

1 AN ACT concerning audits and reports.

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

4 Section 5. The Public Funds Statement Publication Act is
5 amended by changing Section 1 as follows:

6 (30 ILCS 15/1) (from Ch. 102, par. 5)

7 Sec. 1. Except as provided in Section 2.1, each public
8 officer, other than a state officer, (and other than a city
9 or village treasurer or municipal officer who is required by
10 Article 3 of the Illinois Municipal Code, approved May 29,
11 1961, as heretofore and hereafter amended, to file an annual
12 report to the city council or board of trustees which report
13 is required to be published, and other than a treasurer of a
14 city, village or incorporated town, who is required to file
15 an account with the municipal clerk, which account is
16 published as required by "An Act in relation to the
17 preparation, publication and filing of annual accounts of
18 certain municipalities, the payment of tax monies to
19 treasurers of certain municipalities, and providing penalties
20 for violations thereof", approved August 15, 1961, as
21 heretofore and hereafter amended), who, by virtue of his
22 office receives for disbursement and disburses public funds
23 in the discharge of governmental or municipal debts and
24 liabilities, shall, at the expiration of each fiscal year,
25 prepare a statement:

26 (1) Of all moneys received and from what sources
27 received, giving items, particulars and details;

28 (2) Except as provided in paragraph (3) of this
29 Section, of all moneys paid out where the total amount
30 paid during the fiscal year exceeds \$2,500 in the
31 aggregate, giving the name of each individual to whom

1 paid and the amount paid to each person;

2 (3) Of all monies paid out as compensation for
3 personal services, giving the name of each individual to
4 whom paid and the total amount paid to each person,
5 except that any public officer may elect to report the
6 compensation for personal services of all personnel by
7 name, listing each employee in one of the following
8 categories:

- 9 (A) under \$25,000.00;
- 10 (B) \$25,000.00 to \$49,999.99;
- 11 (C) \$50,000.00 to \$74,999.99;
- 12 (D) \$75,000.00 to \$99,999.99;
- 13 (E) \$100,000.00 to \$124,999.99; or
- 14 (F) \$125,000.00 and over; and

15 (4) A summary statement of operations for all funds
16 and account groups, ~~as exempted from the annual~~
17 ~~financial report as filed with the appropriate State~~
18 ~~agency of the State of Illinois.~~

19 Such statement shall be subscribed and sworn to by the
20 public officer making such statement, and, within 6 months
21 after the expiration of such fiscal year shall be filed in
22 the office of the county clerk of the county in which such
23 public officer resides.

24 (Source: P.A. 92-354, eff. 8-15-01.)

25 Section 10. The Governmental Account Audit Act is
26 amended by changing Sections 1, 3, and 6 as follows:

27 (50 ILCS 310/1) (from Ch. 85, par. 701)

28 Sec. 1. Definitions. As used in this Act, unless the
29 context otherwise indicates:

30 "Governmental unit" or "unit" includes all municipal
31 corporations in and political subdivisions of this State that
32 appropriate more than \$5,000 for a fiscal year, with the

1 amount to increase or decrease by the amount of the Consumer
2 Price Index (CPI) as reported on January 1 of each year,
3 except the following:

4 (1) School districts.

5 (2) Cities, villages, and incorporated towns
6 subject to the Municipal Auditing Law, as contained in
7 the Illinois Municipal Code, and cities that file a
8 report with the Comptroller under Section 3.1-35-115 of
9 the Illinois Municipal Code.

10 (3) Counties with a population of 1,000,000 or
11 more.

12 (4) Counties subject to the County Auditing Law.

13 (5) Any other municipal corporations in or
14 political subdivisions of this State, the accounts of
15 which are required by law to be audited by or under the
16 direction of the Auditor General.

17 (6) (Blank).

18 (7) A drainage district, established under the
19 Illinois Drainage Code (70 ILCS 605), that did not
20 receive or expend any moneys during the immediately
21 preceding fiscal year or obtains approval for assessments
22 and expenditures through the circuit court.

23 (8) Public housing authorities that submit
24 financial reports to the U.S. Department of Housing and
25 Urban Development.

26 "Governing body" means the board or other body or
27 officers having authority to levy taxes, make appropriations,
28 authorize the expenditure of public funds or approve claims
29 for any governmental unit.

30 "Comptroller" means the Comptroller of the State of
31 Illinois.

32 "Consumer Price Index" means the Consumer Price Index for
33 All Urban Consumers for all items published by the United
34 States Department of Labor.

1 "Licensed public accountant" means the holder of a valid
2 certificate as a public accountant under the Illinois Public
3 Accounting Act.

4 "Audit report" means the written report of the licensed
5 public accountant and all appended statements and schedules
6 relating to that report, presenting or recording the findings
7 of an examination or audit of the financial transactions,
8 affairs, or conditions of a governmental unit.

9 "Report" includes both audit reports and reports filed
10 instead of an audit report by a governmental unit receiving
11 revenue of less than \$850,000 appropriating--less---than
12 \$200,000 during any fiscal year to which the reports relate.
13 (Source: P.A. 92-191, eff. 8-1-01.)

14 (50 ILCS 310/3) (from Ch. 85, par. 703)

15 Sec. 3. Any governmental unit receiving revenue of less
16 than \$850,000 appropriating-less-than-\$200,000 for any fiscal
17 year shall, in lieu of complying with the requirements of
18 Section 2 for audits and audit reports, file with the
19 Comptroller a financial report containing information
20 required by the Comptroller. In addition, a governmental
21 unit receiving revenue of less than \$850,000 appropriating
22 less--than--\$200,000 may file with the Comptroller any audit
23 reports which may have been prepared under any other law. Any
24 governmental unit receiving revenue of \$850,000 appropriating
25 \$200,000 or more for any fiscal year shall, in addition to
26 complying with the requirements of Section 2 for audits and
27 audit reports, file with the Comptroller the financial report
28 required by this Section. Such financial reports shall be on
29 forms so designed by the Comptroller as not to require
30 professional accounting services for its preparation.
31 (Source: P.A. 90-104, eff. 7-11-97.)

32 (50 ILCS 310/6) (from Ch. 85, par. 706)

1 Sec. 6. When the audit is completed the licensed public
2 accountant making such audit shall make and sign at least 3
3 copies of the report of the audit and immediately file them
4 with the governmental unit audited. Governmental units
5 receiving revenue of \$850,000 appropriating-\$200,000 or more
6 for any fiscal year shall immediately make one copy of the
7 audit report and one copy of the financial report required by
8 Section 3 of this Act a part of its public record.
9 Governmental units receiving revenue of less than \$850,000
10 ~~appropriating--less--than-\$200,000~~ shall immediately make one
11 copy of the audit report, or one copy of the report
12 authorized by Section 3 of this Act to be filed instead of
13 the audit report, a part of its public record. These copies
14 shall be open to public inspection. In addition, the
15 governmental unit shall file one copy of the report with the
16 Comptroller and with the county clerk of the county in which
17 the principal office of the governmental unit is located. A
18 governmental unit may, in filing its audit report with the
19 Comptroller, transmit with such report any comment or
20 explanation that it wishes to make concerning the report.
21 (Source: P.A. 82-422.)

22 Section 15. The Township Code is amended by changing
23 Section 80-20 as follows:

24 (60 ILCS 1/80-20)

25 Sec. 80-20. Independent audit of accounts.

26 (a) All accounts audited under this Article (and those
27 rejected, if any) shall be delivered with the certificate of
28 the trustees (or a majority of them) to the township clerk,
29 who shall keep them on file for the inspection of any of the
30 inhabitants of the township. They shall also be produced by
31 the township clerk at the next annual meeting and shall be
32 read at the meeting by the clerk.

1 (b) In townships that receive revenue of \$850,000
2 ~~appropriate--\$200,000~~ or more during any fiscal year,
3 exclusive of road funds, the township board shall have the
4 accounts and all records of the township thoroughly audited
5 by a certified public accountant within 6 months after the
6 close of each fiscal year. The board shall have a copy of
7 the accountant's report and recommendations filed with the
8 township clerk and another copy filed with the county clerk
9 for public inspection.

10 (c) In townships that receive revenue of less than
11 \$850,000 ~~appropriate-less-than--\$200,000~~ during any fiscal
12 year, exclusive of road funds, the township board shall have
13 the accounts and all records of the township audited and
14 inspected by an independent auditing committee composed of 3
15 township electors chosen by the board. The audit shall be
16 completed within 6 months after the close of each fiscal
17 year. A copy of the auditing committee's report and
18 recommendations shall be filed with the township clerk and
19 another copy shall be filed with the county clerk for public
20 inspection. The auditing committee shall not contain any
21 member of the township board or any person related to a
22 trustee. Members of the auditing committee shall be
23 proficient in accounting principles and practices and shall
24 be compensated at a rate determined by the township board but
25 not to exceed \$50 per day. In addition to the other audit
26 requirements imposed by law, in townships subject to this
27 subsection, the township board shall have the accounts and
28 all records of the township thoroughly audited by a certified
29 public accountant within 6 months after (i) the end of each
30 term of office of the township supervisor and (ii) a vacancy
31 occurs in the office of township supervisor. A copy of the
32 accountant's report and recommendations shall be filed with
33 the township clerk and another copy shall be filed with the
34 county clerk for public inspection.

1 (Source: P.A. 90-210, eff. 7-25-97.)

2 Section 99. Effective date. This Act takes effect on

3 July 1, 2002.