

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 Comptroller Act is amended by changing  
5 Sections 10.10 and 20 as follows:

6 (15 ILCS 405/10.10) (from Ch. 15, par. 210.10)

7 Sec. 10.10. (a) If any Comptroller's ~~comptroller's~~ warrant  
8 is lost, mislaid or destroyed, or becomes void after issuance,  
9 so that it cannot be presented for payment by the person  
10 entitled thereto, the Comptroller ~~comptroller~~, at any time  
11 before that warrant is paid by the State Treasurer, but within  
12 5 years of the date of issuance, may issue a replacement  
13 warrant to the person entitled thereto. If the original warrant  
14 was not cancelled or did not become void, the Comptroller  
15 ~~comptroller~~, before issuing the replacement warrant, shall  
16 issue a stop payment order on the State Treasurer and receive a  
17 confirmation of the stop payment order on the original warrant  
18 from the State Treasurer.

19 (b) Only the person entitled to the original warrant, or  
20 his heirs or legal representatives, or a third party to whom it  
21 was properly negotiated or the heirs or legal representatives  
22 of such party, may request a replacement warrant. In the case  
23 of a warrant issued to a payee who dies before the warrant is

1 paid by the State Treasurer and whose estate has been probated  
2 pursuant to law, the Comptroller ~~comptroller~~, upon receipt of a  
3 certified copy of a judicial order establishing the person or  
4 entity entitled to payment, may issue a replacement warrant to  
5 such person or entity.

6 (c) Within 12 months from the date of issuance of the  
7 original warrant, if the original warrant has not been canceled  
8 for redeposit, the Comptroller ~~comptroller~~ may issue a  
9 replacement warrant on the original voucher drawing upon the  
10 same fund and charging the same appropriation or other  
11 expenditure authorization as the original warrant.

12 (d) Within 12 months from the date of issuance of the  
13 original warrant, if the original warrant has been canceled for  
14 redeposit, and if the issuance of the replacement warrant would  
15 not over-obligate the appropriation or other expenditure  
16 authority against which it is drawn, the Comptroller  
17 ~~comptroller~~ may issue the replacement warrant. If the original  
18 warrant was issued against an appropriation or other  
19 expenditure authority which has lapsed, the replacement  
20 warrant shall be drawn on the Warrant Escheat Fund. If the  
21 appropriation or other obligational authority against which  
22 the replacement warrant is drawn has not lapsed, the  
23 Comptroller ~~comptroller~~ shall notify the originating agency of  
24 the request for a replacement warrant and shall receive a  
25 replacement voucher from that agency before drawing the  
26 replacement warrant, which shall be drawn on the same fund and

1 charged to the same appropriation or other expenditure  
2 authority as the original warrant.

3 (e) Within 12 months from the date of issuance of the  
4 original warrant, if the original warrant has been canceled for  
5 redeposit, the Comptroller ~~comptroller~~ may not issue a  
6 replacement warrant where such issuance would over-obligate  
7 the appropriation or other expenditure authority against which  
8 the original warrant was drawn. Whenever the Comptroller  
9 ~~comptroller~~ is presented with a request for a replacement  
10 warrant which may not be issued under the limitation of this  
11 subsection, if the appropriation or other expenditure  
12 authority against which the original warrant was drawn has not  
13 lapsed, the Comptroller ~~comptroller~~ shall immediately inform  
14 the originating agency of the request and that the request may  
15 not be honored because of the resulting over-obligation, and  
16 shall request the agency to determine whether or not that  
17 agency will take some corrective action before the applicable  
18 expenditure authorization lapses. The originating agency shall  
19 respond to the Comptroller's ~~comptroller's~~ inquiry within 5  
20 business days.

21 (f) After 12 months from the date of issuance of the  
22 original warrant, if the original warrant has not been  
23 cancelled for redeposit, the Comptroller ~~comptroller~~ shall  
24 issue the replacement warrant on the Warrant Escheat Fund.

25 (f-5) After 5 years from the date of issuance of the  
26 original warrant but no later than 10 years after that date,

1 the Comptroller may issue a replacement warrant on the Warrant  
2 Escheat Fund to a person or entity entitled thereto, as those  
3 persons and entities are described in subsection (b) of this  
4 Section, if the following requirements are met:

5 (1) the person or entity verifies that they are  
6 entitled to the original warrant;

7 (2) in the case of a warrant that is not presented by  
8 the requestor, the paying agency certifies that the  
9 original payee is still entitled to the payment; and

10 (3) the Comptroller's records are available and  
11 confirm that the warrant was not replaced.

12 (g) Except as provided in this Section, requests for  
13 replacement warrants for more than \$500 shall show entitlement  
14 to such warrant by including an affidavit, in writing, sworn  
15 before a person authorized to administer oaths and  
16 affirmations, stating the loss or destruction of the warrant,  
17 or the fact that the warrant is void. However, when the written  
18 request for a replacement warrant submitted by the person to  
19 whom the original warrant was issued is accompanied by the  
20 original warrant, no affidavit is required. Requests for  
21 replacement warrants for \$500 or less shall show entitlement to  
22 such warrant by submitting a written statement of the loss or  
23 destruction of the warrant, or the fact that the warrant is  
24 void on an application form prescribed by the Comptroller. If  
25 the person requesting the replacement is in possession of the  
26 original warrant, or any part thereof, the original warrant or

1 the part thereof must accompany the request for replacement.  
2 The Comptroller ~~comptroller~~ shall then draw such replacement  
3 warrant, and the treasurer shall pay the replacement warrant.  
4 If at the time of a loss or destruction a warrant was  
5 negotiated to a third party, however (which fact shall be  
6 ascertained by the oath of the party making the application, or  
7 otherwise), before the replacement warrant is drawn by the  
8 Comptroller ~~comptroller~~, the person requesting the replacement  
9 warrant must give the Comptroller ~~comptroller~~ a bond or bonds  
10 with sufficient sureties, to be approved by the Comptroller  
11 ~~comptroller~~, when required by regulation of the Comptroller  
12 ~~comptroller~~, payable to the People of the State of Illinois,  
13 for the refunding of the amount, together with all costs and  
14 charges, should the State afterwards be compelled to pay the  
15 original warrant.

16 (Source: P.A. 89-285, eff. 1-1-96.)

17 (15 ILCS 405/20) (from Ch. 15, par. 220)

18 Sec. 20. Annual report. The Comptroller ~~comptroller~~ shall  
19 annually, as soon as possible after the close of the fiscal  
20 year but no later than December 31, make out and present to the  
21 Governor, the President of the Senate, the Speaker of the House  
22 of Representatives, the Minority Leader of the Senate, and the  
23 Minority Leader of the House of Representatives a report,  
24 showing the amount of warrants drawn on the treasury, on other  
25 funds held by the State Treasurer and on any public funds held

1 by State agencies, during the preceding fiscal year, and  
2 stating, particularly, on what account they were drawn, and if  
3 drawn on the contingent fund, to whom and for what they were  
4 issued. He or she shall, also, at the same time, report to the  
5 Governor, the President of the Senate, the Speaker of the House  
6 of Representatives, the Minority Leader of the Senate, and the  
7 Minority Leader of the House of Representatives the amount of  
8 money received into the treasury, into other funds held by the  
9 State Treasurer and into any other funds held by State agencies  
10 during the preceding fiscal year, and stating particularly, the  
11 source from which the same may be derived, and also a general  
12 account of all the business of his office during the preceding  
13 fiscal year. The report shall also summarize for the previous  
14 fiscal year the information required under Section 19.

15 Within 60 days after the expiration of each calendar year,  
16 the Comptroller ~~comptroller~~ shall compile, from records  
17 maintained and available in his office, a list of all persons  
18 including those employed in the Office of the Comptroller  
19 ~~office of the comptroller~~, who have been employed by the State  
20 during the past calendar year and paid from funds in the hands  
21 of the State Treasurer.

22 The list shall be arranged according to counties and shall  
23 state in alphabetical order the name of each employee, the  
24 address in the county in which he votes, except as specified  
25 below, the position and the total salary paid to him or her  
26 during the past calendar year. For persons employed by the

1 Department of Corrections, Department of Children and Family  
2 Services, Department of Juvenile Justice, Office of the State's  
3 Attorneys Appellate Prosecutor, and the Department of State  
4 Police, as well as their spouses, no address shall be listed.  
5 The list so compiled and arranged shall be kept on file in the  
6 office of the Comptroller ~~comptroller~~ and be open to inspection  
7 by the public at all times.

8 No person who utilizes the names obtained from this list  
9 for solicitation shall represent that such solicitation is  
10 authorized by any officer or agency of the State of Illinois.  
11 Violation of this provision is a Business Offense punishable by  
12 a fine not to exceed \$3,000.

13 (Source: P.A. 86-1003.)

14 (15 ILCS 405/10.13 rep.)

15 Section 10. The State Comptroller Act is amended by  
16 repealing Section 10.13.

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