



Rep. Bradley Fritts

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10300HB5011ham001

LRB103 38092 AWJ 71953 a

1 AMENDMENT TO HOUSE BILL 5011

2 AMENDMENT NO. _____. Amend House Bill 5011 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Governmental Account Audit Act is amended
5 by changing Sections 1, 2, 3, and 6 as follows:

6 (50 ILCS 310/1) (from Ch. 85, par. 701)

7 Sec. 1. Definitions. As used in this Act, unless the
8 context otherwise indicates:

9 "Governmental unit" or "unit" includes all municipal
10 corporations in and political subdivisions of this State that
11 appropriate more than \$5,000 for a fiscal year, with the
12 amount to increase or decrease by the amount of the Consumer
13 Price Index (CPI) as reported on January 1 of each year, except
14 the following:

15 (1) School districts.

16 (2) Cities, villages, and incorporated towns subject

1 to the Municipal Auditing Law, as contained in the
2 Illinois Municipal Code, and cities that file a report
3 with the Comptroller under Section 3.1-35-115 of the
4 Illinois Municipal Code.

5 (3) Counties with a population of 1,000,000 or more.

6 (4) Counties subject to the County Auditing Law.

7 (5) Any other municipal corporations in or political
8 subdivisions of this State, the accounts of which are
9 required by law to be audited by or under the direction of
10 the Auditor General.

11 (6) (Blank).

12 (7) A drainage district, established under the
13 Illinois Drainage Code (70 ILCS 605), that did not receive
14 or expend any moneys during the immediately preceding
15 fiscal year or obtains approval for assessments and
16 expenditures through the circuit court.

17 (8) Public housing authorities that submit financial
18 reports to the U.S. Department of Housing and Urban
19 Development.

20 "Governing body" means the board or other body or officers
21 having authority to levy taxes, make appropriations, authorize
22 the expenditure of public funds or approve claims for any
23 governmental unit.

24 "Comptroller" means the Comptroller of the State of
25 Illinois.

26 "Consumer Price Index" means the Consumer Price Index for

1 All Urban Consumers for all items published by the United
2 States Department of Labor.

3 "Audit report" means:

4 (1) for governmental unit fiscal years before fiscal
5 year 2026, the written report of the auditor and all
6 appended statements and schedules relating to that report,
7 presenting or recording the findings of an examination or
8 audit of the financial transactions, affairs, or
9 conditions of a governmental unit; and-

10 (2) for governmental unit fiscal years 2026 and after,
11 the written report of the auditor or auditors and all
12 appended statements and schedules relating thereto,
13 presenting or recording the findings of an examination or
14 audit of the financial transactions, affairs, or
15 conditions of a governmental unit that includes all of the
16 accounts and funds of a governmental unit.

17 "Auditor" means a licensed certified public accountant, as
18 that term is defined in Section 0.03 of the Illinois Public
19 Accounting Act, or the substantial equivalent of a licensed
20 CPA, as provided under Section 5.2 of the Illinois Public
21 Accounting Act, who performs an audit of governmental unit
22 financial statements and records and expresses an assurance or
23 disclaims an opinion on the audited financial statements.

24 "Consumer Price Index-U" means the index published by the
25 Bureau of Labor Statistics of the United States Department of
26 Labor that measures the average change in prices of goods and

1 services purchased by all urban consumers, United States city
2 average, all items, 1982-84 = 100.

3 "Report":

4 (1) for governmental unit fiscal years before fiscal
5 year 2026, includes both audit reports and reports filed
6 instead of an audit report by a governmental unit
7 receiving revenue of less than \$850,000 during any fiscal
8 year to which the reports relate; and-

9 (2) for governmental unit fiscal years 2026 and after,
10 means the statement filed in lieu of an audit report
11 containing information required by the Comptroller on
12 forms devised by the Comptroller in such manner as to not
13 require professional accounting services for its
14 preparation.

15 "Generally accepted accounting principles" means
16 accounting principles generally accepted in the United States.

17 "Generally accepted auditing standards" means auditing
18 standards generally accepted in the United States.

19 (Source: P.A. 100-837, eff. 8-13-18; 101-419, eff. 1-1-20.)

20 (50 ILCS 310/2) (from Ch. 85, par. 702)

21 Sec. 2. (a) This subsection applies to governmental unit
22 fiscal years before fiscal year 2026. Except as otherwise
23 provided in Section 3, the governing body of each governmental
24 unit shall cause an audit of the accounts of the unit to be
25 made by an auditor or auditors. Such audit shall be performed

1 annually and shall cover the immediately preceding fiscal year
2 of the governmental unit. The audit shall include all the
3 accounts and funds of the governmental unit, including the
4 accounts of any officer of the governmental unit who receives
5 fees or handles funds of the unit or who spends money of the
6 unit. The audit shall begin as soon as possible after the close
7 of the last fiscal year to which it pertains, and shall be
8 completed and the audit report filed with the Comptroller
9 within 180 days after the close of such fiscal year unless an
10 extension of time is granted by the Comptroller in writing. An
11 audit report which fails to meet the requirements of this Act
12 shall be rejected by the Comptroller and returned to the
13 governing body of the governmental unit for corrective action.
14 The auditor or auditors performing the audit shall submit not
15 less than 3 copies of the audit report to the governing body of
16 the governmental unit being audited.

17 All audits to be filed with the Comptroller under this
18 Section must be submitted electronically and the Comptroller
19 must post the audit reports on the Internet no later than 45
20 days after they are received. If the governmental unit
21 provides the Comptroller's Office with sufficient evidence
22 that the audit report cannot be filed electronically, the
23 Comptroller may waive this requirement. The Comptroller must
24 also post a list of governmental units that are not in
25 compliance with the reporting requirements set forth in this
26 Section.

1 Any financial report under this Section shall include the
2 name of the purchasing agent who oversees all competitively
3 bid contracts. If there is no purchasing agent, the name of the
4 person responsible for oversight of all competitively bid
5 contracts shall be listed.

6 (b) This subsection applies to governmental unit fiscal
7 years 2026 and after. Except as otherwise provided in Section
8 3, the governing body of each governmental unit shall cause an
9 audit of the accounts of the unit to be made by an auditor or
10 auditors. Such audit shall be performed once every 2 years and
11 shall cover the 2 immediately preceding fiscal years of the
12 governmental unit, unless the latest audit report filed with
13 the Comptroller contains an adverse or disclaimer of opinion.
14 If the audit report contains an adverse or disclaimer of
15 opinion, then the governmental unit shall file an audit report
16 annually until the audit report shows no adverse or disclaimer
17 of opinion. The audit shall include all the accounts and funds
18 of the governmental unit, including the accounts of any
19 officer of the governmental unit who receives fees or handles
20 funds of the unit or who spends money of the unit. The audit
21 shall begin as soon as possible after the close of the last
22 fiscal year to which it pertains, and shall be completed and
23 the audit report filed with the Comptroller within 180 days
24 after the close of such fiscal year unless an extension of time
25 is granted by the Comptroller in writing. An audit report
26 which fails to meet the requirements of this Act shall be

1 rejected by the Comptroller and returned to the governing body
2 of the governmental unit for corrective action. The auditor or
3 auditors performing the audit shall submit not less than 3
4 copies of the audit report to the governing body of the
5 governmental unit being audited.

6 All audits to be filed with the Comptroller under this
7 Section must be submitted electronically and the Comptroller
8 must post the audit reports on the Internet no later than 45
9 days after they are received. If the governmental unit
10 provides the Comptroller's Office with sufficient evidence
11 that the audit report cannot be filed electronically, the
12 Comptroller may waive this requirement. The Comptroller must
13 also post a list of governmental units that are not in
14 compliance with the reporting requirements set forth in this
15 Section.

16 Any financial report under this Section shall include the
17 name of the purchasing agent who oversees all competitively
18 bid contracts. If there is no purchasing agent, the name of the
19 person responsible for oversight of all competitively bid
20 contracts shall be listed.

21 (Source: P.A. 101-419, eff. 1-1-20.)

22 (50 ILCS 310/3) (from Ch. 85, par. 703)

23 Sec. 3. (a) This subsection applies to governmental unit
24 fiscal years before fiscal year 2026. Any governmental unit
25 receiving revenue of less than \$850,000 for any fiscal year

1 shall, in lieu of complying with the requirements of Section 2
2 for audits and audit reports, beginning with fiscal year 2016,
3 either: (i) cause an audit of the accounts of the unit to be
4 made once every 4 years and file with the Comptroller an annual
5 financial report containing information required by the
6 Comptroller, or (ii) file with the Comptroller an annual
7 financial report containing information required by the
8 Comptroller, a copy of which has been provided to each member
9 of that governmental unit's board of elected officials,
10 presented either in person or by a live phone or web connection
11 during a public meeting, and approved by a 3/5 majority vote.
12 In addition, a governmental unit receiving revenue of less
13 than \$850,000 may file with the Comptroller any audit reports
14 which may have been prepared under any other law. Any
15 governmental unit receiving revenue of \$850,000 or more for
16 any fiscal year shall, in addition to complying with the
17 requirements of Section 2 for audits and audit reports, file
18 with the Comptroller the financial report required by this
19 Section. Such financial reports shall be on forms so designed
20 by the Comptroller as not to require professional accounting
21 services for its preparation. All reports to be filed with the
22 Comptroller under this Section must be submitted
23 electronically and the Comptroller must post the reports on
24 the Internet no later than 45 days after they are received. If
25 the governmental unit provides the Comptroller's Office with
26 sufficient evidence that the report cannot be filed

1 electronically, the Comptroller may waive this requirement.
2 The Comptroller must also post a list of governmental units
3 that are not in compliance with the reporting requirements set
4 forth in this Section.

5 Any financial report under this Section shall include the
6 name of the purchasing agent who oversees all competitively
7 bid contracts. If there is no purchasing agent, the name of the
8 person responsible for oversight of all competitively bid
9 contracts shall be listed.

10 (b) This subsection applies to governmental unit fiscal
11 years 2026 and after. Any governmental unit receiving revenue
12 of less than \$1,400,000 for any fiscal year, with the amount to
13 increase or decrease by a percentage equal to the Consumer
14 Price Index-U as reported on January 1 of each year, shall, in
15 lieu of complying with the requirements of Section 2 either:
16 (i) cause an audit of the accounts of the unit to be made once
17 every 4 years and must file with the Comptroller an annual
18 financial report containing information required by the
19 Comptroller; or (ii) file with the Comptroller an annual
20 financial report containing information required by the
21 Comptroller, a copy of which has been provided to each member
22 of that governmental unit's board of elected officials,
23 presented either in person or by a live phone or web connection
24 during a public meeting, and approved by a three-fifths
25 majority vote. In addition, a governmental unit receiving
26 revenue of less than \$1,400,000, with the amount to increase

1 or decrease by a percentage equal to the Consumer Price
2 Index-U as reported on January 1 of each year, may file with
3 the Comptroller any audit reports which may have been prepared
4 under any other law. Any governmental unit receiving revenue
5 of \$1,400,000 or more for any fiscal year, with the amount to
6 increase or decrease by a percentage equal to the Consumer
7 Price Index-U as reported on January 1 of each year, shall, in
8 addition to complying with the requirements of Section 2 for
9 audits and audit reports, file with the Comptroller the annual
10 financial report required by this Section. All reports to be
11 filed with the Comptroller under this Section must be
12 submitted electronically and the Comptroller must post the
13 reports on the Internet no later than 45 days after they are
14 received. If the governmental unit provides the Comptroller's
15 Office with sufficient evidence that the report cannot be
16 filed electronically, the Comptroller may waive this
17 requirement. The Comptroller must also post a list of
18 governmental units that are not in compliance with the
19 reporting requirements set forth in this Section.

20 Any financial report under this Section shall include the
21 name of the purchasing agent who oversees all competitively
22 bid contracts. If there is no purchasing agent, the name of the
23 person responsible for oversight of all competitively bid
24 contracts shall be listed.

25 (Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12;
26 98-1019, eff. 7-1-15.)

1 (50 ILCS 310/6) (from Ch. 85, par. 706)

2 Sec. 6. (a) This subsection applies to governmental unit
3 fiscal years before fiscal year 2026. When the audit is
4 completed the auditor making such audit shall make and sign at
5 least 3 copies of the report of the audit and immediately file
6 them with the governmental unit audited. Governmental units
7 receiving revenue of \$850,000 or more for any fiscal year
8 shall immediately make one copy of the audit report and one
9 copy of the financial report required by Section 3 of this Act
10 a part of its public record. Governmental units receiving
11 revenue of less than \$850,000 shall immediately make one copy
12 of the audit report, or one copy of the report authorized by
13 Section 3 of this Act to be filed instead of the audit report,
14 a part of its public record. These copies shall be open to
15 public inspection. In addition, the governmental unit shall
16 file one copy of the report with the Comptroller and with the
17 county clerk of the county in which the principal office of the
18 governmental unit is located. A governmental unit may, in
19 filing its audit report with the Comptroller, transmit with
20 such report any comment or explanation that it wishes to make
21 concerning the report.

22 (b) This subsection applies to governmental unit fiscal
23 years 2026 and after. When the audit is completed, the auditor
24 making such audit shall make and sign at least 3 copies of the
25 report of the audit and immediately file them with the

1 governmental unit audited. Governmental units shall
2 immediately make one copy of the audit report or one copy of
3 the annual financial report a part of its public record as
4 required by Section 3 of this Act. These copies shall be open
5 to public inspection. In addition, the governmental unit shall
6 file one copy of the report with the Comptroller and with the
7 county clerk of the county in which the principal office of the
8 governmental unit is located. A governmental unit may, in
9 filing its audit report with the Comptroller, transmit with
10 such report any comment or explanation that it wishes to make
11 concerning the report.

12 (Source: P.A. 101-419, eff. 1-1-20.)

13 Section 10. The Township Code is amended by changing
14 Section 80-20 as follows:

15 (60 ILCS 1/80-20)

16 Sec. 80-20. Independent audit of accounts.

17 (a) All accounts audited under this Article (and those
18 rejected, if any) shall be delivered with the certificate of
19 the trustees (or a majority of them) to the township clerk, who
20 shall keep them on file for the inspection of any of the
21 inhabitants of the township. They shall also be produced by
22 the township clerk at the next annual meeting and shall be read
23 at the meeting by the clerk.

24 (b) In townships that receive revenue of more than

1 \$1,400,000 for any fiscal year, with the amount to increase or
2 decrease by a percentage equal to the Consumer Price Index-U
3 as reported on January 1 of each year ~~\$850,000 or more during~~
4 ~~any fiscal year, exclusive of road funds,~~ the township board
5 shall have the accounts and all records of the township
6 thoroughly audited by a certified public accountant within 6
7 months after the close of each fiscal year. The board shall
8 have a copy of the accountant's report and recommendations
9 filed with the township clerk and another copy filed with the
10 county clerk for public inspection.

11 (c) In townships that receive revenue of less than
12 \$1,400,000 for any fiscal year, with the amount to increase or
13 decrease by a percentage equal to the Consumer Price Index-U
14 as reported on January 1 of each year ~~\$850,000 during any~~
15 ~~fiscal year, exclusive of road funds,~~ the township board shall
16 have the accounts and all records of the township audited and
17 inspected by an independent auditing committee composed of 3
18 township electors chosen by the board. The audit shall be
19 completed within 6 months after the close of each fiscal year.
20 A copy of the auditing committee's report and recommendations
21 shall be filed with the township clerk and another copy shall
22 be filed with the county clerk for public inspection. The
23 auditing committee shall not contain any member of the
24 township board or any person related to a trustee. Members of
25 the auditing committee shall be proficient in accounting
26 principles and practices and shall be compensated at a rate

1 determined by the township board but not to exceed \$50 per day.
2 In addition to the other audit requirements imposed by law, in
3 townships subject to this subsection, the township board shall
4 have the accounts and all records of the township thoroughly
5 audited by a certified public accountant within 6 months after
6 (i) the end of each term of office of the township supervisor
7 and (ii) a vacancy occurs in the office of township
8 supervisor. A copy of the accountant's report and
9 recommendations shall be filed with the township clerk and
10 another copy shall be filed with the county clerk for public
11 inspection.

12 As used in this Section, "Consumer Price Index-U" means
13 the index published by the Bureau of Labor Statistics of the
14 United States Department of Labor that measures the average
15 change in prices of goods and services purchased by all urban
16 consumers, United States city average, all items, 1982-84 =
17 100.

18 (Source: P.A. 92-582, eff. 7-1-02.)

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