



Rep. Barbara Flynn Currie

Filed: 4/5/2013

09800HB0374ham001

LRB098 03193 JDS 43923 a

1 AMENDMENT TO HOUSE BILL 374

2 AMENDMENT NO. _____. Amend House Bill 374 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding
5 Section 5.826 as follows:

6 (30 ILCS 105/5.826 new)

7 Sec. 5.826. The Human Services Provider Payment Fund.

8 Section 10. The General Obligation Bond Act is amended by
9 changing Sections 2, 2.5 and 12 and by adding Section 7.6 as
10 follows:

11 (30 ILCS 330/2) (from Ch. 127, par. 652)

12 Sec. 2. Authorization for Bonds. The State of Illinois is
13 authorized to issue, sell and provide for the retirement of
14 General Obligation Bonds of the State of Illinois for the

1 categories and specific purposes expressed in Sections 2
2 through 8 of this Act, in the total amount of \$49,592,925,743
3 ~~\$47,092,925,743~~ ~~\$45,476,125,743~~.

4 The bonds authorized in this Section 2 and in Section 16 of
5 this Act are herein called "Bonds".

6 Of the total amount of Bonds authorized in this Act, up to
7 \$2,200,000,000 in aggregate original principal amount may be
8 issued and sold in accordance with the Baccalaureate Savings
9 Act in the form of General Obligation College Savings Bonds.

10 Of the total amount of Bonds authorized in this Act, up to
11 \$300,000,000 in aggregate original principal amount may be
12 issued and sold in accordance with the Retirement Savings Act
13 in the form of General Obligation Retirement Savings Bonds.

14 Of the total amount of Bonds authorized in this Act, the
15 additional \$10,000,000,000 authorized by Public Act 93-2, the
16 \$3,466,000,000 authorized by Public Act 96-43, and the
17 \$4,096,348,300 authorized by Public Act 96-1497 shall be used
18 solely as provided in Section 7.2.

19 The issuance and sale of Bonds pursuant to the General
20 Obligation Bond Act is an economical and efficient method of
21 financing the long-term capital needs of the State. This Act
22 will permit the issuance of a multi-purpose General Obligation
23 Bond with uniform terms and features. This will not only lower
24 the cost of registration but also reduce the overall cost of
25 issuing debt by improving the marketability of Illinois General
26 Obligation Bonds.

1 (Source: P.A. 96-5, eff. 4-3-09; 96-36, eff. 7-13-09; 96-43,
2 eff. 7-15-09; 96-885, eff. 3-11-10; 96-1000, eff. 7-2-10;
3 96-1497, eff. 1-14-11; 96-1554, eff. 3-18-11; 97-333, eff.
4 8-12-11; 97-771, eff. 7-10-12; 97-813, eff. 7-13-12; revised
5 7-23-12.)

6 (30 ILCS 330/2.5)

7 Sec. 2.5. Limitation on issuance of Bonds.

8 (a) Except as provided in subsection (b) and in Section
9 7.6, no Bonds may be issued if, after the issuance, in the next
10 State fiscal year after the issuance of the Bonds, the amount
11 of debt service (including principal, whether payable at
12 maturity or pursuant to mandatory sinking fund installments,
13 and interest) on all then-outstanding Bonds, other than Bonds
14 authorized by Public Act 96-43 and other than Bonds authorized
15 by this amendatory Act of the 96th General Assembly, would
16 exceed 7% of the aggregate appropriations from the general
17 funds (which consist of the General Revenue Fund, the Common
18 School Fund, the General Revenue Common School Special Account
19 Fund, and the Education Assistance Fund) and the Road Fund for
20 the fiscal year immediately prior to the fiscal year of the
21 issuance.

22 (b) If the Comptroller and Treasurer each consent in
23 writing, Bonds may be issued even if the issuance does not
24 comply with subsection (a).

25 (Source: P.A. 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11.)

1 (30 ILCS 330/7.6 new)

2 Sec. 7.6. Payments to bona fide creditors.

3 (a) The amount of \$2,500,000,000 is authorized to be used
4 for the purpose of making payments to bona fide creditors of
5 the State who: (1) have submitted a bill or invoice to the
6 State that was properly approved under rules adopted under
7 Section 3-3 of the State Prompt Payment Act or (2) are entitled
8 to payment from State funds. For the purposes of this Section,
9 the term "bona fide creditor" includes, but is not limited to,
10 healthcare providers, human service providers, and any entity
11 paid from a grant line by the Department of Healthcare and
12 Family Services, the Department of Human Services, the
13 Department of Children and Family Service, the Department of
14 Public Health, or the Department on Aging. The proceeds of the
15 additional \$2,500,000,000 of bonds authorized by this
16 amendatory Act of the 98th General Assembly shall not be used
17 to pay contributions to any pension or retirement system of the
18 State, any unit of local government or school district, or any
19 agency or instrumentality thereof.

20 (b) The proceeds of the additional \$2,500,000,000 of bonds
21 authorized by this amendatory Act of the 98th General Assembly,
22 less the amounts directly paid out for bond sale expenses under
23 Section 8, shall be deposited into the Human Service Provider
24 Payment Fund, a special fund created in the State Treasury.
25 Moneys in the Human Service Provider Payment Fund shall be used

1 to make payments to bona fide creditors of the State, as
2 defined in subsection (a). Priority will be given to payments
3 that receive Federal Medical Assistance Percentage (FMAP) up to
4 \$2,000,000,000 of the total amount authorized. The federal
5 proceeds garnered from the payment of these bills shall be
6 deposited directly into the General Obligation Bond Retirement
7 and Interest Fund and used to pay the principal debt associated
8 with the bonds authorized under this Section. Funds remaining
9 after payments are made that receive FMAP shall be prioritized
10 according to the date on which the debt first became
11 delinquent, with the oldest debts to be paid first.

12 (c) The Human Service Provider Payment Fund is not subject
13 administrative charges or chargebacks, including, but not
14 limited to, those authorized under Section 8h of the State
15 Finance Act.

16 (d) Any federal proceeds received from FMAP for the payment
17 of bills shall be deposited directly into the General
18 Obligation Bond Retirement and Interest Fund. The Comptroller
19 shall use these funds to pay the principal on the debt incurred
20 under this Section no later than 30 days after FMAP proceeds
21 are deposited into the General Obligation Bond Retirement and
22 Interest Fund.

23 (30 ILCS 330/12) (from Ch. 127, par. 662)

24 Sec. 12. Allocation of Proceeds from Sale of Bonds.

25 (a) Proceeds from the sale of Bonds, authorized by Section

1 3 of this Act, shall be deposited in the separate fund known as
2 the Capital Development Fund.

3 (b) Proceeds from the sale of Bonds, authorized by
4 paragraph (a) of Section 4 of this Act, shall be deposited in
5 the separate fund known as the Transportation Bond, Series A
6 Fund.

7 (c) Proceeds from the sale of Bonds, authorized by
8 paragraphs (b) and (c) of Section 4 of this Act, shall be
9 deposited in the separate fund known as the Transportation
10 Bond, Series B Fund.

11 (c-1) Proceeds from the sale of Bonds, authorized by
12 paragraph (d) of Section 4 of this Act, shall be deposited into
13 the Transportation Bond Series D Fund, which is hereby created.

14 (d) Proceeds from the sale of Bonds, authorized by Section
15 5 of this Act, shall be deposited in the separate fund known as
16 the School Construction Fund.

17 (e) Proceeds from the sale of Bonds, authorized by Section
18 6 of this Act, shall be deposited in the separate fund known as
19 the Anti-Pollution Fund.

20 (f) Proceeds from the sale of Bonds, authorized by Section
21 7 of this Act, shall be deposited in the separate fund known as
22 the Coal Development Fund.

23 (f-2) Proceeds from the sale of Bonds, authorized by
24 Section 7.2 of this Act, shall be deposited as set forth in
25 Section 7.2.

26 (f-5) Proceeds from the sale of Bonds, authorized by

1 Section 7.5 of this Act, shall be deposited as set forth in
2 Section 7.5.

3 (f-6) Proceeds from the sale of Bonds authorized by Section
4 7.6 of this Act shall be deposited as set forth in Section 7.6.

5 (g) Proceeds from the sale of Bonds, authorized by Section
6 8 of this Act, shall be deposited in the Capital Development
7 Fund.

8 (h) Subsequent to the issuance of any Bonds for the
9 purposes described in Sections 2 through 8 of this Act, the
10 Governor and the Director of the Governor's Office of
11 Management and Budget may provide for the reallocation of
12 unspent proceeds of such Bonds to any other purposes authorized
13 under said Sections of this Act, subject to the limitations on
14 aggregate principal amounts contained therein. Upon any such
15 reallocation, such unspent proceeds shall be transferred to the
16 appropriate funds as determined by reference to paragraphs (a)
17 through (g) of this Section.

18 (Source: P.A. 96-36, eff. 7-13-09.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."