

1 AN ACT to amend the State Comptroller Act by changing
2 Section 10.05.

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

5 Section 5. The State Comptroller Act is amended by
6 changing Section 10.05 as follows:

7 (15 ILCS 405/10.05) (from Ch. 15, par. 210.05)

8 Sec. 10.05. Deductions from warrants; statement of
9 reason for deduction. Whenever any person shall be entitled
10 to a warrant or other payment from the treasury or other
11 funds held by the State Treasurer, on any account, against
12 whom there shall be any account or claim in favor of the
13 State, then due and payable, the Comptroller, upon
14 notification thereof, shall ascertain the amount due and
15 payable to the State, as aforesaid, and draw a warrant on the
16 treasury or on other funds held by the State Treasurer,
17 stating the amount for which the party was entitled to a
18 warrant or other payment, the amount deducted therefrom, and
19 on what account, and directing the payment of the balance;
20 which warrant or payment as so drawn shall be entered on the
21 books of the Treasurer, and such balance only shall be paid.
22 The Comptroller may deduct the entire amount due and payable
23 to the State or may deduct a portion of the amount due and
24 payable to the State in accordance with the request of the
25 notifying agency. No request from a notifying agency for an
26 amount to be deducted under this Section from a wage or
27 salary payment, ~~or~~ from a contractual payment to an
28 individual for personal services, or from pension annuity
29 payments made under the Illinois Pension Code shall exceed
30 25% of the net amount of such payment. "Net amount" means
31 that part of the earnings of an individual remaining after

1 deduction of any amounts required by law to be withheld. For
2 purposes of this provision, wage, salary or other payments
3 for personal services shall not include final compensation
4 payments for the value of accrued vacation, overtime or sick
5 leave. Whenever the Comptroller draws a warrant or makes a
6 payment involving a deduction ordered under this Section, the
7 Comptroller shall notify the payee and the State agency that
8 submitted the voucher of the reason for the deduction and he
9 or she shall retain a record of such statement in his or her
10 records. As used in this Section, an "account or claim in
11 favor of the State" includes all amounts owing to "State
12 agencies" as defined in Section 7 of this Act. However, the
13 Comptroller shall not be required to accept accounts or
14 claims owing to funds not held by the State Treasurer, where
15 such accounts or claims do not exceed \$50, nor shall the
16 Comptroller deduct from funds held by the State Treasurer
17 under the Senior Citizens and Disabled Persons Property Tax
18 Relief and Pharmaceutical Assistance Act. The Comptroller and
19 the Department of the Lottery shall enter into an interagency
20 agreement to establish responsibility, duties, and procedures
21 relating to deductions from lottery prizes awarded under
22 Section 20.1 of the Illinois Lottery Law.
23 (Source: P.A. 90-37, eff. 6-27-97.)