



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5489

Introduced 1/31/2022, by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

20 ILCS 605/605-1050

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that of the funds received by the State under the American Rescue Plan Act of 2021, an additional \$300,000,000 shall be allocated for use by the Back to Business Program to further aid business recovery. Provides that grants provided from such funds shall initially be used to provide grants to businesses with currently pending grant applications, and then allocated to businesses in the order in which grant applications are received. Provides that grants shall also be provided for approved navigators, to ensure Illinois businesses are aware of the Grant Program. Effective immediately.

LRB102 24579 RJF 33813 b

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 changing Section 605-1050 as follows:

7 (20 ILCS 605/605-1050)

8 Sec. 605-1050. Coronavirus Back to Business Grant Program
9 (or Back to Business Program).

10 (a) Purpose. The Department may receive State funds and,
11 directly or indirectly, federal funds under the authority of
12 legislation passed in response to the Coronavirus epidemic
13 including, but not limited to, the Coronavirus Aid, Relief,
14 and Economic Security Act, P.L. 116-136 (the "CARES Act") and
15 the American Rescue Plan Act of 2021, P.L. 117-2 (the "ARPA
16 Act"); such funds shall be used in accordance with the CARES
17 Act and ARPA Act legislation and published guidance. Section
18 5001 of the CARES Act establishes the Coronavirus Relief Fund,
19 which authorizes the State to expend funds that are necessary
20 to respond to the COVID-19 public health emergency. The
21 financial support of Qualifying Businesses is a necessary
22 expense under federal guidance for implementing Section 5001
23 of the CARES Act. Upon receipt or availability of such State or

1 federal funds, and subject to appropriations for their use,
2 the Department shall administer a program to provide financial
3 assistance to Qualifying Businesses that have experienced
4 interruption of business or other adverse conditions
5 attributable to the COVID-19 public health emergency. Support
6 may be provided directly by the Department to businesses and
7 organizations or in cooperation with a Qualified Partner.
8 Financial assistance may include, but not be limited to
9 grants, expense reimbursements, or subsidies.

10 (b) From appropriations for the Back to Business Program,
11 up to \$60,000,000 may be allotted to the repayment or
12 conversion of Eligible Loans made pursuant to the Department's
13 Emergency Loan Fund Program. An Eligible Loan may be repaid or
14 converted through a grant payment, subsidy, or reimbursement
15 payment to the recipient or, on behalf of the recipient, to the
16 Qualified Partner, or by any other lawful method.

17 (c) From appropriations for the Back to Business Program,
18 the Department shall provide financial assistance through
19 grants, expense reimbursements, or subsidies to Qualifying
20 Businesses or a Qualified Partner to cover expenses or losses
21 incurred due to the COVID-19 public health emergency or for
22 start-up costs of a new Qualifying Business. All spending
23 related to this program from federal funds must be
24 reimbursable by the Federal Coronavirus Relief Fund in
25 accordance with Section 5001 of the federal CARES Act, the
26 ARPA Act, and any related federal guidance, or the provisions

1 of any other federal source supporting the program.

2 (d) As more fully described in subsection (c), funds will
3 be appropriated to the Back to Business Program for
4 distribution to or on behalf of Qualifying Businesses. Of the
5 funds appropriated, a minimum of 40% shall be allotted for
6 Qualifying Businesses with ZIP codes located in the most
7 disproportionately impacted areas of Illinois, based on
8 positive COVID-19 cases.

9 (d-5) Subject to appropriation, of the funds received by
10 the State under the American Rescue Plan Act of 2021, an
11 additional \$300,000,000 shall be allocated for use by the Back
12 to Business Program to further aid business recovery. Grants
13 provided from funds under this subsection (d-5) shall
14 initially be used to provide grants to businesses with
15 currently pending grant applications, and then allocated to
16 businesses in the order in which grant applications are
17 received. Grants provided from funds under this subsection
18 (d-5) shall also be provided for approved navigators, to
19 ensure Illinois businesses are aware of the Grant Program.

20 (e) The Department shall coordinate with the Department of
21 Human Services with respect to making grants, expense
22 reimbursements or subsidies to any child care or day care
23 provider providing services under Section 9A-11 of the
24 Illinois Public Aid Code to determine what resources the
25 Department of Human Services may be providing to a child care
26 or day care provider under Section 9A-11 of the Illinois

1 Public Aid Code.

2 (f) The Department may establish by rule administrative
3 procedures for the grant program, including any application
4 procedures, grant agreements, certifications, payment
5 methodologies, and other accountability measures that may be
6 imposed upon participants in the program. The emergency
7 rulemaking process may be used to promulgate the initial rules
8 of the grant program and any amendments to the rules following
9 the effective date of this amendatory Act of the 102nd General
10 Assembly.

11 (g) Definitions. As used in this Section:

12 (1) "COVID-19" means the novel coronavirus disease
13 deemed COVID-19 by the World Health Organization on
14 February 11, 2020.

15 (2) "Qualifying Business" means a business or
16 organization that has experienced or is experiencing
17 business interruption or other adverse conditions due to
18 the COVID-19 public health emergency, and includes a new
19 business or organization started after March 1, 2020 in
20 the midst of adverse conditions due to the COVID-19 public
21 health emergency.

22 (3) "Eligible Loan" means a loan of up to \$50,000 that
23 was deemed eligible for funding under the Department's
24 Emergency Loan Fund Program and for which repayment will
25 be eligible for reimbursement from Coronavirus Relief Fund
26 monies pursuant to Section 5001 of the federal CARES Act

1 or the ARPA Act and any related federal guidance.

2 (4) "Emergency Loan Fund Program", also referred to as
3 the "COVID-19 Emergency Relief Program", is a program
4 executed by the Department by which the State Small
5 Business Credit Initiative fund is utilized to guarantee
6 loans released by a financial intermediary or Qualified
7 Partner.

8 (5) "Qualified Partner" means a financial institution
9 or nonprofit with which the Department has entered into an
10 agreement or contract to provide or incentivize assistance
11 to Qualifying Businesses.

12 (h) Powers of the Department. The Department has the power
13 to:

14 (1) provide grants, subsidies and expense
15 reimbursements to Qualifying Businesses or, on behalf of
16 Qualifying Businesses, to Qualifying Partners from
17 appropriations to cover Qualifying Businesses eligible
18 costs or losses incurred due to the COVID-19 public health
19 emergency, including losses caused by business
20 interruption or closure and including start-up costs for
21 new Qualifying Businesses;

22 (2) enter into agreements, accept funds, issue grants,
23 and engage in cooperation with agencies of the federal
24 government, units of local government, financial
25 institutions, and nonprofit organizations to carry out the
26 purposes of this Program, and to use funds appropriated

1 for the Back to Business Program;

2 (3) prepare forms for application, notification,
3 contract, and other matters, and establish procedures,
4 rules, or regulations deemed necessary and appropriate to
5 carry out the provisions of this Section;

6 (4) provide staff, administration, and related support
7 required to manage the Back to Business Program and pay
8 for the staffing, administration, and related support;

9 (5) using data provided by the Illinois Department of
10 Public Health and other reputable sources, determine which
11 geographic regions in Illinois have been most
12 disproportionately impacted by the COVID-19 public health
13 emergency, considering factors of positive cases, positive
14 case rates, and economic impact; and

15 (6) determine which industries and businesses in
16 Illinois have been most disproportionately impacted by the
17 COVID-19 public health emergency and establish procedures
18 that prioritize greatly impacted industries and
19 businesses, as well as Qualifying Businesses that did not
20 receive paycheck protection program assistance.

21 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.