

SB3016



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3016

Introduced 2/4/2010, by Sen. Larry K. Bomke

SYNOPSIS AS INTRODUCED:

30 ILCS 540/1

from Ch. 127, par. 132.401

Amends the State Prompt Payment Act. Redefines "proper bill or invoice" to include periodic payments required by contracts, including work progress payments required by construction contracts. With respect to periodic payments, provides that the proper bill or invoice is deemed to exist upon completion of the period and that the subsequent discovery of defects in the bill or invoice shall result in payment in accordance with the Act's provisions for notice of defects. Effective immediately.

LRB096 20013 JAM 35505 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Prompt Payment Act is amended by
5 changing Section 1 as follows:

6 (30 ILCS 540/1) (from Ch. 127, par. 132.401)

7 Sec. 1. This Act applies to any State official or agency
8 authorized to provide for payment from State funds, by virtue
9 of any appropriation of the General Assembly, for goods or
10 services furnished to the State.

11 For purposes of this Act, "goods or services furnished to
12 the State" include but are not limited to (i) covered health
13 care provided to eligible members and their covered dependents
14 in accordance with the State Employees Group Insurance Act of
15 1971, including coverage through a physician-owned health
16 maintenance organization under Section 6.1 of that Act, and
17 (ii) prevention, intervention, or treatment services and
18 supports for persons with developmental disabilities, mental
19 health services, alcohol and substance abuse services,
20 rehabilitation services, and early intervention services
21 provided by a vendor. For the purposes of item (ii), a vendor
22 includes but is not limited to sellers of goods and services,
23 including community-based organizations that are licensed to

1 provide prevention, intervention, or treatment services and
2 supports for persons with developmental disabilities, mental
3 illness, and substance abuse problems.

4 For the purposes of this Act, "appropriate State official
5 or agency" is defined as the Director or Chief Executive or his
6 designee of that State agency or department or facility of such
7 agency or department. With respect to covered health care
8 provided to eligible members and their dependents in accordance
9 with the State Employees Group Insurance Act of 1971,
10 "appropriate State official or agency" also includes an
11 administrator of a program of health benefits under that Act.

12 As used in this Act, "eligible member" means a member who
13 is eligible for health benefits under the State Employees Group
14 Insurance Act of 1971, and "member" and "dependent" have the
15 meanings ascribed to those terms in that Act.

16 As used in this Act, "a proper bill or invoice" means a
17 bill or invoice that includes the information necessary for
18 processing the payment as may be specified by a State agency
19 and in rules adopted in accordance with this Act. A "proper
20 bill or invoice" also means a periodic payment due and owing
21 under the terms of a contract, as well as a periodic payment
22 due and owing under the terms of a construction contract based
23 upon periodic measurements of the progress of the work. For
24 purposes of this Act, but for no other purpose, a "proper bill
25 or invoice" shall be deemed to exist upon completion of the
26 contractual periodic measurements of the progress of work on a

1 construction contract. In the event defects are subsequently
2 discovered, in a bill or invoice based on periodic measurements
3 of the progress of the work, payment shall be made in
4 accordance with Section 3-2(1.1) of this Act.

5 (Source: P.A. 96-802, eff. 1-1-10.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.