

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 Personnel Code is amended by changing  
5 Section 12a as follows:

6 (20 ILCS 415/12a) (from Ch. 127, par. 63b112a)

7 Sec. 12a. Certification of payrolls.

8 (1) No state disbursing or auditing officer shall make or  
9 approve or take any part in making or approving any payment for  
10 personal service to any person holding a position in the State  
11 service subject to this Act with the exception of those exempt  
12 under Section 4c unless the payroll voucher or account of such  
13 pay bears the certification of the agency head ~~Director~~, or of  
14 his authorized agent, that there has not been a determination  
15 made by the agency ~~Department~~ that any person named in the  
16 payroll voucher or account of such pay was not appointed and  
17 employed in accordance with the provisions of this law and  
18 rules, regulations, and orders thereunder.

19 Auditing by the Department ~~Such certification~~ shall be  
20 based either upon verification of the individual items in each  
21 payroll period or upon procedures developed for avoiding  
22 unnecessary repetitive verification when other evidence of  
23 compliance with applicable laws and rules is available. Such

1 procedures may be based either upon a continuation of payroll  
2 preparation by individual agencies or upon the use of a central  
3 payroll preparation unit. The Director may for proper cause  
4 withhold certification or approval from an entire payroll or  
5 from any specific item or items thereon.

6 (2) On and after July 1, 1957, any citizen may maintain a  
7 suit to restrain a disbursing officer from making any payment  
8 in contravention of any provisions of this law, rule, or order  
9 thereunder. Any sum paid contrary to any provision of this law  
10 or of any rule, regulation, or order thereunder may be  
11 recovered in an action maintained by any citizen, from any  
12 officer who made, approved, or authorized such payment or who  
13 signed a voucher, payroll, check or warrant for such payment,  
14 or from the sureties on the official bond of any such officer.  
15 All moneys recovered in any such action shall be paid into the  
16 State treasury.

17 (Source: P.A. 89-77, eff. 6-30-95.)