



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2144

Introduced 2/26/2021, by Sen. Dan McConchie

SYNOPSIS AS INTRODUCED:

20 ILCS 605/605-1050
20 ILCS 1005/1005-170 new

Amends Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that all contracts for services, purchases, or sales related to the Coronavirus Business Interruption Grant (BIG) Program and entered into by the Department of Commerce and Economic Opportunity that are not subject to public bid shall be disclosed to the public on the Department's website within 14 days after execution of the contract. Amends the Department of Employment Security Law of the Civil Administrative Code of Illinois. Provides that all contracts for services, purchases, or sales, including specifications in such contracts, entered into by the Department of Employment Security that are not subject to public bid shall be disclosed to the public on the Department's website within 14 days after execution of the contract. Provides other requirements concerning such contracts. Defines "specifications". Effective immediately.

LRB102 16262 RJF 21644 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 Business Interruption Grant
9 Program (or BIG Program).

10 (a) Purpose. The Department may receive, directly or
11 indirectly, federal funds under the authority of legislation
12 passed in response to the Coronavirus epidemic including, but
13 not limited to, the Coronavirus Aid, Relief, and Economic
14 Security Act, P.L. 116-136 (the "CARES Act"). Section 5001 of
15 the CARES Act establishes the Coronavirus Relief Fund, which
16 authorizes the State to expend funds that are necessary to
17 respond to the COVID-19 public health emergency. The financial
18 support of Qualifying Businesses is a necessary expense under
19 federal guidance for implementing Section 5001 of the CARES
20 Act. Upon receipt or availability of such funds, and subject
21 to appropriations for their use, the Department shall
22 administer a program to provide financial assistance to
23 Qualifying Businesses that have experienced interruption of

1 business or other adverse conditions attributable to the
2 COVID-19 public health emergency. Support may be provided
3 directly by the Department to businesses and organizations or
4 in cooperation with a Qualified Partner. Financial assistance
5 may include, but not be limited to grants, expense
6 reimbursements, or subsidies.

7 (b) From appropriations for the BIG Program, up to
8 \$60,000,000 may be allotted to the repayment or conversion of
9 Eligible Loans made pursuant to the Department's Emergency
10 Loan Fund Program. An Eligible Loan may be repaid or converted
11 through a grant payment, subsidy, or reimbursement payment to
12 the recipient or, on behalf of the recipient, to the Qualified
13 Partner, or by any other lawful method.

14 (c) From appropriations for the BIG Program, the
15 Department shall provide financial assistance through grants,
16 expense reimbursements, or subsidies to Qualifying Businesses
17 or a Qualified Partner to cover expenses or losses incurred
18 due to the COVID-19 public health emergency. With a minimum of
19 50% going to Qualified Businesses that enable critical support
20 services such as child care, day care, and early childhood
21 education, the BIG Program will reimburse costs or losses
22 incurred by Qualifying Businesses due to business interruption
23 caused by required closures, as authorized in federal guidance
24 regarding the Coronavirus Relief Fund. All spending related to
25 this program must be reimbursable by the Federal Coronavirus
26 Relief Fund in accordance with Section 5001 of the federal

1 CARES Act and any related federal guidance, or the provisions
2 of any other federal source supporting the program.

3 (d) As more fully described in subsection (c), funds will
4 be appropriated to the BIG Program for distribution to or on
5 behalf of Qualifying Businesses. Of the funds appropriated, a
6 minimum of 30% shall be allotted for Qualified Businesses with
7 ZIP codes located in the most disproportionately impacted
8 areas of Illinois, based on positive COVID-19 cases.

9 (e) The Department shall coordinate with the Department of
10 Human Services with respect to making grants, expense
11 reimbursements or subsidies to any child care or day care
12 provider providing services under Section 9A-11 of the
13 Illinois Public Aid Code to determine what resources the
14 Department of Human Services may be providing to a child care
15 or day care provider under Section 9A-11 of the Illinois
16 Public Aid Code.

17 (f) The Department may establish by rule administrative
18 procedures for the grant program, including any application
19 procedures, grant agreements, certifications, payment
20 methodologies, and other accountability measures that may be
21 imposed upon participants in the program. The emergency
22 rulemaking process may be used to promulgate the initial rules
23 of the grant program.

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

25 (1) "COVID-19" means the novel coronavirus disease
26 deemed COVID-19 by the World Health Organization on

1 February 11, 2020.

2 (2) "Qualifying Business" means a business or
3 organization that is experiencing business interruption
4 due to the COVID-19 public health emergency and is
5 eligible for reimbursement as prescribed by Section 601(a)
6 of the Social Security Act and added by Section 5001 of the
7 CARES Act or other federal legislation addressing the
8 COVID-19 crisis.

9 (3) "Eligible Loan" means a loan of up to \$50,000 that
10 was deemed eligible for funding under the Department's
11 Emergency Loan Fund Program and for which repayment will
12 be eligible for reimbursement from Coronavirus Relief Fund
13 monies pursuant to Section 5001 of the federal CARES Act
14 and any related federal guidance.

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

21 (5) "Qualified Partner" means a financial institution
22 or nonprofit with which the Department has entered into an
23 agreement or contract to provide or incentivize assistance
24 to Qualifying Businesses.

25 (h) Powers of the Department. The Department has the power
26 to:

1 (1) provide grants, subsidies and expense
2 reimbursements to Qualified Businesses or, on behalf of
3 Qualified Businesses, to Qualified Partners from
4 appropriations to cover Qualified Businesses eligible
5 costs or losses incurred due to the COVID-19 public health
6 emergency, including losses caused by business
7 interruption or closure;

8 (2) enter into agreements, accept funds, issue grants,
9 and engage in cooperation with agencies of the federal
10 government, units of local government, financial
11 institutions, and nonprofit organizations to carry out the
12 purposes of this Program, and to use funds appropriated
13 for the BIG Program;

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

18 (4) provide staff, administration, and related support
19 required to manage the BIG Program and pay for the
20 staffing, administration, and related support;

21 (5) using data provided by the Illinois Department of
22 Public Health and other reputable sources, determine which
23 geographic regions in Illinois have been most
24 disproportionately impacted by the COVID-19 public health
25 emergency, considering factors of positive cases, positive
26 case rates, and economic impact; and

1 (6) determine which industries and businesses in
2 Illinois have been most disproportionately impacted by the
3 COVID-19 public health emergency and establish procedures
4 that prioritize greatly impacted industries and
5 businesses, as well as Qualified Businesses that did not
6 receive paycheck protection program assistance.

7 (i) All contracts for services, purchases, or sales
8 related to the Program created under this Section and entered
9 into by the Department that are not subject to public bid shall
10 be disclosed to the public on the Department's website within
11 14 days after execution of the contract. The Department or
12 vendor shall designate an individual to respond to public
13 inquiries regarding contracts subject to this Section.
14 Disclosure of contracts shall be posted on the Department's
15 website regardless of the source of funding.

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

17 Section 10. The Department of Employment Security Law of
18 the Civil Administrative Code of Illinois is amended by adding
19 Section 1005-170 as follows:

20 (20 ILCS 1005/1005-170 new)

21 Sec. 1005-170. Disclosure of no-bid contracts. All
22 contracts for services, purchases, or sales, including
23 specifications in such contracts, entered into by the
24 Department that are not subject to public bid shall be

1 disclosed to the public on the Department's website within 14
2 days after execution of the contract. The Department or vendor
3 shall designate an individual to respond to public inquiries
4 regarding the contract. Disclosure of vendor contracts shall
5 be posted on the Department's website regardless of the source
6 of funding.

7 For purposes of this Section, "specifications" means any
8 description, provision, or requirement pertaining to the
9 nature of a supply, service, or other item to be procured under
10 a contract. "Specifications" may include a description of any
11 requirement for inspecting, testing, or preparing a supply,
12 service, professional or artistic service, construction, or
13 other item for delivery.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.