

AN ACT concerning State government.

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

Section 5. The State Treasurer Act is amended by changing Section 35 as follows:

(15 ILCS 505/35)

Sec. 35. State Treasurer may purchase real property.

(a) Subject to the provisions of the Public Contract Fraud Act, the State Treasurer, on behalf of the State of Illinois, is authorized during State fiscal years 2019 and 2020 to acquire real property located in the City of Springfield, Illinois which the State Treasurer deems necessary to properly carry out the powers and duties vested in him or her. Real property acquired under this Section may be acquired subject to any third party interests in the property that do not prevent the State Treasurer from exercising the intended beneficial use of such property.

(a-5) To ensure the safe and optimal operation of any real property acquired under subsection (a) and any improvements made to that real property, the State Treasurer, or the Department of Natural Resources on the State Treasurer's behalf, may acquire, at any time, any interest in any other real property, and the State Treasurer may make improvements

and repairs on any property acquired under subsection (a) and this subsection.

(b) Subject to the provisions of the Treasurer's Procurement Rules, which shall be substantially in accordance with the requirements of the Illinois Procurement Code, the State Treasurer may:

(1) enter into contracts relating to construction, reconstruction or renovation projects for any such buildings or lands acquired pursuant to subsections ~~subsection~~ (a) and (a-5); and

(2) equip, lease, operate and maintain those grounds, buildings and facilities as may be appropriate to carry out his or her statutory purposes and duties.

(c) The State Treasurer may enter into agreements with any person with respect to the use and occupancy of the grounds, buildings, and facilities of the State Treasurer, including concession, license, and lease agreements on terms and conditions as the State Treasurer determines and in accordance with the procurement processes for the Office of the State Treasurer, which shall be substantially in accordance with the requirements of the Illinois Procurement Code.

(d) The exercise of the authority vested in the Treasurer by this Section is subject to the appropriation of the necessary funds.

(e) State Treasurer's Capital Fund.

(1) The State Treasurer's Capital Fund is created as a

trust fund in the State treasury. Moneys in the Fund shall be utilized by the State Treasurer in the exercise of the authority vested in the Treasurer by subsection (b) of this Section. All interest earned by the investment or deposit of moneys accumulated in the Fund shall be deposited into the Fund.

(2) Moneys in the State Treasurer's Capital Fund are subject to appropriation by the General Assembly.

(3) The State Treasurer may transfer amounts from the State Treasurer's Administrative Fund and from the Unclaimed Property Trust Fund to the State Treasurer's Capital Fund. In no fiscal year may the total of such transfers exceed \$500,000 or the amount appropriated by the General Assembly in a fiscal year for that purpose, whichever is greater ~~\$250,000~~. The State Treasurer may accept gifts, grants, donations, federal funds, or other revenues or transfers for deposit into the State Treasurer's Capital Fund.

(4) After the effective date of this amendatory Act of the 102nd General Assembly and prior to July 1, 2022 the State Treasurer and State Comptroller shall transfer from the CDB Special Projects Fund to the State Treasurer's Capital Fund an amount equal to the unexpended balance of funds transferred by the State Treasurer to the CDB Special Projects Fund in 2019 and 2020 pursuant to an intergovernmental agreement between the State Treasurer

and the Capital Development Board.

(Source: P.A. 101-487, eff. 8-23-19; 102-16, eff. 6-17-21; 102-558, eff. 8-20-21.)

Section 10. The Grant Accountability and Transparency Act is amended by changing Sections 10, 15, 25, 30, 50, 60, 65, and 97 as follows:

(30 ILCS 708/10)

Sec. 10. Purpose. The purpose of this Act is to establish uniform administrative requirements, cost principles, and audit requirements for State and federal pass-through awards to non-federal entities. State awarding agencies shall not impose additional or inconsistent requirements, except as provided in 2 CFR Part 200, Subpart B - General Provisions ~~2 CFR 200.102~~, unless specifically required by State or federal statute. This Act and the rules adopted under this Act do not apply to private awards.

This Act and the rules adopted under this Act provide the basis for a systematic and periodic collection and uniform submission to the Governor's Office of Management and Budget of information of all State and federal financial assistance programs by State grant-making agencies. This Act also establishes policies related to the delivery of this information to the public, including through the use of electronic media.

(Source: P.A. 98-706, eff. 7-16-14.)

(30 ILCS 708/15)

Sec. 15. Definitions. As used in this Act:

"Allowable cost" means a cost allowable to a project if:

(1) the costs are reasonable and necessary for the performance of the award;

(2) the costs are allocable to the specific project;

(3) the costs are treated consistently in like circumstances to both federally-financed and other activities of the non-federal entity;

(4) the costs conform to any limitations of the cost principles or the sponsored agreement;

(5) the costs are accorded consistent treatment; a cost may not be assigned to a State or federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the award as an indirect cost;

(6) the costs are determined to be in accordance with generally accepted accounting principles;

(7) the costs are not included as a cost or used to meet federal cost-sharing or matching requirements of any other program in either the current or prior period;

(8) the costs of one State or federal grant are not used to meet the match requirements of another State or federal grant; and

(9) the costs are adequately documented.

"Assistance listings" means the publicly available listing of federal assistance programs managed and administered by the General Services Administration, formerly known as the Catalog of Federal Domestic Assistance (CFDA).

"Assistance listing number" or "ALN" means a unique number assigned to identify a federal assistance listing, formerly known as the CFDA Number.

"Auditee" means any non-federal entity that expends State or federal awards that must be audited.

"Auditor" means an auditor who is a public accountant or a federal, State, or local government audit organization that meets the general standards specified in generally-accepted government auditing standards. "Auditor" does not include internal auditors of nonprofit organizations.

"Auditor General" means the Auditor General of the State of Illinois.

"Award" means financial assistance that provides support or stimulation to accomplish a public purpose. "Awards" include grants and other agreements in the form of money, or property in lieu of money, by the State or federal government to an eligible recipient. "Award" does not include: technical assistance that provides services instead of money; other assistance in the form of loans, loan guarantees, interest subsidies, or insurance; direct payments of any kind to individuals; or contracts that must be entered into and

administered under State or federal procurement laws and regulations.

"Budget" means the financial plan for the project or program that the awarding agency or pass-through entity approves during the award process or in subsequent amendments to the award. It may include the State or federal and non-federal share or only the State or federal share, as determined by the awarding agency or pass-through entity.

~~"Catalog of Federal Domestic Assistance" or "CFDA" means a database that helps the federal government track all programs it has domestically funded.~~

~~"Catalog of Federal Domestic Assistance number" or "CFDA number" means the number assigned to a federal program in the CFDA.~~

"Catalog of State Financial Assistance" means the single, authoritative, statewide, comprehensive source document of State financial assistance program information maintained by the Governor's Office of Management and Budget.

"Catalog of State Financial Assistance Number" means the number assigned to a State program in the Catalog of State Financial Assistance. The first 3 digits represent the State agency number and the last 4 digits represent the program.

"Cluster of programs" means a grouping of closely related programs that share common compliance requirements. The types of clusters of programs are research and development, student financial aid, and other clusters. A "cluster of programs"

shall be considered as one program for determining major programs and, with the exception of research and development, whether a program-specific audit may be elected.

"Cognizant agency for audit" means the federal agency designated to carry out the responsibilities described in 2 CFR Part 200, Subpart F - Audit Requirements ~~2 CFR 200.513(a)~~.

"Contract" means a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under an award. "Contract" does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of an award or subaward.

"Contractor" means an entity that receives a contract.

"Cooperative agreement" means a legal instrument of financial assistance between an awarding agency or pass-through entity and a non-federal entity that:

(1) is used to enter into a relationship with the principal purpose of transferring anything of value from the awarding agency or pass-through entity to the non-federal entity to carry out a public purpose authorized by law, but is not used to acquire property or services for the awarding agency's or pass-through entity's direct benefit or use; and

(2) is distinguished from a grant in that it provides for substantial involvement between the awarding agency or pass-through entity and the non-federal entity in carrying

out the activity contemplated by the award.

"Cooperative agreement" does not include a cooperative research and development agreement, nor an agreement that provides only direct cash assistance to an individual, a subsidy, a loan, a loan guarantee, or insurance.

"Corrective action" means action taken by the auditee that (i) corrects identified deficiencies, (ii) produces recommended improvements, or (iii) demonstrates that audit findings are either invalid or do not warrant auditee action.

"Cost objective" means a program, function, activity, award, organizational subdivision, contract, or work unit for which cost data is desired and for which provision is made to accumulate and measure the cost of processes, products, jobs, and capital projects. A "cost objective" may be a major function of the non-federal entity, a particular service or project, an award, or an indirect cost activity.

"Cost sharing" means the portion of project costs not paid by State or federal funds, unless otherwise authorized by statute.

"Development" is the systematic use of knowledge and understanding gained from research directed toward the production of useful materials, devices, systems, or methods, including design and development of prototypes and processes.

~~"Data Universal Numbering System number" means the 9-digit number established and assigned by Dun and Bradstreet, Inc. to uniquely identify entities and, under federal law, is required~~

~~for non-federal entities to apply for, receive, and report on a federal award.~~

"Direct costs" means:

(1) costs that can be identified specifically with a particular final cost objective, such as a State or federal or federal pass-through award or a particular sponsored project, an instructional activity, or any other institutional activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy;

(2) costs charged directly to a State or federal award that are for the compensation of employees who work on that award, their related fringe benefits, or the costs of materials and other items of expense incurred for the State or federal award;

(3) costs that are directly related to a specific award but that would otherwise be treated as indirect costs;

(4) salaries of administrative and clerical staff only if all the following conditions are met:

(A) the individual's services are integral to a project or activity;

(B) the individual can be specifically identified with the project or activity;

(C) the costs are explicitly included in the budget or have the prior written approval of the State

awarding agency; and

(D) the costs are not also recovered as indirect costs.

Costs incurred for the same purpose in like circumstances must be treated consistently as either direct costs or indirect costs.

"Equipment" means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000.

"Executive branch" means that branch of State government that is under the jurisdiction of the Governor.

"Federal agency" has the meaning provided for "agency" under 5 U.S.C. 551(1) together with the meaning provided for "agency" by 5 U.S.C. 552(f).

"Federal award" means:

(1) the federal financial assistance that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity;

(2) the cost-reimbursement contract under the Federal Acquisition Regulations that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity; or

(3) the instrument setting forth the terms and

conditions when the instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in 2 CFR Part 200, Subpart A ~~2 CFR 200, Subpart A~~, Acronyms and Definitions, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.

"Federal award" does not include other contracts that a federal agency uses to buy goods or services from a contractor or a contract to operate federal government owned, contractor-operated facilities.

"Federal awarding agency" means the federal agency that provides a federal award directly to a non-federal entity.

"Federal interest" means, for purposes of 2 CFR 200, Subpart D, Post Federal Award Requirements (Performance and Financial Monitoring and Reporting) or when used in connection with the acquisition or improvement of real property, equipment, or supplies under a federal award, the dollar amount that is the product of the federal share of total project costs and current fair market value of the property, improvements, or both, to the extent the costs of acquiring or improving the property were included as project costs.

"Federal program" means any of the following:

(1) All federal awards which are assigned a single number in the assistance listings ~~CFDA~~.

(2) When no assistance listing ~~CFDA~~ number is assigned, all federal awards to non-federal entities from

the same agency made for the same purpose should be combined and considered one program.

(3) Notwithstanding paragraphs (1) and (2) of this definition, a cluster of programs. The types of clusters of programs are:

- (A) research and development;
- (B) student financial aid; and
- (C) "other clusters", as described in the definition of "cluster of programs".

"Federal share" means the portion of the total project costs that are paid by federal funds.

"Final cost objective" means a cost objective which has allocated to it both direct and indirect costs and, in the non-federal entity's accumulation system, is one of the final accumulation points, such as a particular award, internal project, or other direct activity of a non-federal entity.

"Financial assistance" means the following:

(1) For grants and cooperative agreements, "financial assistance" means assistance that non-federal entities receive or administer in the form of:

- (A) grants;
- (B) cooperative agreements;
- (C) non-cash contributions or donations of property, including donated surplus property;
- (D) direct appropriations;
- (E) food commodities; and

(F) other financial assistance, except assistance listed in paragraph (2) of this definition.

(2) "Financial assistance" includes assistance that non-federal entities receive or administer in the form of loans, loan guarantees, interest subsidies, and insurance.

(3) "Financial assistance" does not include amounts received as reimbursement for services rendered to individuals.

"Fixed amount awards" means a type of grant agreement under which the awarding agency or pass-through entity provides a specific level of support without regard to actual costs incurred under the award. "Fixed amount awards" reduce some of the administrative burden and record-keeping requirements for both the non-federal entity and awarding agency or pass-through entity. Accountability is based primarily on performance and results.

"Foreign public entity" means:

(1) a foreign government or foreign governmental entity;

(2) a public international organization that is entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (22 U.S.C. 288-288f);

(3) an entity owned, in whole or in part, or controlled by a foreign government; or

(4) any other entity consisting wholly or partially of

one or more foreign governments or foreign governmental entities.

"Foreign organization" means an entity that is:

(1) a public or private organization located in a country other than the United States and its territories that are subject to the laws of the country in which it is located, irrespective of the citizenship of project staff or place of performance;

(2) a private nongovernmental organization located in a country other than the United States that solicits and receives cash contributions from the general public;

(3) a charitable organization located in a country other than the United States that is nonprofit and tax exempt under the laws of its country of domicile and operation, but is not a university, college, accredited degree-granting institution of education, private foundation, hospital, organization engaged exclusively in research or scientific activities, church, synagogue, mosque, or other similar entity organized primarily for religious purposes; or

(4) an organization located in a country other than the United States not recognized as a Foreign Public Entity.

"Fringe benefits" has the same meaning as provided in 2 CFR Part 200, Subpart E - Cost Principles.

"Generally Accepted Accounting Principles" has the meaning

provided in accounting standards issued by the Government Accounting Standards Board and the Financial Accounting Standards Board.

"Generally Accepted Government Auditing Standards" means generally accepted government auditing standards issued by the Comptroller General of the United States that are applicable to financial audits.

"Grant agreement" means a legal instrument of financial assistance between an awarding agency or pass-through entity and a non-federal entity that:

(1) is used to enter into a relationship, the principal purpose of which is to transfer anything of value from the awarding agency or pass-through entity to the non-federal entity to carry out a public purpose authorized by law and not to acquire property or services for the awarding agency or pass-through entity's direct benefit or use; and

(2) is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the awarding agency or pass-through entity and the non-federal entity in carrying out the activity contemplated by the award.

"Grant agreement" does not include an agreement that provides only direct cash assistance to an individual, a subsidy, a loan, a loan guarantee, or insurance.

"Grant application" means a specified form that is

completed by a non-federal entity in connection with a request for a specific funding opportunity or a request for financial support of a project or activity.

"Hospital" means a facility licensed as a hospital under the law of any state or a facility operated as a hospital by the United States, a state, or a subdivision of a state.

"Illinois Stop Payment List" or "Illinois Debarred and Suspended List" means the list maintained by the Governor's Office of Management and Budget that contains the names of those individuals and entities that are ineligible, either temporarily or permanently, from receiving an award of grant funds from the State.

"Indirect cost" means those costs incurred for a common or joint purpose benefiting ~~benefitting~~ more than one cost objective and not readily assignable to the cost objectives specifically benefited ~~benefitted~~ without effort disproportionate to the results achieved.

"Inspector General" means the Office of the Executive Inspector General for Executive branch agencies.

"Loan" means a State or federal loan or loan guarantee received or administered by a non-federal entity. "Loan" does not include a "program income" as defined in 2 CFR 200, Subpart A, Acronyms and Definitions.

"Loan guarantee" means any State or federal government guarantee, insurance, or other pledge with respect to the payment of all or a part of the principal or interest on any

debt obligation of a non-federal borrower to a non-federal lender, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions.

"Local government" has the meaning provided for the term "units of local government" under Section 1 of Article VII of the Illinois Constitution and includes school districts.

"Major program" means a federal program determined by the auditor to be a major program in accordance with 2 CFR Part 200, Subpart F - Audit Requirements ~~2 CFR 200.518~~ or a program identified as a major program by a federal awarding agency or pass-through entity in accordance with 2 CFR Part 200, Subpart F - Audit Requirements ~~2 CFR 200.503(e)~~.

"Non-federal entity" means a state, local government, Indian tribe, institution of higher education, or organization, whether nonprofit or for-profit, that carries out a State or federal award as a recipient or subrecipient.

"Nonprofit organization" means any corporation, trust, association, cooperative, or other organization, not including institutions of higher education, that:

- (1) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;
- (2) is not organized primarily for profit; and
- (3) uses net proceeds to maintain, improve, or expand the operations of the organization.

"Obligations", when used in connection with a non-federal entity's utilization of funds under an award, means orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-federal entity during the same or a future period.

"Office of Management and Budget" means the Office of Management and Budget of the Executive Office of the President.

"Other clusters" has the meaning provided by the federal Office of Management and Budget in the compliance supplement or has the meaning as it is designated by a state for federal awards the state provides to its subrecipients that meet the definition of a cluster of programs. When designating an "other cluster", a state must identify the federal awards included in the cluster and advise the subrecipients of compliance requirements applicable to the cluster.

"Oversight agency for audit" means the federal awarding agency that provides the predominant amount of funding directly to a non-federal entity not assigned a cognizant agency for audit. When there is no direct funding, the awarding agency that is the predominant source of pass-through funding must assume the oversight responsibilities. The duties of the oversight agency for audit and the process for any reassignments are described in 2 CFR Part 200, Subpart F - Audit Requirements ~~2 CFR 200.513(b)~~.

"Pass-through entity" means a non-federal entity that provides a subaward to a subrecipient to carry out part of a program.

"Private award" means an award from a person or entity other than a State or federal entity. Private awards are not subject to the provisions of this Act.

"Property" means real property or personal property.

"Project cost" means total allowable costs incurred under an award and all required cost sharing and voluntary committed cost sharing, including third-party contributions.

"Public institutions of higher education" has the meaning provided in Section 1 of the Board of Higher Education Act.

"Recipient" means a non-federal entity that receives an award directly from an awarding agency to carry out an activity under a program. "Recipient" does not include subrecipients or individuals who are beneficiaries of the award.

"Research and Development" means all research activities, both basic and applied, and all development activities that are performed by non-federal entities.

"Single Audit Act" means the federal Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507).

"State agency" means an Executive branch agency. For purposes of this Act, "State agency" does not include public institutions of higher education.

"State award" means the financial assistance that a

non-federal entity receives from the State and that is funded with either State funds or federal funds; in the latter case, the State is acting as a pass-through entity.

"State awarding agency" means a State agency that provides an award to a non-federal entity.

"State grant-making agency" has the same meaning as "State awarding agency".

"State interest" means the acquisition or improvement of real property, equipment, or supplies under a State award, the dollar amount that is the product of the State share of the total project costs and current fair market value of the property, improvements, or both, to the extent the costs of acquiring or improving the property were included as project costs.

"State program" means any of the following:

(1) All State awards which are assigned a single number in the Catalog of State Financial Assistance.

(2) When no Catalog of State Financial Assistance number is assigned, all State awards to non-federal entities from the same agency made for the same purpose are considered one program.

(3) A cluster of programs as defined in this Section.

"State share" means the portion of the total project costs that are paid by State funds.

"Stop payment order" means a communication from a State grant-making agency to the Office of the Comptroller,

following procedures set out by the Office of the Comptroller, causing the cessation of payments to a recipient or subrecipient as a result of the recipient's or subrecipient's failure to comply with one or more terms of the grant or subaward.

"Stop payment procedure" means the procedure created by the Office of the Comptroller which effects a stop payment order and the lifting of a stop payment order upon the request of the State grant-making agency.

"Student Financial Aid" means federal awards under those programs of general student assistance, such as those authorized by Title IV of the Higher Education Act of 1965, as amended (20 U.S.C. 1070-1099d), that are administered by the United States Department of Education and similar programs provided by other federal agencies. "Student Financial Aid" does not include federal awards under programs that provide fellowships or similar federal awards to students on a competitive basis or for specified studies or research.

"Subaward" means a State or federal award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. "Subaward" does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A "subaward" may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

"Subrecipient" means a non-federal entity that receives a State or federal subaward from a pass-through entity to carry out part of a State or federal program. "Subrecipient" does not include an individual that is a beneficiary of such program. A "subrecipient" may also be a recipient of other State or federal awards directly from a State or federal awarding agency.

"Suspension" means a post-award action by the State or federal agency or pass-through entity that temporarily withdraws the State or federal agency's or pass-through entity's financial assistance sponsorship under an award, pending corrective action by the recipient or subrecipient or pending a decision to terminate the award.

"Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards" means those rules applicable to grants contained in 2 CFR Part 200.

"Unique Entity Identifier" means the number that is established and assigned by the federal government on the System for Award Management website (SAM.gov) to uniquely identify entities and, under federal law, is required for nonfederal entities to apply for, receive, and report on a federal award.

"Voluntary committed cost sharing" means cost sharing specifically pledged on a voluntary basis in the proposal's budget or the award on the part of the non-federal entity and that becomes a binding requirement of the award.

(Source: P.A. 103-616, eff. 7-1-24; revised 10-24-24.)

(30 ILCS 708/25)

Sec. 25. Supplemental rules. On or before July 1, 2017, the Governor's Office of Management and Budget, with the advice and technical assistance of the Illinois Single Audit Commission, shall adopt supplemental rules pertaining to the following:

(1) Criteria to define mandatory formula-based grants and discretionary grants.

(2) The award of one-year grants for new applicants.

(3) The award of competitive grants in 3-year terms (one-year initial terms with the option to renew for up to 2 additional years) to coincide with the federal award.

(4) The issuance of grants, including:

(A) public notice of announcements of funding opportunities;

(B) the development of uniform grant applications;

(C) State agency review of merit of proposals and risk posed by applicants;

(D) specific conditions for individual recipients (including the use of a fiscal agent and additional corrective conditions);

(E) certifications and representations;

(F) pre-award costs;

(G) performance measures and statewide prioritized

goals under Section 50-25 of the State Budget Law of the Civil Administrative Code of Illinois, commonly referred to as "Budgeting for Results"; and

(H) for mandatory formula grants, the merit of the proposal and the risk posed should result in additional reporting, monitoring, or measures such as reimbursement-basis only.

(5) The development of uniform budget requirements, which shall include:

(A) mandatory submission of budgets as part of the grant application process;

(B) mandatory requirements regarding contents of the budget including, at a minimum, common detail line items specified under guidelines issued by the Governor's Office of Management and Budget;

(C) a requirement that the budget allow flexibility to add lines describing costs that are common for the services provided as outlined in the grant application;

(D) a requirement that the budget include information necessary for analyzing cost and performance for use in Budgeting for Results; and

(E) caps, which may be equal to, but shall not be greater than, the caps allowed by federal agencies, on the amount of salaries that may be charged to grants ~~based on the limitations imposed by federal agencies.~~

(6) The development of pre-qualification requirements for applicants, including the fiscal condition of the organization and the provision of the following information:

(A) organization name;

(B) Federal Employee Identification Number;

(C) Unique Entity Identifier Data—~~Universal Numbering System (DUNS)~~ number;

(D) fiscal condition;

(E) whether the applicant is in good standing with the Secretary of State;

(F) past performance in administering grants, if applicable;

(G) whether the applicant is on the Debarred and Suspended List maintained by the Governor's Office of Management and Budget;

(H) whether the applicant is on the federal Excluded Parties List; and

(I) whether the applicant is on the Sanctioned Party List maintained by the Illinois Department of Healthcare and Family Services.

Nothing in this Act affects the provisions of the Fiscal Control and Internal Auditing Act nor the requirement that the management of each State agency is responsible for maintaining effective internal controls under that Act.

For public institutions of higher education, the

provisions of this Section apply only to awards funded by federal pass-through awards from a State agency to public institutions of higher education.

(Source: P.A. 101-81, eff. 7-12-19; 102-626, eff. 8-27-21.)

(30 ILCS 708/30)

Sec. 30. Catalog of State Financial Assistance. The Catalog of State Financial Assistance is a single, authoritative, statewide, comprehensive source document of State financial assistance program information. The Catalog shall contain, at a minimum, the following information:

(1) An introductory section that contains Catalog highlights, an explanation of how to use the Catalog, an explanation of the Catalog and its contents, and suggested grant proposal writing methods and grant application procedures.

(2) A comprehensive indexing system that categorizes programs by issuing agency, eligible applicant, application deadlines, function, popular name, and subject area.

(3) Comprehensive appendices showing State assistance programs that require coordination through this Act and regulatory, legislative, and Executive Order authority for each program, commonly used abbreviations and acronyms, agency regional and local office addresses, and sources of additional information.

(4) A list of programs that have been added to or deleted from the Catalog and the various program numbers and title changes.

(5) Program number, title, and popular name, if applicable.

(6) The name of the State department or agency or independent agency and primary organization sub-unit administering the program.

(7) The enabling legislation, including popular name of the Act, titles and Sections, Public Act number, and citation to the Illinois Compiled Statutes.

(8) The type or types of financial and nonfinancial assistance offered by the program.

(9) Uses and restrictions placed upon the program.

(10) Eligibility requirements, including applicant eligibility criteria, beneficiary eligibility criteria, and required credentials and documentation.

(11) Objectives and goals of the program.

(12) Information regarding application and award processing; application deadlines; range of approval or disapproval time; appeal procedure; and availability of a renewal or extension of assistance.

(13) Assistance considerations, including an explanation of the award formula, matching requirements, ~~and~~ the length and time phasing of the assistance, and whether the program is eligible for interest under the

State Prompt Payment Act.

(14) Post-assistance requirements, including any reports, audits, and records that may be required.

(15) Program accomplishments (where available) describing quantitative measures of program performance.

(16) Regulations, guidelines, and literature containing citations to the Illinois Administrative Code, the Code of Federal Regulations, and other pertinent informational materials.

(17) The names, telephone numbers, and e-mail addresses of persons to be contacted for detailed program information at the headquarters, regional, and local levels.

(Source: P.A. 98-706, eff. 7-16-14.)

(30 ILCS 708/50)

Sec. 50. State grant-making agency responsibilities.

(a) The specific requirements and responsibilities of State grant-making agencies and non-federal entities are set forth in this Act. State agencies making State awards to non-federal entities must adopt by rule the language in 2 CFR Part 200, Subpart C through Subpart F unless different provisions are required by law.

(b) Each State grant-making agency shall appoint a Chief Accountability Officer who shall serve as a liaison to the Grant Accountability and Transparency Unit and who shall be

responsible for the State agency's implementation of and compliance with the rules.

(c) In order to effectively measure the performance of its recipients and subrecipients, each State grant-making agency shall:

(1) require its recipients and subrecipients to relate financial data to performance accomplishments of the award and, when applicable, must require recipients and subrecipients to provide cost information to demonstrate cost-effective practices. The recipient's and subrecipient's performance should be measured in a way that will help the State agency to improve program outcomes, share lessons learned, and spread the adoption of promising practices; and

(2) provide recipients and subrecipients with clear performance goals, indicators, and milestones and must establish performance reporting frequency and content to not only allow the State agency to understand the recipient's progress, but also to facilitate identification of promising practices among recipients and subrecipients and build the evidence upon which the State agency's program and performance decisions are made. The frequency of reports on performance goals, indicators, and milestones required under this Section shall not be more frequent than quarterly. Nothing in this Section is intended to prohibit more frequent reporting to assess

items such as service needs, gaps, or capacity, as indicated by a corrective action plan or by a risk assessment.

(3) ~~(e-5)~~ Each State grant-making agency shall, when it is in the best interests of the State, request that the Office of the Comptroller issue a stop payment order in accordance with Section 105 of this Act.

(4) ~~(e-6)~~ Upon notification by the Grant Transparency and Accountability Unit that a stop payment order has been requested by a State grant-making agency, each State grant-making agency who has issued a grant to that recipient or subrecipient shall determine if it remains in the best interests of the State to continue to issue payments to the recipient or subrecipient.

(d) The Governor's Office of Management and Budget shall provide such advice and technical assistance to the State grant-making agencies as is necessary or indicated in order to ensure compliance with this Act.

(e) In accordance with this Act and the Illinois State Collection Act of 1986, refunds required under the Grant Funds Recovery Act may be referred to the Comptroller's offset system.

(Source: P.A. 100-997, eff. 8-20-18.)

(30 ILCS 708/60)

Sec. 60. Grant Accountability and Transparency Unit

responsibilities.

(a) The Grant Accountability and Transparency Unit within the Governor's Office of Management and Budget shall be responsible for:

(1) The development of minimum requirements applicable to the staff of grant applicants to manage and execute grant awards for programmatic and administrative purposes, including grant management specialists with:

(A) general and technical competencies;

(B) programmatic expertise;

(C) fiscal expertise and systems necessary to adequately account for the source and application of grant funds for each program; and

(D) knowledge of compliance requirements.

(2) The development of minimum training requirements, including annual training requirements.

(3) Accurate, current, and complete disclosure of the financial results of each funded award, as set forth in the financial monitoring and reporting Section of 2 CFR Part 200.

(4) Development of criteria for requiring the retention of a fiscal agent and for becoming a fiscal agent.

(5) Development of disclosure requirements in the grant application pertaining to:

(A) related-party status between grantees and

grant-making agencies;

(B) past employment of applicant officers and grant managers;

(C) disclosure of current or past employment of members of immediate family; and

(D) disclosure of senior management of grantee organization and their relationships with contracted vendors.

(6) Implementation of rules prohibiting a grantee from charging any cost allocable to a particular award or cost objective to other State or federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the federal awards, or for other reasons.

(7) Implementation of rules prohibiting a non-federal entity from earning or keeping any profit resulting from State or federal financial assistance, unless prior approval has been obtained from the Governor's Office of Management and Budget and is expressly authorized by the terms and conditions of the award.

(8) Maintenance of an Illinois Stop Payment List or an Illinois Debarred and Suspended List that contains the names of those individuals and entities that are ineligible, either temporarily or permanently, to receive an award of grant funds from the State.

(9) Ensuring the adoption of standardized rules for the implementation of this Act by State grant-making

agencies. The Grant Accountability and Transparency Unit shall provide such advice and technical assistance to the State grant-making agencies as is necessary or indicated in order to ensure compliance with this Act.

(10) Coordination of financial and Single Audit reviews.

(11) Coordination of on-site reviews of grantees and subrecipients.

(12) Maintenance of the Catalog of State Financial Assistance, which shall be posted on an Internet website maintained by the Governor's Office of Management and Budget that is available to the public.

(13) Promotion of best practices for disseminating information about grant opportunities to grant-making agencies statewide, with an emphasis on reaching previously underserved communities and grantees.

(b) The Grant Accountability and Transparency Unit shall have no power or authority regarding the approval, disapproval, management, or oversight of grants entered into or awarded by a State agency or by a public institution of higher education. The power or authority existing under law to grant or award grants by a State agency or by a public institution of higher education shall remain with that State agency or public institution of higher education. The Unit shall be responsible for providing technical assistance to guide the Administrative Code amendments proposed by State

grant-making agencies to comply with this Act and shall be responsible for establishing standardized policies and procedures for State grant-making agencies in order to ensure compliance with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards set forth in 2 CFR Part 200, all of which must be adhered to by the State grant-making agencies throughout the life cycle of the grant.

(c) The powers and functions of grant making by State agencies or public institutions of higher education may not be transferred to, nor may prior grant approval be transferred to, any other person, office, or entity within the executive branch of State government.

(Source: P.A. 100-676, eff. 1-1-19.)

(30 ILCS 708/65)

Sec. 65. Audit requirements.

(a) The standards set forth in Subpart F of 2 CFR Part 200 and any other standards that apply directly to State or federal agencies shall apply to audits of fiscal years beginning on or after December 26, 2014.

(b) Books and records must be available for review or audit by appropriate officials of the pass-through entity, and the agency, the Auditor General, the Inspector General, appropriate officials of the agency, and the federal Government Accountability Office.

(c) The Governor's Office of Management and Budget, with

the advice and technical assistance of the Illinois Single Audit Commission, shall adopt rules that are reasonably consistent with 2 CFR Part 200 for audits of grants from a State or federal pass-through entity that are not subject to the Single Audit Act because (1) the amount of ~~the~~ federal awards expended during the entity's fiscal year ~~award~~ is less than the applicable amount specified in 2 CFR Part 200, Subpart F ~~\$750,000~~ or (2) the subrecipient is an exempt entity as specified in ~~and that are reasonably consistent with~~ 2 CFR Part 200, Subpart F.

(d) This Act does not affect the provisions of the Illinois State Auditing Act and does not address the external audit function of the Auditor General.

(Source: P.A. 98-706, eff. 7-16-14.)

(30 ILCS 708/97) (was 30 ILCS 708/520)

Sec. 97. Separate accounts for State grant funds. Notwithstanding any provision of law to the contrary, all grants for which advance payments are made and any grant agreement entered into, renewed, or extended on or after August 20, 2018 (the effective date of Public Act 100-997) that permits advanced payments, between a State grant-making agency and a nonprofit organization, shall require the nonprofit organization receiving grant funds to maintain those funds in an account which is separate and distinct from any account holding non-grant funds. Except as otherwise provided

in an agreement between a State grant-making agency and a nonprofit organization, the grant funds held in a separate account by a nonprofit organization shall not be used for non-grant-related activities, and any unused grant funds shall be returned to the State grant-making agency. This Section does not apply when grant payments are made as reimbursements.

(Source: P.A. 100-997, eff. 8-20-18; 101-81, eff. 7-12-19.)

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