



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5748

Introduced 2/9/2010, by Rep. Jil Tracy

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/9.02

from Ch. 127, par. 145c

Amends the State Finance Act. Provides that any voucher submitted by a State agency to the Comptroller for payment must indicate on the voucher whether the payee is a charitable organization. "Charitable organization" is defined as an organization exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code. Requires the Comptroller to maintain a database, by State fiscal year, of all vouchers submitted for payments to charitable organizations. The information in the database for each voucher must include the State agency issuing the voucher, the name of the organization, the address of the organization, the reason for or purpose of the payment, and the source of funds. If available, the information should also include the name of the head of the organization. The database must be accessible on the Internet through a link on the home page of the Comptroller's website and must be searchable by each category of data entry. The Comptroller is authorized to adopt rules to implement and administer this provision.

LRB096 16692 RCE 31976 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 Section 5. The State Finance Act is amended by changing  
5 Section 9.02 as follows:

6 (30 ILCS 105/9.02) (from Ch. 127, par. 145c)

7 Sec. 9.02. Vouchers; signature; delegation; electronic  
8 submission.

9 (a) (1) Any new contract or contract renewal in the amount  
10 of \$250,000 or more in a fiscal year, or any order against a  
11 master contract in the amount of \$250,000 or more in a fiscal  
12 year, or any contract amendment or change to an existing  
13 contract that increases the value of the contract to or by  
14 \$250,000 or more in a fiscal year, shall be signed or approved  
15 in writing by the chief executive officer of the agency, and  
16 shall also be signed or approved in writing by the agency's  
17 chief legal counsel and chief fiscal officer. If the agency  
18 does not have a chief legal counsel or a chief fiscal officer,  
19 the chief executive officer of the agency shall designate in  
20 writing a senior executive as the individual responsible for  
21 signature or approval.

22 (2) No document identified in paragraph (1) may be filed  
23 with the Comptroller, nor may any authorization for payment

1 pursuant to such documents be filed with the Comptroller, if  
2 the required signatures or approvals are lacking.

3 (3) Any person who, with knowledge the signatures or  
4 approvals required in paragraph (1) are lacking, either files  
5 or directs another to file documents or payment authorizations  
6 in violation of paragraph (2) shall be subject to discipline up  
7 to and including discharge.

8 (4) Procurements shall not be artificially divided so as to  
9 avoid the necessity of complying with paragraph (1).

10 (5) Each State agency shall develop and implement  
11 procedures to ensure the necessary signatures or approvals are  
12 obtained. Each State agency may establish, maintain and follow  
13 procedures that are more restrictive than those required  
14 herein.

15 (6) This subsection (a) applies to all State agencies as  
16 defined in Section 1-7 of the Illinois State Auditing Act,  
17 which includes without limitation the General Assembly and its  
18 agencies. For purposes of this subsection (a), in the case of  
19 the General Assembly, the "chief executive officer of the  
20 agency" means (i) the Senate Operations Commission for Senate  
21 general operations as provided in Section 4 of the General  
22 Assembly Operations Act, (ii) the Speaker of the House of  
23 Representatives for House general operations as provided in  
24 Section 5 of the General Assembly Operations Act, (iii) the  
25 Speaker of the House for majority leadership staff and  
26 operations, (iv) the Minority Leader of the House for minority

1 leadership staff and operations, (v) the President of the  
2 Senate for majority leadership staff and operations, (vi) the  
3 Minority Leader of the Senate for minority staff and  
4 operations, and (vii) the Joint Committee on Legislative  
5 Support Services for the legislative support services agencies  
6 as provided in the Legislative Commission Reorganization Act of  
7 1984.

8 (b) (1) Every voucher, as submitted by the agency or office  
9 in which it originates, shall bear (i) the signature of the  
10 officer responsible for approving and certifying vouchers  
11 under this Act and (ii) if authority to sign the responsible  
12 officer's name has been properly delegated, also the signature  
13 of the person actually signing the voucher.

14 (2) When an officer delegates authority to approve and  
15 certify vouchers, he shall send a copy of such authorization  
16 containing the signature of the person to whom delegation is  
17 made to each office that checks or approves such vouchers and  
18 to the State Comptroller. Such delegation may be general or  
19 limited. If the delegation is limited, the authorization shall  
20 designate the particular types of vouchers that the person is  
21 authorized to approve and certify.

22 (3) When any delegation of authority hereunder is revoked,  
23 a copy of the revocation of authority shall be sent to the  
24 Comptroller and to each office to which a copy of the  
25 authorization was sent.

26 The Comptroller may require State agencies to maintain

1 signature documents and records of delegations of voucher  
2 signature authority and revocations of those delegations,  
3 instead of transmitting those documents to the Comptroller. The  
4 Comptroller may inspect such documents and records at any time.

5 (b-5) Any voucher submitted by a State agency to the  
6 Comptroller for payment must indicate on the voucher whether  
7 the payee is a charitable organization. In this subsection,  
8 "charitable organization" means an organization exempt from  
9 federal taxation under Section 501(c)(3) of the Internal  
10 Revenue Code of 1986 or similar provisions of any successor  
11 law. The Comptroller must maintain a database, by State fiscal  
12 year, of all vouchers submitted for payments to charitable  
13 organizations. The information in the database for each such  
14 voucher must include the State agency issuing the voucher, the  
15 name of the charitable organization, the address of the  
16 organization, the reason for or purpose of the payment, and the  
17 source of funds. If available, the information should also  
18 include the name of the head of the organization. The database  
19 must be accessible on the Internet through a link on the home  
20 page of the Comptroller's website and must be searchable by  
21 each category of data entry. The Comptroller is authorized to  
22 adopt rules to implement and administer this subsection.

23 (c) The Comptroller may authorize the submission of  
24 vouchers through electronic transmissions, on magnetic tape,  
25 or otherwise.

26 (Source: P.A. 89-360, eff. 8-17-95; 90-452, eff. 8-16-97.)