

# HB3521



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3521

Introduced 2/22/2021, by Rep. Keith R. Wheeler

### SYNOPSIS AS INTRODUCED:

20 ILCS 605/605-1047

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that financial support funds under the Local Coronavirus Urgent Remediation Emergency Support (Local CURE) Program may be used by a unit of local government only for payment of costs permitted to be covered with monies from the Coronavirus Relief Fund.

LRB102 16821 RJF 22225 b

A BILL FOR

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 Commerce and Economic  
5 Opportunity Law of the Civil Administrative Code of Illinois  
6 is amended by renumbering and changing Section 605-1045 as  
7 follows:

8 (20 ILCS 605/605-1047)

9 Sec. 605-1047 ~~605-1045~~. Local Coronavirus Urgent  
10 Remediation Emergency (or Local CURE) Support Program.

11 (a) Purpose. The Department may receive, directly or  
12 indirectly, federal funds from the Coronavirus Relief Fund  
13 provided to the State pursuant to Section 5001 of the federal  
14 Coronavirus Aid, Relief, and Economic Security (CARES) Act to  
15 provide financial support to units of local government for  
16 purposes authorized by Section 5001 of the federal Coronavirus  
17 Aid, Relief, and Economic Security (CARES) Act and related  
18 federal guidance. Upon receipt of such funds, and  
19 appropriations for their use, the Department shall administer  
20 a Local Coronavirus Urgent Remediation Emergency (or Local  
21 CURE) Support Program to provide financial support to units of  
22 local government that have incurred necessary expenditures due  
23 to the COVID-19 public health emergency. The Department shall

1 provide by rule the administrative framework for the Local  
2 CURE Support Program.

3 (b) Allocations. A portion of the funds appropriated for  
4 the Local CURE Support Program may be allotted to  
5 municipalities and counties based on proportionate population.  
6 Units of local government, or portions thereof, located within  
7 the five Illinois counties that received direct allotments  
8 from the federal Coronavirus Relief Fund will not be included  
9 in the support program allotments. The Department may  
10 establish other administrative procedures for providing  
11 financial support to units of local government. Appropriated  
12 funds may be used for administration of the support program,  
13 including the hiring of a service provider to assist with  
14 coordination and administration.

15 (c) Administrative Procedures. The Department may  
16 establish administrative procedures for the support program,  
17 including any application procedures, grant agreements,  
18 certifications, payment methodologies, and other  
19 accountability measures that may be imposed upon recipients of  
20 funds under the grant program. Financial support may be  
21 provided in the form of grants or in the form of expense  
22 reimbursements for disaster-related expenditures. The  
23 emergency rulemaking process may be used to promulgate the  
24 ~~initial~~ rules of the grant program.

25 (d) Definitions. As used in this Section:

26 (1) "COVID-19" means the novel coronavirus virus

1 disease deemed COVID-19 by the World Health Organization  
2 on February 11, 2020.

3 (2) "Local government" or "unit of local government"  
4 means any unit of local government as defined in Article  
5 VII, Section 1 of the Illinois Constitution.

6 (3) "Third party administrator" means a service  
7 provider selected by the Department to provide operational  
8 assistance with the administration of the support program.

9 (e) Powers of the Department. The Department has the power  
10 to:

11 (1) Provide financial support to eligible units of  
12 local government with funds appropriated from the Local  
13 Coronavirus Urgent Remediation Emergency (Local CURE) Fund  
14 to cover necessary costs incurred due to the COVID-19  
15 public health emergency that are eligible to be paid using  
16 federal funds from the Coronavirus Relief Fund.

17 (2) Enter into agreements, accept funds, issue grants  
18 or expense reimbursements, and engage in cooperation with  
19 agencies of the federal government and units of local  
20 governments to carry out the purposes of this support  
21 program, and to use funds appropriated from the Local  
22 Coronavirus Urgent Remediation Emergency (Local CURE) Fund  
23 fund upon such terms and conditions as may be established  
24 by the federal government and the Department.

25 (3) Enter into agreements with third-party  
26 administrators to assist the state with operational

1 assistance and administrative functions related to review  
2 of documentation and processing of financial support  
3 payments to units of local government.

4 (4) Establish applications, notifications, contracts,  
5 and procedures and adopt rules deemed necessary and  
6 appropriate to carry out the provisions of this Section.  
7 To provide for the expeditious and timely implementation  
8 of this Act, emergency rules to implement any provision of  
9 this Section may be adopted by the Department subject to  
10 the provisions of Section 5-45 of the Illinois  
11 Administrative Procedure Act.

12 (5) Provide staff, administration, and related support  
13 required to manage the support program and pay for the  
14 staffing, administration, and related support with funds  
15 appropriated from the Local Coronavirus Urgent Remediation  
16 Emergency (Local CURE) Fund.

17 (6) Exercise such other powers as are necessary or  
18 incidental to the foregoing.

19 (f) Local CURE Financial Support to Local Governments. The  
20 Department is authorized to provide financial support to  
21 eligible units of local government including, but not limited  
22 to, certified local health departments for necessary costs  
23 incurred due to the COVID-19 public health emergency that are  
24 eligible to be paid using federal funds from the Coronavirus  
25 Relief Fund.

26 (1) Financial support funds may be used by a unit of

1 local government only for payment of costs permitted to be  
2 covered with monies from the Coronavirus Relief Fund  
3 pursuant to Section 601(d)(3) of the Social Security Act,  
4 as amended, or any other federal law that: (i) are  
5 necessary expenditures incurred due to the public health  
6 emergency of COVID 19; (ii) were not accounted for in the  
7 most recent budget approved as of March 27, 2020 for the  
8 unit of local government; and (iii) were incurred between  
9 March 1, 2020 and December 30, 2020.

10 (2) A unit of local government receiving financial  
11 support funds under this program shall certify to the  
12 Department that it shall use the funds in accordance with  
13 the requirements of paragraph (1) and that any funds  
14 received but not used for such purposes shall be repaid to  
15 the Department.

16 (3) The Department shall make the determination to  
17 provide financial support funds to a unit of local  
18 government on the basis of criteria established by the  
19 Department.

20 (Source: P.A. 101-636, eff. 6-10-20; revised 8-3-20.)