retirement of the State's general obligation debt. In
22 addition, the principal and interest costs of the budget year
23 program shall be presented separately, to indicate the
24 marginal cost of principal and interest payments necessary to
25 retire the additional bonds needed to finance the budget
26 year's capital program. In 2004 only, the capital development

1 section of the State budget shall be submitted by the Governor
2 not later than the fourth Tuesday of March (March 23, 2004).

3 For the fiscal year beginning July 1, 2024 and for each
4 fiscal year thereafter, the budget shall include an
5 explanation of the manner in which provisions of the budget
6 further the Governor's efforts to ensure equity in the State.
7 For purposes of this paragraph, "equity" means efforts,
8 regulations, policies, programs, standards, processes and any
9 other functions of government or principles of law and
10 governance intended to: (1) identify and remedy past and
11 present patterns of discrimination or inequality and
12 disparities in outcome; (2) ensure that such patterns of
13 discrimination, inequality and disparities in outcome, whether
14 intentional or unintentional, are neither reinforced nor
15 perpetuated; and (3) prevent the emergence and persistence of
16 foreseeable future patterns of discrimination against or
17 disparities in outcome against minority persons as defined by
18 Section 2 of the Business Enterprise for Minorities, Women,
19 and Persons with Disabilities Act.

20 The budget shall contain a section indicating whether
21 there is a projected budget surplus or a projected budget
22 deficit for general funds in the current fiscal year, or
23 whether the current fiscal year's general funds budget is
24 projected to be balanced, based on estimates prepared by the
25 Governor's Office of Management and Budget using actual
26 figures available on the date the budget is submitted. That

1 section shall present this information in both a numerical
2 table format and by way of a narrative description, and shall
3 include information for the proposed upcoming fiscal year, the
4 current fiscal year, and the 2 years prior to the current
5 fiscal year. These estimates must specifically and separately
6 identify any non-recurring revenues, including, but not
7 limited to, borrowed money, money derived by borrowing or
8 transferring from other funds, or any non-operating financial
9 source. None of these specifically and separately identified
10 non-recurring revenues may include any revenue that cannot be
11 realized without a change to law. The table shall show
12 accounts payable at the end of each fiscal year in a manner
13 that specifically and separately identifies any general funds
14 liabilities accrued during the current and prior fiscal years
15 that may be paid from future fiscal years' appropriations,
16 including, but not limited to, costs that may be paid beyond
17 the end of the lapse period as set forth in Section 25 of the
18 State Finance Act and costs incurred by the Department on
19 Aging. The section shall also include an estimate of
20 individual and corporate income tax overpayments that will not
21 be refunded before the close of the fiscal year.

22 For the budget year, the current year, and 3 prior fiscal
23 years, the Governor shall also include in the budget estimates
24 of or actual values for the assets and liabilities for General
25 Assembly Retirement System, State Employees' Retirement System
26 of Illinois, State Universities Retirement System, Teachers'

1 Retirement System of the State of Illinois, and Judges
2 Retirement System of Illinois.

3 The budget submitted by the Governor shall contain, in
4 addition, in a separate book, a tabulation of all position and
5 employment titles in each such department, office, and
6 institution, the number of each, and the salaries for each,
7 formulated according to divisions, bureaus, sections, offices,
8 departments, boards, and similar subdivisions, which shall
9 correspond as nearly as practicable to the functions and
10 activities for which the department, office, or institution is
11 responsible.

12 Together with the budget, the Governor shall transmit the
13 estimates of receipts and expenditures, as received by the
14 Director of the Governor's Office of Management and Budget, of
15 the elective officers in the executive and judicial
16 departments and of the University of Illinois.

17 An applicable appropriations committee of each chamber of
18 the General Assembly, for fiscal year 2012 and thereafter,
19 must review individual line item appropriations and the total
20 budget for each State agency, as defined in the Illinois State
21 Auditing Act.

22 (Source: P.A. 99-143, eff. 7-27-15; 100-1064, eff. 8-24-18.)

23 Section 10. The Data Governance and Organization to
24 Support Equity and Racial Justice Act is amended by changing
25 Section 20-15 as follows:

1 (20 ILCS 65/20-15)

2 Sec. 20-15. Data Governance and Organization to Support
3 Equity and Racial Justice.

4 (a) On or before July 1, 2022 and each July 1 thereafter,
5 the Board and the Department shall report statistical data on
6 the racial, ethnic, age, sex, disability status, sexual
7 orientation, gender identity, and primary or preferred
8 language demographics of program participants for each major
9 program administered by the Board or the Department. Except as
10 provided in subsection (b), when reporting the data required
11 under this Section, the Board or the Department shall use the
12 same racial and ethnic classifications for each program, which
13 shall include, but not be limited to, the following:

- 14 (1) American Indian and Alaska Native alone.
15 (2) Asian alone.
16 (3) Black or African American alone.
17 (4) Hispanic or Latino of any race.
18 (5) Native Hawaiian and Other Pacific Islander alone.
19 (6) White alone.
20 (7) Some other race alone.
21 (8) Two or more races.

22 The Board and the Department may further define, by rule,
23 the racial and ethnic classifications, including, if
24 necessary, a classification of "No Race Specified".

25 (b) ~~(e)~~ If a program administered by the Board or the

1 Department is subject to federal reporting requirements that
2 include the collection and public reporting of statistical
3 data on the racial and ethnic demographics of program
4 participants, the Department may maintain the same racial and
5 ethnic classifications used under the federal requirements if
6 such classifications differ from the classifications listed in
7 subsection (a).

8 (c) ~~(d)~~ The Department of Innovation and Technology shall
9 assist the Board and the Department by establishing common
10 technological processes and procedures for the Board and the
11 Department to:

- 12 (1) Catalog data.
- 13 (2) Identify similar fields in datasets.
- 14 (3) Manage data requests.
- 15 (4) Share data.
- 16 (5) Collect data.
- 17 (6) Improve and clean data.
- 18 (7) Match data across the Board and Departments.
- 19 (8) Develop research and analytic agendas.
- 20 (9) Report on program participation disaggregated by
21 race and ethnicity.
- 22 (10) Evaluate equitable outcomes for underserved
23 populations in Illinois.
- 24 (11) Define common roles for data management.
- 25 (12) Ensure that all major programs can report
26 disaggregated data by race, ethnicity, age, sex,

1 disability status, sexual orientation, and gender
2 identity, and primary or preferred language.

3 The Board and the Department shall use the common
4 technological processes and procedures established by the
5 Department of Innovation and Technology.

6 (d) ~~(e)~~ If the Board or the Department is unable to begin
7 reporting the data required by subsection (a) by July 1, 2022,
8 the Board or the Department shall state the reasons for the
9 delay under the reporting requirements.

10 (e) ~~(f)~~ By no later than March 31, 2022, the Board and the
11 Department shall provide a progress report to the General
12 Assembly to disclose: (i) the programs and datasets that have
13 been cataloged for which race, ethnicity, age, sex, disability
14 status, sexual orientation, gender identity, and primary or
15 preferred language have been standardized; and (ii) to the
16 extent possible, the datasets and programs that are
17 outstanding for each agency and the datasets that are planned
18 for the upcoming year. On or before March 31, 2023, and each
19 year thereafter, the Board and the Department ~~Departments~~
20 shall provide an updated report to the General Assembly.

21 (f) ~~(g)~~ By no later than October 31, 2021, the Governor's
22 Office shall provide a plan to establish processes for input
23 from the Board and the Department into processes outlined in
24 subsection (c) ~~(b)~~. The plan shall incorporate ongoing efforts
25 at data interoperability within the Department and the
26 governance established to support the P-20 Longitudinal

1 Education Data System enacted by Public Act 96-107.

2 (g) The Board and the Department shall file an annual
3 report to the General Assembly containing an analysis of how
4 the most recently adopted State budget promotes equity, as
5 defined in Section 50-10 of the State Budget Law of the Civil
6 Administrative Code of Illinois.

7 (h) ~~(h)~~ Nothing in this Section shall be construed to
8 limit the rights granted to individuals or data sharing
9 protections established under existing State and federal data
10 privacy and security laws.

11 (Source: P.A. 101-654, eff. 3-8-21; 102-543, eff. 8-20-21;
12 revised 2-4-23.)

13 Section 15. The Governor's Office of Management and Budget
14 Act is amended by changing Section 7.3 as follows:

15 (20 ILCS 3005/7.3)

16 Sec. 7.3. Annual economic and fiscal policy report. No
17 later than November 15 of each year, the Governor's Office of
18 Management and Budget shall submit an economic and fiscal
19 policy report to the General Assembly. The report must outline
20 the long-term economic and fiscal policy objectives of the
21 State, how the budget has addressed equity as defined in
22 Section 50-10 of the State Budget Law of the Civil
23 Administrative Code of Illinois, the economic and fiscal
24 policy intentions for the upcoming fiscal year, and the

1 economic and fiscal policy intentions for the following 4
2 fiscal years. The report must highlight the total level of
3 revenue, expenditure, deficit or surplus, and debt with
4 respect to each of the reporting categories. The report must
5 include any assumptions concerning tax rates and fees used to
6 determine revenue and expenditures for future fiscal years.
7 The report must include a comparison of the enacted current
8 fiscal year budget to the current fiscal year outlook, and, if
9 applicable, must outline any budgetary shortfalls and fiscal
10 and policy options that the Office will pursue to remedy those
11 budgetary shortfalls. If the projected expenditures for any of
12 the following 4 fiscal years exceeds the corresponding fiscal
13 year projected revenues, then the report must outline fiscal
14 and policy options that the Office will pursue to remedy the
15 budgetary shortfall. The report must include: (1) an estimate
16 of Late Interest Penalties under the State Prompt Payment Act
17 for the upcoming fiscal year and projections of the same for
18 each of the following 4 fiscal years; and (2) an estimate of
19 interest penalties under Sections 368a and 370a of the
20 Illinois Insurance Code for the upcoming fiscal year and
21 projections of the same for each of the following 4 fiscal
22 years. The report must include an agency categorization key
23 for the reporting categories. The report must be posted on the
24 Office's Internet website and allow members of the public to
25 post comments concerning the report.

26 (Source: P.A. 99-854, eff. 8-19-16; 100-1064, eff. 8-24-18.)

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