



Sen. Bill Cunningham

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LRB099 12974 SXM 38250 a

1 AMENDMENT TO SENATE BILL 2155

2 AMENDMENT NO. _____. Amend Senate Bill 2155 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois State Auditing Act is amended by
5 changing Section 3-1 as follows:

6 (30 ILCS 5/3-1) (from Ch. 15, par. 303-1)

7 Sec. 3-1. Jurisdiction of Auditor General. The Auditor
8 General has jurisdiction over all State agencies to make post
9 audits and investigations authorized by or under this Act or
10 the Constitution.

11 The Auditor General has jurisdiction over local government
12 agencies and private agencies only:

13 (a) to make such post audits authorized by or under
14 this Act as are necessary and incidental to a post audit of
15 a State agency or of a program administered by a State
16 agency involving public funds of the State, but this

1 jurisdiction does not include any authority to review local
2 governmental agencies in the obligation, receipt,
3 expenditure or use of public funds of the State that are
4 granted without limitation or condition imposed by law,
5 other than the general limitation that such funds be used
6 for public purposes;

7 (b) to make investigations authorized by or under this
8 Act or the Constitution; and

9 (c) to make audits of the records of local government
10 agencies to verify actual costs of state-mandated programs
11 when directed to do so by the Legislative Audit Commission
12 at the request of the State Board of Appeals under the
13 State Mandates Act.

14 In addition to the foregoing, the Auditor General may
15 conduct an audit of the Metropolitan Pier and Exposition
16 Authority, the Regional Transportation Authority, the Suburban
17 Bus Division, the Commuter Rail Division and the Chicago
18 Transit Authority and any other subsidized carrier when
19 authorized by the Legislative Audit Commission. Such audit may
20 be a financial, management or program audit, or any combination
21 thereof.

22 The audit shall determine whether they are operating in
23 accordance with all applicable laws and regulations. Subject to
24 the limitations of this Act, the Legislative Audit Commission
25 may by resolution specify additional determinations to be
26 included in the scope of the audit.

1 In addition to the foregoing, the Auditor General must also
2 conduct a financial audit of the Illinois Sports Facilities
3 Authority's expenditures of public funds in connection with the
4 reconstruction, renovation, remodeling, extension, or
5 improvement of all or substantially all of any existing
6 "facility", as that term is defined in the Illinois Sports
7 Facilities Authority Act.

8 The Auditor General may also conduct an audit, when
9 authorized by the Legislative Audit Commission, of any hospital
10 which receives 10% or more of its gross revenues from payments
11 from the State of Illinois, Department of Healthcare and Family
12 Services (formerly Department of Public Aid), Medical
13 Assistance Program.

14 The Auditor General is authorized to conduct financial and
15 compliance audits of the Illinois Distance Learning Foundation
16 and the Illinois Conservation Foundation.

17 As soon as practical after the effective date of this
18 amendatory Act of 1995, the Auditor General shall conduct a
19 compliance and management audit of the City of Chicago and any
20 other entity with regard to the operation of Chicago O'Hare
21 International Airport, Chicago Midway Airport and Merrill C.
22 Meigs Field. The audit shall include, but not be limited to, an
23 examination of revenues, expenses, and transfers of funds;
24 purchasing and contracting policies and practices; staffing
25 levels; and hiring practices and procedures. When completed,
26 the audit required by this paragraph shall be distributed in

1 accordance with Section 3-14.

2 The Auditor General shall conduct a financial and
3 compliance and program audit of distributions from the
4 Municipal Economic Development Fund during the immediately
5 preceding calendar year pursuant to Section 8-403.1 of the
6 Public Utilities Act at no cost to the city, village, or
7 incorporated town that received the distributions.

8 The Auditor General must conduct an audit of the Health
9 Facilities and Services Review Board pursuant to Section 19.5
10 of the Illinois Health Facilities Planning Act.

11 The Auditor General of the State of Illinois shall annually
12 conduct or cause to be conducted a financial and compliance
13 audit of the books and records of any county water commission
14 organized pursuant to the Water Commission Act of 1985 and
15 shall file a copy of the report of that audit with the Governor
16 and the Legislative Audit Commission. The filed audit shall be
17 open to the public for inspection. The cost of the audit shall
18 be charged to the county water commission in accordance with
19 Section 6z-27 of the State Finance Act. The county water
20 commission shall make available to the Auditor General its
21 books and records and any other documentation, whether in the
22 possession of its trustees or other parties, necessary to
23 conduct the audit required. These audit requirements apply only
24 through July 1, 2007.

25 The Auditor General must conduct audits of the Rend Lake
26 Conservancy District as provided in Section 25.5 of the River

1 Conservancy Districts Act.

2 The Auditor General must conduct financial audits of the
3 Southeastern Illinois Economic Development Authority as
4 provided in Section 70 of the Southeastern Illinois Economic
5 Development Authority Act.

6 The Auditor General shall conduct a compliance audit in
7 accordance with subsections (d) and (f) of Section 30 of the
8 Innovation Development and Economy Act.

9 The Auditor General shall annually conduct or cause to be
10 conducted a financial and compliance audit of one-third of
11 community colleges as defined in subsection (c) of Section 1-2
12 of the Public Community College Act such that every community
13 college is audited by the Auditor General every 3 years. Audits
14 performed under this paragraph shall comply with Section 3-22.1
15 of the Public Community College Act. The Auditor General shall
16 enter into an intergovernmental agreement under the
17 Intergovernmental Cooperation Act with each of the community
18 colleges in order to complete such audits. The Auditor General
19 shall file a copy of the report of that audit with the
20 Governor, the Legislative Audit Commission, the General
21 Assembly, and the Illinois Community College Board. The filed
22 audit shall be open to the public for inspection. Any costs
23 associated with the audit shall be the responsibility of the
24 community college to the extent that the community college is
25 billed by the Auditor General in accordance with Section 6z-27
26 of the State Finance Act. The community college shall make

1 available to the Auditor General its books and records and any
2 other documentation, whether in the possession of its trustees
3 or other parties, necessary to conduct the audit as required
4 under this Section. The provisions of this Section shall not
5 prohibit audits under Sections 3-22.1 and 7-24 of the Public
6 Community College Act in years a community college is not
7 audited by the Auditor General under this Section.

8 (Source: P.A. 95-331, eff. 8-21-07; 96-31, eff. 6-30-09;
9 96-939, eff. 6-24-10.)

10 Section 10. The Public Community College Act is amended by
11 changing Sections 3-22.1 and 7-24 as follows:

12 (110 ILCS 805/3-22.1) (from Ch. 122, par. 103-22.1)

13 Sec. 3-22.1. Except in the years a community college is
14 audited by the Auditor General under Section 3-1 of the
15 Illinois State Auditing Act, to ~~to~~ cause an audit to be made as
16 of the end of each fiscal year by an accountant licensed to
17 practice public accounting in Illinois and appointed by the
18 board. The auditor shall perform his or her examination in
19 accordance with generally accepted auditing standards and
20 regulations prescribed by the State Board, and submit his or
21 her report thereon in accordance with generally accepted
22 accounting principles. The examination and report shall
23 include a verification of student enrollments and any other
24 bases upon which claims are filed with the State Board. The

1 audit report shall include a statement of the scope and
2 findings of the audit and a professional opinion signed by the
3 auditor. If a professional opinion is denied by the auditor he
4 or she shall set forth the reasons for that denial. The board
5 shall not limit the scope of the examination to the extent that
6 the effect of such limitation will result in the qualification
7 of the auditor's professional opinion. The procedures for
8 payment for the expenses of the audit shall be in accordance
9 with Section 9 of the Governmental Account Audit Act. Copies of
10 the audit report shall be filed with the State Board in
11 accordance with regulations prescribed by the State Board. The
12 State Board shall file one copy of the audit report with the
13 Auditor General. The State Board shall file copies of the
14 uniform financial statements from the audit report with the
15 Board of Higher Education. The board shall enter into an
16 intergovernmental agreement under the Intergovernmental
17 Cooperation Act with the Auditor General in order to complete
18 any audits required under Section 3-1 of the Illinois State
19 Auditing Act.

20 (Source: P.A. 90-468, eff. 8-17-97.)

21 (110 ILCS 805/7-24) (from Ch. 122, par. 107-24)

22 Sec. 7-24. The board shall yearly, except in the years a
23 community college is audited by the Auditor General under
24 Section 3-1 of the Illinois State Auditing Act, and may as
25 often as necessary, appoint certified public accountants to

1 examine the business methods and audit the accounts of the
2 board, and to submit a report of that examination and audit,
3 together with any of their recommendations as to changes in
4 business methods of the board or any of its departments,
5 officers or employees. That report shall be made to the mayor,
6 the city council, and the board and be filed in the records of
7 the board. The board shall prepare, publish and transmit to the
8 mayor and the city council an annual report including in detail
9 all receipts and expenditures, specifying the source of the
10 receipts and the objects of the expenditures. The board shall
11 enter into an intergovernmental agreement under the
12 Intergovernmental Cooperation Act with the Auditor General in
13 order to complete any audits required under Section 3-1 of the
14 Illinois State Auditing Act.
15 (Source: P.A. 83-343.)".