

AN ACT concerning State government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Governor's Office of Management and Budget Act is amended by adding Section 2.14 as follows:

(20 ILCS 3005/2.14 new)

Sec. 2.14. Annual Comprehensive Financial Report Internal Control Unit. As used in this Section:

"ACFR" means the State Annual Comprehensive Financial Report.

There is created within the Governor's Office of Management and Budget an ACFR Internal Control Unit, which shall advise and assist the Director in coordinating the audit of the State Annual Comprehensive Financial Report on behalf of the Governor. The ACFR Internal Control Unit may develop policies, plans, and programs to be used by the Office for the coordination of the financial audit and may advise and assist State agencies, as defined in the Illinois State Auditing Act and under the jurisdiction of the Governor, in improving internal controls related to the State's financial statements and reporting. The ACFR Internal Control Unit is authorized to direct State agencies under the jurisdiction of the Governor in the adoption of internal control procedures and

documentation necessary to address internal control deficiencies or resolve ACFR audit findings, and to direct implementation of such corrective actions. Each State agency under the jurisdiction of the Governor shall furnish to the Office such information as the Office may from time to time require, and the Director or any duly authorized employee of the Office shall for the purpose of securing such information, have access to, and the right to examine and receive a copy of all documents, papers, reports, or records of any State agency under the jurisdiction of the Governor to assist in carrying out the Office's responsibilities under this Section.

Section 10. The Motor Fuel Tax Law is amended by changing Section 8b as follows:

(35 ILCS 505/8b)

Sec. 8b. Transportation Renewal Fund; creation; distribution of proceeds.

(a) The Transportation Renewal Fund is hereby created as a special fund in the State treasury. Moneys in the Fund shall be used as provided in this Section:

(1) 80% of the moneys in the Fund shall be used for highway maintenance, highway construction, bridge repair, congestion relief, and construction of aviation facilities; of that 80%:

(A) the State Comptroller shall order transferred

and the State Treasurer shall transfer 60% to the State Construction Account Fund; those moneys shall be used solely for construction, reconstruction, improvement, repair, maintenance, operation, and administration of highways and are limited to payments made pursuant to design and construction contracts awarded by the Department of Transportation;

(B) 40% shall be distributed by the Department of Transportation to municipalities, counties, and road districts of the State using the percentages set forth in subdivisions (A), (B), (C), and (D) of paragraph (2) of subsection (e) of Section 8; distributions to particular municipalities, counties, and road districts under this subdivision (B) shall be made according to the allocation procedures described for municipalities, counties, and road districts in subsection (e) of Section 8 and shall be subject to the same requirements and limitations described in that subsection; and

(2) 20% of the moneys in the Fund shall be used for projects related to rail facilities and mass transit facilities, as defined in Section 2705-305 of the Department of Transportation Law of the Civil Administrative Code of Illinois, including rapid transit, rail, high-speed rail, bus and other equipment in connection with the State or a unit of local government,

special district, municipal corporation, or other public agency authorized to provide and promote public transportation within the State; of that 20%:

(A) 90% shall be deposited into the Regional Transportation Authority Capital Improvement Fund, a special fund created in the State Treasury; moneys in the Regional Transportation Authority Capital Improvement Fund shall be used by the Regional Transportation Authority for construction, improvements, and deferred maintenance on mass transit facilities and acquisition of buses and other equipment; and

(B) 10% shall be deposited into the Downstate Mass Transportation Capital Improvement Fund, a special fund created in the State Treasury; moneys in the Downstate Mass Transportation Capital Improvement Fund shall be used by local mass transit districts other than the Regional Transportation Authority for construction, improvements, and deferred maintenance on mass transit facilities and acquisition of buses and other equipment.

(b) (Blank). ~~Beginning on July 1, 2020, the Auditor General shall conduct an annual financial audit of the obligations, expenditures, receipt, and use of the funds deposited into the Transportation Renewal Fund and provide specific recommendations to help ensure compliance with State~~

~~and federal statutes, rules, and regulations.~~

(Source: P.A. 101-32, eff. 6-28-19; 101-604, eff. 12-13-19.)

(305 ILCS 5/15-6 rep.)

Section 15. The Illinois Public Aid Code is amended by repealing Section 15-6.

Section 20. The Mental Health and Developmental Disabilities Code is amended by changing Sections 5-107 and 5-107.1 as follows:

(405 ILCS 5/5-107) (from Ch. 91 1/2, par. 5-107)

Sec. 5-107. Remittances from intermediary agencies under Title XVIII of the Federal Social Security Act for services to persons in State facilities shall be deposited with the State Treasurer and placed in the Mental Health Fund. Payments received from the Department of Healthcare and Family Services under Title XIX of the Federal Social Security Act for services to persons in State facilities shall be deposited with the State Treasurer and shall be placed in the General Revenue Fund.

~~The Auditor General shall audit or cause to be audited all amounts collected by the Department.~~

(Source: P.A. 95-331, eff. 8-21-07.)

(405 ILCS 5/5-107.1) (from Ch. 91 1/2, par. 5-107.1)

Sec. 5-107.1. Remittances from or on behalf of licensed long-term care facilities through Department of Healthcare and Family Services reimbursement and monies from other funds for Day Training Programs for clients with a developmental disability shall be deposited with the State Treasurer and placed in the Mental Health Fund.

~~The Auditor General shall audit or cause to be audited all amounts collected by the Department.~~

(Source: P.A. 95-331, eff. 8-21-07.)

Section 25. The Workers' Compensation Act is amended by changing Section 4a-7 as follows:

(820 ILCS 305/4a-7) (from Ch. 48, par. 138.4a-7)

Sec. 4a-7. (a) The Commission may upon direction of the Board from time to time assess each of the private self-insurers a pro rata share of the funding reasonably necessary to carry out its activities under Sections 4a-1 through 4a-9. The prorations shall be made on the basis of each self-insured's most recent payment into the rate adjustment fund under Section 7(f) of this Act. In no event shall a private self-insurer be assessed at one time in excess of .6% of the compensation paid by that private self-insurer during the previous calendar year for claims incurred as a self-insurer. Total assessments against it in any calendar year shall not exceed 1.2% of the compensation it has paid

during the previous calendar year as a self-insurer for claims incurred. Funds obtained by such assessments shall be used only for the purposes set forth in Sections 4a-1 through 4a-9, and shall be deposited upon receipt by the Commission into the Self-Insurers Security Fund. If payment of any assessment made under this subsection is not made within 30 days of the sending of the notice to the private self-insurer, the Commission at the direction of the Board shall proceed in circuit court for judgment against that private self-insurer which judgment shall include the amount of the assessment, the costs of suit, interest and reasonable attorneys' fees.

(b) A private self-insurer which ceases to be a self-insurer shall be liable for any and all assessments made pursuant to this Section during the period following the date its certificate of authority to self-insure is withdrawn, revoked or surrendered until such time as it has discharged all obligations to pay compensation which arose during the period of time said former self-insurer was self-insured. Assessments of such a former private self-insurer shall be based on the compensation paid by the former private self-insurer during the preceding calendar year on claims that arose during the period of time said former private self-insurer was self-insured.

(c) ~~An~~ The Board on behalf of the Commission shall annually contract for an independent certified audit of the financial activities of the Fund, and an annual report as of

June 30 shall be submitted promptly by the Board to the Chairman of the Illinois Workers' Compensation Commission and to each Trustee. Written reports of all activities shall be submitted to the Commission by the Board on a monthly basis.

(d) If there are monies remaining in the Fund after all outstanding obligations of all insolvent self-insurers have been satisfied and the costs of administration and defense have been paid, such amounts shall be returned by the Commission from the Fund as directed by the Board to the then private self-insurers in that proportion which each said private self-insurer has contributed to the Fund one year thereafter, provided no outstanding liabilities remain against the Fund.

(e) Each private self-insurer shall be subject to the direction of the Commission as provided in Sections 4a-1 through 4a-9 as a condition of obtaining and maintaining its certificate of authority to self-insure.

(Source: P.A. 102-910, eff. 5-27-22.)

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