

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 Section 10.05d as follows:

6 (15 ILCS 405/10.05d)

7 Sec. 10.05d. Deductions for delinquent obligations owed to  
8 units of local government, school districts, public  
9 institutions of higher education, and clerks of the circuit  
10 courts. Pursuant to Section 10.05 and this Section, the  
11 Comptroller may enter into intergovernmental agreements with a  
12 unit of local government, a school district, a public  
13 institution of higher education, or the clerk of a circuit  
14 court, in order to provide for (i) the use of the Comptroller's  
15 offset system to collect delinquent obligations owed to that  
16 entity and (ii) the payment to the Comptroller of a processing  
17 charge of up to \$15 per transaction for ~~such~~ offsets processed  
18 without the assistance of a third-party vendor and a processing  
19 charge of up to \$20 per transaction for offsets processed with  
20 the assistance of a third-party vendor. A third-party vendor  
21 may be selected by the Comptroller, pursuant to lawful  
22 procurement practices, in order to provide enhanced  
23 identification services to the State. The Comptroller shall

1 deduct, from a warrant or other payment described in Section  
2 10.05, in accordance with the procedures provided therein, its  
3 processing charge and the amount certified as necessary to  
4 satisfy, in whole or in part, the delinquent obligation owed to  
5 the unit of local government, school district, public  
6 institution of higher education, or clerk of the circuit court,  
7 as applicable. The Comptroller shall provide the unit of local  
8 government, school district, public institution of higher  
9 education, or clerk of the circuit court, as applicable, with  
10 the address to which the warrant or other payment was to be  
11 mailed and any other information pertaining to each person from  
12 whom a deduction is made pursuant to this Section. All  
13 deductions ordered under this Section and processing charges  
14 imposed under this Section shall be deposited into the  
15 Comptroller Debt Recovery Trust Fund, a special fund that the  
16 Comptroller shall use for the collection of deductions and  
17 processing charges, as provided by law, and the payment of  
18 deductions and administrative expenses, as provided by law.

19 Upon processing a deduction, the Comptroller shall give  
20 written notice to the person subject to the offset. The notice  
21 shall inform the person that he or she may make a written  
22 protest to the Comptroller within 60 days after the Comptroller  
23 has given notice. The protest shall include the reason for  
24 contesting the deduction and any other information that will  
25 enable the Comptroller to determine the amount due and payable.  
26 The intergovernmental agreement entered into under Section

1 10.05 and this Section shall establish procedures through which  
2 the Comptroller shall determine the validity of the protest and  
3 shall make a final disposition concerning the deduction. If the  
4 person subject to the offset has not made a written protest  
5 within 60 days after the Comptroller has given notice or if a  
6 final disposition is made concerning the deduction, the  
7 Comptroller shall pay the deduction to the unit of local  
8 government, school district, public institution of higher  
9 education, or clerk of the circuit court, as applicable, from  
10 the Comptroller Debt Recovery Trust Fund.

11 For the purposes of this Section, "clerk of a circuit  
12 court" means a clerk of the circuit court in any county in the  
13 State.

14 For purposes of this Section, "third-party vendor" means  
15 the vendor selected by the Comptroller to provide enhanced  
16 identification services to the State.

17 (Source: P.A. 97-632, eff. 12-16-11; 97-970, eff. 8-16-12.)

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