

SB3975



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3975

Introduced 11/18/2010, by Sen. Jeffrey M. Schoenberg

SYNOPSIS AS INTRODUCED:

30 ILCS 105/25

from Ch. 127, par. 161

Amends the State Finance Act. Provides that all outstanding liabilities as of June 30, 2010, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2010, may be paid out of the expiring appropriations until April 30, 2011 (instead of December 31, 2010). Effective immediately.

LRB096 24377 PJG 43999 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 Finance Act is amended by changing
5 Section 25 as follows:

6 (30 ILCS 105/25) (from Ch. 127, par. 161)

7 Sec. 25. Fiscal year limitations.

8 (a) All appropriations shall be available for expenditure
9 for the fiscal year or for a lesser period if the Act making
10 that appropriation so specifies. A deficiency or emergency
11 appropriation shall be available for expenditure only through
12 June 30 of the year when the Act making that appropriation is
13 enacted unless that Act otherwise provides.

14 (b) Outstanding liabilities as of June 30, payable from
15 appropriations which have otherwise expired, may be paid out of
16 the expiring appropriations during the 2-month period ending at
17 the close of business on August 31. Any service involving
18 professional or artistic skills or any personal services by an
19 employee whose compensation is subject to income tax
20 withholding must be performed as of June 30 of the fiscal year
21 in order to be considered an "outstanding liability as of June
22 30" that is thereby eligible for payment out of the expiring
23 appropriation.

1 However, payment of tuition reimbursement claims under
2 Section 14-7.03 or 18-3 of the School Code may be made by the
3 State Board of Education from its appropriations for those
4 respective purposes for any fiscal year, even though the claims
5 reimbursed by the payment may be claims attributable to a prior
6 fiscal year, and payments may be made at the direction of the
7 State Superintendent of Education from the fund from which the
8 appropriation is made without regard to any fiscal year
9 limitations.

10 All outstanding liabilities as of June 30, 2010, payable
11 from appropriations that would otherwise expire at the
12 conclusion of the lapse period for fiscal year 2010, and
13 interest penalties payable on those liabilities under the State
14 Prompt Payment Act, may be paid out of the expiring
15 appropriations until April 30, 2011 ~~December 31, 2010~~, without
16 regard to the fiscal year in which the payment is made, as long
17 as vouchers for the liabilities are received by the Comptroller
18 no later than August 31, 2010.

19 Medical payments may be made by the Department of Veterans'
20 Affairs from its appropriations for those purposes for any
21 fiscal year, without regard to the fact that the medical
22 services being compensated for by such payment may have been
23 rendered in a prior fiscal year.

24 Medical payments may be made by the Department of
25 Healthcare and Family Services and medical payments and child
26 care payments may be made by the Department of Human Services

1 (as successor to the Department of Public Aid) from
2 appropriations for those purposes for any fiscal year, without
3 regard to the fact that the medical or child care services
4 being compensated for by such payment may have been rendered in
5 a prior fiscal year; and payments may be made at the direction
6 of the Department of Central Management Services from the
7 Health Insurance Reserve Fund and the Local Government Health
8 Insurance Reserve Fund without regard to any fiscal year
9 limitations.

10 Medical payments may be made by the Department of Human
11 Services from its appropriations relating to substance abuse
12 treatment services for any fiscal year, without regard to the
13 fact that the medical services being compensated for by such
14 payment may have been rendered in a prior fiscal year, provided
15 the payments are made on a fee-for-service basis consistent
16 with requirements established for Medicaid reimbursement by
17 the Department of Healthcare and Family Services.

18 Additionally, payments may be made by the Department of
19 Human Services from its appropriations, or any other State
20 agency from its appropriations with the approval of the
21 Department of Human Services, from the Immigration Reform and
22 Control Fund for purposes authorized pursuant to the
23 Immigration Reform and Control Act of 1986, without regard to
24 any fiscal year limitations.

25 Further, with respect to costs incurred in fiscal years
26 2002 and 2003 only, payments may be made by the State Treasurer

1 from its appropriations from the Capital Litigation Trust Fund
2 without regard to any fiscal year limitations.

3 Lease payments may be made by the Department of Central
4 Management Services under the sale and leaseback provisions of
5 Section 7.4 of the State Property Control Act with respect to
6 the James R. Thompson Center and the Elgin Mental Health Center
7 and surrounding land from appropriations for that purpose
8 without regard to any fiscal year limitations.

9 Lease payments may be made under the sale and leaseback
10 provisions of Section 7.5 of the State Property Control Act
11 with respect to the Illinois State Toll Highway Authority
12 headquarters building and surrounding land without regard to
13 any fiscal year limitations.

14 Payments may be made in accordance with a plan authorized
15 by paragraph (11) or (12) of Section 405-105 of the Department
16 of Central Management Services Law from appropriations for
17 those payments without regard to fiscal year limitations.

18 (c) Further, payments may be made by the Department of
19 Public Health and the Department of Human Services (acting as
20 successor to the Department of Public Health under the
21 Department of Human Services Act) from their respective
22 appropriations for grants for medical care to or on behalf of
23 persons suffering from chronic renal disease, persons
24 suffering from hemophilia, rape victims, and premature and
25 high-mortality risk infants and their mothers and for grants
26 for supplemental food supplies provided under the United States

1 Department of Agriculture Women, Infants and Children
2 Nutrition Program, for any fiscal year without regard to the
3 fact that the services being compensated for by such payment
4 may have been rendered in a prior fiscal year.

5 (d) The Department of Public Health and the Department of
6 Human Services (acting as successor to the Department of Public
7 Health under the Department of Human Services Act) shall each
8 annually submit to the State Comptroller, Senate President,
9 Senate Minority Leader, Speaker of the House, House Minority
10 Leader, and the respective Chairmen and Minority Spokesmen of
11 the Appropriations Committees of the Senate and the House, on
12 or before December 31, a report of fiscal year funds used to
13 pay for services provided in any prior fiscal year. This report
14 shall document by program or service category those
15 expenditures from the most recently completed fiscal year used
16 to pay for services provided in prior fiscal years.

17 (e) The Department of Healthcare and Family Services, the
18 Department of Human Services (acting as successor to the
19 Department of Public Aid), and the Department of Human Services
20 making fee-for-service payments relating to substance abuse
21 treatment services provided during a previous fiscal year shall
22 each annually submit to the State Comptroller, Senate
23 President, Senate Minority Leader, Speaker of the House, House
24 Minority Leader, the respective Chairmen and Minority
25 Spokesmen of the Appropriations Committees of the Senate and
26 the House, on or before November 30, a report that shall

1 document by program or service category those expenditures from
2 the most recently completed fiscal year used to pay for (i)
3 services provided in prior fiscal years and (ii) services for
4 which claims were received in prior fiscal years.

5 (f) The Department of Human Services (as successor to the
6 Department of Public Aid) shall annually submit to the State
7 Comptroller, Senate President, Senate Minority Leader, Speaker
8 of the House, House Minority Leader, and the respective
9 Chairmen and Minority Spokesmen of the Appropriations
10 Committees of the Senate and the House, on or before December
11 31, a report of fiscal year funds used to pay for services
12 (other than medical care) provided in any prior fiscal year.
13 This report shall document by program or service category those
14 expenditures from the most recently completed fiscal year used
15 to pay for services provided in prior fiscal years.

16 (g) In addition, each annual report required to be
17 submitted by the Department of Healthcare and Family Services
18 under subsection (e) shall include the following information
19 with respect to the State's Medicaid program:

20 (1) Explanations of the exact causes of the variance
21 between the previous year's estimated and actual
22 liabilities.

23 (2) Factors affecting the Department of Healthcare and
24 Family Services' liabilities, including but not limited to
25 numbers of aid recipients, levels of medical service
26 utilization by aid recipients, and inflation in the cost of

1 medical services.

2 (3) The results of the Department's efforts to combat
3 fraud and abuse.

4 (h) As provided in Section 4 of the General Assembly
5 Compensation Act, any utility bill for service provided to a
6 General Assembly member's district office for a period
7 including portions of 2 consecutive fiscal years may be paid
8 from funds appropriated for such expenditure in either fiscal
9 year.

10 (i) An agency which administers a fund classified by the
11 Comptroller as an internal service fund may issue rules for:

12 (1) billing user agencies in advance for payments or
13 authorized inter-fund transfers based on estimated charges
14 for goods or services;

15 (2) issuing credits, refunding through inter-fund
16 transfers, or reducing future inter-fund transfers during
17 the subsequent fiscal year for all user agency payments or
18 authorized inter-fund transfers received during the prior
19 fiscal year which were in excess of the final amounts owed
20 by the user agency for that period; and

21 (3) issuing catch-up billings to user agencies during
22 the subsequent fiscal year for amounts remaining due when
23 payments or authorized inter-fund transfers received from
24 the user agency during the prior fiscal year were less than
25 the total amount owed for that period.

26 User agencies are authorized to reimburse internal service

1 funds for catch-up billings by vouchers drawn against their
2 respective appropriations for the fiscal year in which the
3 catch-up billing was issued or by increasing an authorized
4 inter-fund transfer during the current fiscal year. For the
5 purposes of this Act, "inter-fund transfers" means transfers
6 without the use of the voucher-warrant process, as authorized
7 by Section 9.01 of the State Comptroller Act.

8 (Source: P.A. 95-331, eff. 8-21-07; 96-928, eff. 6-15-10;
9 96-958, eff. 7-1-10; revised 7-22-10.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.