



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4950

Introduced 2/18/2020, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

20 ILCS 1305/10-25
20 ILCS 3020/805
30 ILCS 105/5k
110 ILCS 49/15
730 ILCS 5/5-4-3a

Amends the Department of Human Services Act. Removes a requirement that the Department of Human Services must report quarterly to the Governor and the General Assembly on certain expenditures under the WIC nutrition program. Amends the Capital Spending Accountability Law. Provides that reports on capital spending are due on or before the forty-fifth day after the end of each quarter (currently, the first day of each quarter). Amends the State Finance Act to eliminate a report on certain transfers. Amends the Higher Education Veterans Service Act to eliminate a requirement that certain survey results must be posted on an Internet website. Amends the Unified Code of Corrections concerning the DNA testing backlog. Effective immediately.

LRB101 18044 HLH 67482 b

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 Department of Human Services Act is amended
5 by changing Section 10-25 as follows:

6 (20 ILCS 1305/10-25)

7 Sec. 10-25. Women, Infants, and Children Nutrition
8 Program.

9 (a) The Department shall participate in the Women, Infants
10 and Children Nutrition program of the federal government to the
11 maximum extent permitted by the federal appropriation and
12 allocation to the State of Illinois. ~~The Department shall~~
13 ~~report quarterly to the Governor and the General Assembly the~~
14 ~~status of obligations and expenditures of the WIC nutrition~~
15 ~~program appropriation and make recommendations on actions~~
16 ~~necessary to expend all available federal funds.~~ Other
17 appropriations and funds from any public or private source in
18 addition to federal funds may be used by the Department for the
19 purpose of maximum participation in the WIC nutrition program.

20 (b) The Department shall maintain a drug abuse education
21 program for participants in the Women, Infants and Children
22 Nutrition Program. The program shall include but need not be
23 limited to (1) the provision of information concerning the

1 dangers of drug abuse and (2) the referral of participants who
2 are suspected drug abusers to drug abuse clinics, treatment
3 programs, counselors or other drug abuse treatment providers.

4 (c) The Department shall cooperate with the Department of
5 Public Health for purposes of the smoking cessation program for
6 participants in the Women, Infants and Children Nutrition
7 Program maintained by the Department of Public Health under
8 Section 2310-435 of the Department of Public Health Powers and
9 Duties Law (20 ILCS 2310/2310-435).

10 (d) The Department may contract with any bank as defined by
11 the Illinois Banking Act to redeem bank drafts issued by the
12 Department under the United States Department of Agriculture
13 Special Supplemental Food Program for Women, Infants and
14 Children (WIC). Any bank with which the Department has entered
15 into a contract to redeem bank drafts may receive, pursuant to
16 an appropriation to the Department, an initial advance and
17 periodic payment of funds for the Women, Infants and Children
18 Program in amounts determined by the Secretary.
19 Notwithstanding any other law, such funds shall be retained in
20 a separate account by the bank. Any interest earned by monies
21 in such account shall accrue to the USDA Women, Infants and
22 Children Fund and shall be used exclusively for the redemption
23 of bank drafts issued by the Department. WIC program food funds
24 received by the bank from the Department shall be used
25 exclusively for the redemption of bank drafts. The bank shall
26 not use such food funds, or interest accrued thereon, for any

1 other purpose including, but not limited to, reimbursement of
2 administrative expenses or payments of administrative fees due
3 the bank pursuant to its contract or contracts with the
4 Department.

5 Such initial and periodic payments by the Department to the
6 bank shall be effected, pursuant to an appropriation, in an
7 amount needed for the redemption of bank drafts issued by the
8 Department under the United States Department of Agriculture
9 Special Supplemental Food Program for Women, Infants and
10 Children in any initial or succeeding period. The State
11 Comptroller shall, upon presentation by the Secretary of
12 adequate certification of funds needed for redemption of bank
13 drafts, promptly draw a warrant payable to the bank for deposit
14 to the separate account of the bank. Such certification may be
15 in magnetic tape or computer output form, indicating the amount
16 of the total payment made by the bank for the redemption of
17 bank drafts from funds provided to the bank under this Section.

18 The separate account of the bank established under this
19 Section, any payments to that account, and the use of such
20 account and funds shall be subject to (1) audit by the
21 Department or a private contractor authorized by the Department
22 to conduct audits, including but not limited to such audits as
23 may be required by State law, (2) audit by the federal
24 government or a private contractor authorized by the federal
25 government, and (3) post audit pursuant to the Illinois State
26 Auditing Act.

1 (e) The Department may include a program of lactation
2 support services as part of the benefits and services provided
3 for pregnant and breast feeding participants in the Women,
4 Infants and Children Nutrition Program. The program may include
5 payment for breast pumps, breast shields, or any supply deemed
6 essential for the successful maintenance of lactation, as well
7 as lactation specialists who are registered nurses, licensed
8 dietitians, or persons who have successfully completed a
9 lactation management training program.

10 (f) The Department shall coordinate the operation of the
11 Women, Infants and Children program with the Medicaid program
12 by interagency agreement whereby each program provides
13 information about the services offered by the other to
14 applicants for services.

15 (Source: P.A. 90-290, eff. 1-1-98; 91-239, eff. 1-1-00.)

16 Section 10. The Capital Spending Accountability Law is
17 amended by changing Section 805 as follows:

18 (20 ILCS 3020/805)

19 Sec. 805. Reports on capital spending. On or before the
20 forty-fifth day after the end ~~first day of~~ each quarterly
21 period in each fiscal year, the Governor's Office of Management
22 and Budget shall provide to the Comptroller, the Treasurer, the
23 President and the Minority Leader of the Senate, and the
24 Speaker and the Minority Leader of the House of Representatives

1 a report on the status of all capital projects in the State.
2 The report may be provided in both written and electronic
3 format. The report must include all of the following:

4 (1) A brief description or stated purpose of each
5 capital project where applicable (as referred to in this
6 Section, "project").

7 (2) The amount and source of funds (whether from bond
8 funds or other revenues) appropriated for each project,
9 organized into categories including roads, mass transit,
10 schools, environment, civic centers and other categories
11 as applicable (as referred to in this Section, "category or
12 categories"), with subtotals for each category.

13 (3) The date the appropriation bill relating to each
14 project was signed by the Governor, organized into
15 categories.

16 (4) The date the written release of the Governor for
17 each project was submitted to the Comptroller or is
18 projected to be submitted and, if a release for any project
19 has not been submitted within 6 months after its
20 appropriation became law, an explanation why the project
21 has not yet been released, all organized into categories.

22 (5) The amount of expenditures to date by the State
23 relating to each project and estimated amount of total
24 State expenditures and proposed schedule of future State
25 expenditures relating to each project, all organized into
26 categories.

1 (6) A timeline for completion of each project,
2 including the dates, if applicable, of execution by the
3 State of any grant agreement, any required engineering or
4 design work or environmental approvals, and the estimated
5 or actual dates of the start and completion of
6 construction, all organized into categories. Any
7 substantial variances on any project from this reported
8 timeline must be explained in the next quarterly report.

9 (7) A summary report of the status of all projects,
10 including the amount of undisbursed funds intended to be
11 held or used in the next quarter.

12 (Source: P.A. 98-692, eff. 7-1-14.)

13 Section 15. The State Finance Act is amended by changing
14 Section 5k as follows:

15 (30 ILCS 105/5k)

16 Sec. 5k. Cash flow borrowing and general funds liquidity;
17 FY15.

18 (a) In order to meet cash flow deficits and to maintain
19 liquidity in the General Revenue Fund and the Health Insurance
20 Reserve Fund, on and after July 1, 2014 and through June 30,
21 2015, the State Treasurer and the State Comptroller shall make
22 transfers to the General Revenue Fund and the Health Insurance
23 Reserve Fund, as directed by the Governor, out of special funds
24 of the State, to the extent allowed by federal law. No such

1 transfer may reduce the cumulative balance of all of the
2 special funds of the State to an amount less than the total
3 debt service payable during the 12 months immediately following
4 the date of the transfer on any bonded indebtedness of the
5 State and any certificates issued under the Short Term
6 Borrowing Act. At no time shall the outstanding total transfers
7 made from the special funds of the State to the General Revenue
8 Fund and the Health Insurance Reserve Fund under this Section
9 exceed \$650,000,000; once the amount of \$650,000,000 has been
10 transferred from the special funds of the State to the General
11 Revenue Fund and the Health Insurance Reserve Fund, additional
12 transfers may be made from the special funds of the State to
13 the General Revenue Fund and the Health Insurance Reserve Fund
14 under this Section only to the extent that moneys have first
15 been re-transferred from the General Revenue Fund and the
16 Health Insurance Reserve Fund to those special funds of the
17 State. Notwithstanding any other provision of this Section, no
18 such transfer may be made from any special fund that is
19 exclusively collected by or appropriated to any other
20 constitutional officer without the written approval of that
21 constitutional officer.

22 (b) If moneys have been transferred to the General Revenue
23 Fund and the Health Insurance Reserve Fund pursuant to
24 subsection (a) of this Section, this amendatory Act of the 98th
25 General Assembly shall constitute the continuing authority for
26 and direction to the State Treasurer and State Comptroller to

1 reimburse the funds of origin from the General Revenue Fund by
2 transferring to the funds of origin, at such times and in such
3 amounts as directed by the Governor when necessary to support
4 appropriated expenditures from the funds, an amount equal to
5 that transferred from them plus any interest that would have
6 accrued thereon had the transfer not occurred. When any of the
7 funds from which moneys have been transferred pursuant to
8 subsection (a) have insufficient cash from which the State
9 Comptroller may make expenditures properly supported by
10 appropriations from the fund, then the State Treasurer and
11 State Comptroller shall transfer from the General Revenue Fund
12 to the fund only such amount as is immediately necessary to
13 satisfy outstanding expenditure obligations on a timely basis.

14 (c) (Blank). ~~On the first day of each quarterly period in~~
15 ~~each fiscal year, until such time as a report indicates that~~
16 ~~all moneys borrowed and interest pursuant to this Section have~~
17 ~~been repaid, the Governor's Office of Management and Budget~~
18 ~~shall provide to the President and the Minority Leader of the~~
19 ~~Senate, the Speaker and the Minority Leader of the House of~~
20 ~~Representatives, and the Commission on Government Forecasting~~
21 ~~and Accountability a report on all transfers made pursuant to~~
22 ~~this Section in the prior quarterly period. The report must be~~
23 ~~provided in electronic format. The report must include all of~~
24 ~~the following:~~

25 ~~(1) The date each transfer was made.~~

26 ~~(2) The amount of each transfer.~~

1 ~~(3) In the case of a transfer from the General Revenue~~
2 ~~Fund to a fund of origin pursuant to subsection (b) of this~~
3 ~~Section, the amount of interest being paid to the fund of~~
4 ~~origin.~~

5 ~~(4) The end of day balance of the fund of origin, the~~
6 ~~General Revenue Fund and the Health Insurance Reserve Fund~~
7 ~~on the date the transfer was made.~~

8 (Source: P.A. 98-682, eff. 6-30-14; 99-523, eff. 6-30-16.)

9 Section 20. The Higher Education Veterans Service Act is
10 amended by changing Section 15 as follows:

11 (110 ILCS 49/15)

12 Sec. 15. Survey; coordinator; best practices report; best
13 efforts.

14 (a) All public colleges and universities shall, within 60
15 days after the effective date of this Act, conduct a survey of
16 the services and programs that are provided for veterans,
17 active duty military personnel, and their families, at each of
18 their respective campuses. This survey shall enumerate and
19 fully describe the service or program that is available, the
20 number of veterans or active duty personnel using the service
21 or program, an estimated range for potential use within a
22 5-year and 10-year period, information on the location of the
23 service or program, and how its administrators may be
24 contacted. The survey shall indicate the manner or manners in

1 which a student veteran may avail himself or herself of the
2 program's services. This survey must be made available to all
3 veterans matriculating at the college or university in the form
4 of an orientation-related guidebook.

5 Each public college and university shall make the survey
6 available on the homepage of all campus Internet links as soon
7 as practical after the completion of the survey. As soon as
8 possible after the completion of the survey, each public
9 college and university shall provide a copy of its survey to
10 the following:

- 11 (1) the Board of Higher Education;
- 12 (2) the Department of Veterans' Affairs;
- 13 (3) the President and Minority Leader of the Senate and
14 the Speaker and Minority Leader of the House of
15 Representatives; and
- 16 (4) the Governor.

17 (b) Each public college and university shall, at its
18 discretion, (i) appoint, within 6 months after the effective
19 date of this Act, an existing employee or (ii) hire a new
20 employee to serve as a Coordinator of Veterans and Military
21 Personnel Student Services on each campus of the college or
22 university that has an onsite, daily, full-time student
23 headcount above 1,000 students.

24 The Coordinator of Veterans and Military Personnel Student
25 Services shall be an ombudsperson serving the specific needs of
26 student veterans and military personnel and their families and

1 shall serve as an advocate before the administration of the
2 college or university for the needs of student veterans. The
3 college or university shall enable the Coordinator of Veterans
4 and Military Personnel Student Services to communicate
5 directly with the senior executive administration of the
6 college or university periodically. The college or university
7 shall retain unfettered discretion to determine the
8 organizational management structure of its institution.

9 In addition to any responsibilities the college or
10 university may assign, the Coordinator of Veterans and Military
11 Personnel Student Services shall make its best efforts to
12 create a centralized source for student veterans and military
13 personnel to learn how to receive all benefit programs and
14 services for which they are eligible.

15 Each college and university campus that is required to have
16 a Coordinator of Veterans and Military Personnel Student
17 Services shall regularly and conspicuously advertise the
18 office location and, phone number of, and Internet access to
19 the Coordinator of Veterans and Military Personnel Student
20 Services, along with a brief summary of the manner in which he
21 or she can assist student veterans. The advertisement shall
22 include, but is not necessarily limited to, the following:

23 (1) advertisements on each campus' Internet home page;

24 and

25 (2) any promotional mailings for student application.

26 The Coordinator of Veterans and Military Personnel Student

1 Services shall facilitate other campus offices with the
2 promotion of programs and services that are available.

3 (c) Upon receipt of all of the surveys under subsection (a)
4 of this Section, the Board of Higher Education and the
5 Department of Veterans' Affairs shall conduct a joint review of
6 the surveys ~~and post, on any Internet home page they may~~
7 ~~operate, a link to each survey as posted on the Internet~~
8 ~~website for the college or university.~~ Upon receipt of all of
9 the surveys, the Office of the Governor, through its military
10 affairs advisors, shall similarly conduct a review of the
11 surveys ~~and post the surveys on its Internet website.~~ Following
12 its review of the surveys, the Office of the Governor shall
13 submit an evaluation report to each college and university
14 offering suggestions and insight on the conduct of student
15 veteran-related policies and programs.

16 (d) The Board of Higher Education and the Department of
17 Veterans' Affairs may issue a best practices report to
18 highlight those programs and services that are most beneficial
19 to veterans and active duty military personnel. The report
20 shall contain a fiscal needs assessment in conjunction with any
21 program recommendations.

22 (e) Each college and university campus that is required to
23 have a Coordinator of Veterans and Military Personnel Student
24 Services under subsection (b) of this Section shall make its
25 best efforts to create academic and social programs and
26 services for veterans and active duty military personnel that

1 will provide reasonable opportunities for academic performance
2 and success.

3 Each public college and university shall make its best
4 efforts to determine how its online educational curricula can
5 be expanded or altered to serve the needs of student veterans
6 and currently-deployed military, including a determination of
7 whether and to what extent the public colleges and universities
8 can share existing technologies to improve the online curricula
9 of peer institutions, provided such efforts are both
10 practically and economically feasible.

11 (Source: P.A. 96-133, eff. 8-7-09; revised 7-16-19.)

12 Section 25. The Unified Code of Corrections is amended by
13 changing Section 5-4-3a as follows:

14 (730 ILCS 5/5-4-3a)

15 Sec. 5-4-3a. DNA testing backlog accountability.

16 (a) On or before August 1 of each year, the Department of
17 State Police shall report to the Governor and both houses of
18 the General Assembly the following information:

19 (1) the extent of the backlog of cases awaiting testing
20 or awaiting DNA analysis by that Department, including but
21 not limited to those tests conducted under Section 5-4-3,
22 as of June 30 of the previous fiscal year, with the backlog
23 being defined as all cases awaiting forensic testing
24 whether in the physical custody of the State Police or in

1 the physical custody of local law enforcement, provided
2 that the State Police have written notice of any evidence
3 in the physical custody of local law enforcement prior to
4 June 1 of that year; and

5 (2) what measures have been and are being taken to
6 reduce that backlog and the estimated costs or expenditures
7 in doing so.

8 (b) The information reported under this Section shall be
9 made available to the public, at the time it is reported, on
10 the official web site of the Department of State Police.

11 (c) Beginning January 1, 2016, the Department of State
12 Police shall quarterly report on the status of the processing
13 of ~~forensic~~ biology ~~and DNA evidence~~ submitted to the
14 Department of State Police Laboratory for analysis. The report
15 shall be submitted to the Governor and the General Assembly,
16 and shall be posted on the Department of State Police website.
17 The report shall include the following for each State Police
18 Laboratory location and any laboratory to which the Department
19 of State Police has outsourced evidence for testing:

20 (1) For ~~forensic~~ biology submissions, report both
21 total assignments ~~case~~ and sexual assault or abuse
22 assignment ~~case~~ (as defined by the Sexual Assault Evidence
23 Submission Act) figures for:

24 (A) The number of ~~cases~~ received in the preceding
25 quarter.

26 (B) The number of assignments ~~cases~~ completed in

1 the preceding quarter.

2 (C) The number of assignments ~~cases~~ waiting
3 analysis.

4 (D) The number of assignments ~~cases~~ sent for
5 outsourcing.

6 (E) The number of assignments ~~cases~~ waiting
7 analysis that were received within the past 30 days.

8 (F) The number of assignments ~~cases~~ waiting
9 analysis that were received 31 to 90 days prior.

10 (G) The number of assignments ~~cases~~ waiting
11 analysis that were received 91 to 180 days prior.

12 (H) The number of assignments ~~cases~~ waiting
13 analysis that were received 181 to 365 days prior.

14 (I) The number of assignments ~~cases~~ waiting
15 analysis that were received more than 365 days prior.

16 (J) (Blank). ~~The number of cases forwarded for DNA~~
17 ~~analyses.~~

18 (2) (Blank). ~~For DNA submissions, report both total~~
19 ~~case and sexual assault or abuse case (as defined by the~~
20 ~~Sexual Assault Evidence Submission Act) figures for:~~

21 ~~(A) The number of cases received in the preceding~~
22 ~~quarter.~~

23 ~~(B) The number of cases completed in the preceding~~
24 ~~quarter.~~

25 ~~(C) The number of cases waiting analysis.~~

26 ~~(D) The number of cases sent for outsourcing.~~

1 ~~(E) The number of cases waiting analysis that were~~
2 ~~received within the past 30 days.~~

3 ~~(F) The number of cases waiting analysis that were~~
4 ~~received 31 to 90 days prior.~~

5 ~~(G) The number of cases waiting analysis that were~~
6 ~~received 91 to 180 days prior.~~

7 ~~(H) The number of cases waiting analysis that were~~
8 ~~received 181 to 365 days prior.~~

9 ~~(I) The number of cases waiting analysis that were~~
10 ~~received more than 365 days prior.~~

11 (3) For all other categories of testing (e.g., drug
12 chemistry, firearms/toolmark, footwear/tire track, latent
13 prints, toxicology, and trace chemistry analysis):

14 (A) The number of assignments ~~cases~~ received in the
15 preceding quarter.

16 (B) The number of assignments ~~cases~~ completed in
17 the preceding quarter.

18 (C) The number of assignments ~~cases~~ waiting
19 analysis.

20 (4) For the Combined DNA Index System (CODIS), report
21 both total assignment ~~case~~ and sexual assault or abuse
22 assignment ~~case~~ (as defined by the Sexual Assault Evidence
23 Submission Act) figures for subparagraphs (D), (E), and (F)
24 of this paragraph (4):

25 (A) The number of new offender samples received in
26 the preceding quarter.

1 (B) The number of offender samples uploaded to
2 CODIS in the preceding quarter.

3 (C) The number of offender samples awaiting
4 analysis.

5 (D) The number of unknown DNA case profiles
6 uploaded to CODIS in the preceding quarter.

7 (E) The number of CODIS hits in the preceding
8 quarter.

9 (F) The number of forensic evidence submissions
10 submitted to confirm a previously reported CODIS hit.

11 (5) For each category of testing, report the number of
12 trained forensic scientists and the number of forensic
13 scientists in training.

14 As used in this subsection (c), "completed" means
15 completion of both the analysis of the evidence and the
16 provision of the results to the submitting law enforcement
17 agency.

18 (d) The provisions of this subsection (d), other than this
19 sentence, are inoperative on and after January 1, 2019 or 2
20 years after the effective date of this amendatory Act of the
21 99th General Assembly, whichever is later. In consultation with
22 and subject to the approval of the Chief Procurement Officer,
23 the Department of State Police may obtain contracts for
24 services, commodities, and equipment to assist in the timely
25 completion of ~~forensic~~ biology, ~~DNA~~, drug chemistry,
26 firearms/toolmark, footwear/tire track, latent prints,

1 toxicology, microscopy, trace chemistry, and Combined DNA
2 Index System (CODIS) analysis. Contracts to support the
3 delivery of timely forensic science services are not subject to
4 the provisions of the Illinois Procurement Code, except for
5 Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of that
6 Code, provided that the Chief Procurement Officer may, in
7 writing with justification, waive any certification required
8 under Article 50 of the Illinois Procurement Code. For any
9 contracts for services which are currently provided by members
10 of a collective bargaining agreement, the applicable terms of
11 the collective bargaining agreement concerning subcontracting
12 shall be followed.

13 (Source: P.A. 99-352, eff. 1-1-16; 99-801, eff. 1-1-17.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.