

# HB6675



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB6675

by Rep. Rosemary Mulligan

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Local Initiative Sunshine Act. Defines "gubernatorial or legislative member initiatives". Provides that executive branch State agencies processing initiatives must establish and maintain a file for all applications. Specifies the information an agency must obtain during the application or review process. Provides that an agency that processes grants shall develop guidelines and monitoring procedures. Specifies the required guidelines and procedures. Provides for public disclosure of grant information.

LRB095 21965 RLJ 52232 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Article 1

5 Section 1-1. Short title. This Act may be cited as the  
6 Local Initiative Sunshine Act. If more than one new Act of the  
7 95th General Assembly is given the same short title, then all  
8 of those Acts are intended to be codified as a single Act.

9 Section 1-5. Definitions. In this Act:

10 "Gubernatorial or legislative member initiative" means a  
11 grant from State funds to a specific unit of local government,  
12 specific school district, specific not-for-profit  
13 organization, or specific non-governmental entity for  
14 infrastructure improvements or operating expenses. Grants that  
15 are part of a statewide program and are based on generally  
16 applicable standards of eligibility are not gubernatorial or  
17 legislative member initiatives, unless the grant has been  
18 requested or initiated by the Governor or a member of the  
19 Illinois General Assembly.

20 "Infrastructure improvements" include without limitation  
21 capital improvements, capital projects, planning,  
22 construction, reconstruction, equipment, utilities, vehicles,

1 and all costs associated with economic development, community  
2 programs, educational programs, public health, and public  
3 safety.

4 "Initiative sponsor", with respect to each gubernatorial  
5 or legislative member initiative, include the Governor and each  
6 member of the General Assembly designated in the grant  
7 application as having requested or initiated the grant.

8 "Initiative recipient" means an individual or entity that  
9 is designated to receive or receives a gubernatorial or  
10 legislative member initiative. For purposes of disclosure  
11 under Section 5-10, the term also includes (i) the immediate  
12 family of an individual who is an initiative recipient; and  
13 (ii) in the case of an entity that is an initiative recipient,  
14 the term also includes board members, owners with an equity  
15 interest of at least 7.5%, and managerial employees of the  
16 entity, the immediate family of each, and its parent,  
17 subsidiary, and affiliate entities.

18 Article 10

19 Section 10-5. Initiative sponsors; identification. Each  
20 application for a gubernatorial and legislative member  
21 initiative must identify its initiative sponsors in writing.

22 Section 10-10. Initiative file. All executive branch State  
23 agencies processing gubernatorial or legislative member

1 initiatives shall establish and maintain a comprehensive file  
2 for each initiative that includes all information submitted,  
3 obtained, or reviewed in connection with the initiative. The  
4 file shall include documentation of all communications by the  
5 agency with any person regarding the initiative. The entire  
6 file must be made available to the public through a State  
7 website.

8 Section 10-15. Application review.

9 (a) Executive branch State agencies shall obtain  
10 information from the initiative recipient demonstrating that  
11 public funds will be used for a legitimate public purpose. The  
12 application and review process shall include the  
13 identification of the following:

- 14 (1) the public benefit from the program or service;
- 15 (2) the need for the program or service;
- 16 (3) the beneficiaries of the program or service;
- 17 (4) the number of individuals to benefit from the  
18 program or service;
- 19 (5) a budget consisting of a comprehensive financial  
20 plan for the expenditure of public funds including payment  
21 of any compensation to any individuals hired to perform  
22 services under the initiative;
- 23 (6) an explanation of the delivery of the program or  
24 service; and
- 25 (7) the benchmarks and outcomes for the funding.

1           (b) Executive branch State agencies shall obtain  
2 information from the initiative recipient demonstrating that  
3 the initiative recipient is qualified to provide the services  
4 for which funding is requested. The application shall include:

5           (1) the applicant's qualifications and credentials;

6           (2) the applicant's prior experience;

7           (3) the applicant's financial information including,  
8 but not limited to, tax arrearages, child support, and  
9 educational loans; and

10           (4) the financial structure of the applicant  
11 including, but not limited to, bank accounts and credit  
12 history.

13           Section 10-20. Guidelines and monitoring procedures.

14           (a) Any executive branch State agency processing  
15 gubernatorial or legislative member initiatives shall develop  
16 program guidelines and monitoring procedures that include, at a  
17 minimum:

18           (1) a required reporting of the expenditure of  
19 initiative funds; and

20           (2) a review of grant performance.

21           (b) Subsequent to a grant award, and throughout the term of  
22 the grant agreement, the agency shall include in the grant file  
23 all information submitted, obtained, or reviewed in connection  
24 with monitoring the grant recipient's compliance with the grant  
25 agreement, including documentation of all communications with

1 any person, and all of that information must be made available  
2 to the public through a State website.

3 (c) Agencies shall develop procedures to ensure the timely  
4 initiation of statutory procedures to recover misspent funds.