



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1598

Introduced 2/4/2025, by Sen. Patrick J. Joyce

#### SYNOPSIS AS INTRODUCED:

15 ILCS 405/10.05

from Ch. 15, par. 210.05

Amends the State Comptroller Act. Provides that, whenever any person shall be entitled to a warrant or other payment from the treasury or other funds held by the State Treasurer, on any account, against whom there shall be any then due and payable account or claim in favor of a public agency or association organized under an intergovernmental agreement in accordance with the provisions of the Intergovernmental Cooperation Act, including an intergovernmental risk management association or self-insurance pool, the Comptroller shall ascertain the amount due and payable to the public agency or association organized under an intergovernmental agreement and draw a warrant on the treasury or on other funds held by the State Treasurer. Makes conforming changes. Effective immediately.

LRB104 09894 SPS 19964 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 State Comptroller Act is amended by  
5 changing Section 10.05 as follows:

6 (15 ILCS 405/10.05) (from Ch. 15, par. 210.05)

7 Sec. 10.05. Deductions from warrants; statement of reason  
8 for deduction. Whenever any person shall be entitled to a  
9 warrant or other payment from the treasury or other funds held  
10 by the State Treasurer, on any account, against whom there  
11 shall be any then due and payable account or claim in favor of  
12 the State, the United States upon certification by the  
13 Secretary of the Treasury of the United States, or his or her  
14 delegate, pursuant to a reciprocal offset agreement under  
15 subsection (i-1) of Section 10 of the Illinois State  
16 Collection Act of 1986, or a unit of local government, a school  
17 district, a public institution of higher education, as defined  
18 in Section 1 of the Board of Higher Education Act, a public  
19 agency or association organized under an intergovernmental  
20 agreement in accordance with the provisions of the  
21 Intergovernmental Cooperation Act, including an  
22 intergovernmental risk management association or  
23 self-insurance pool, or the clerk of a circuit court, upon

1 certification by that entity, the Comptroller, upon  
2 notification thereof, shall ascertain the amount due and  
3 payable to the State, the United States, the unit of local  
4 government, the school district, the public institution of  
5 higher education, the public agency or association organized  
6 under an intergovernmental agreement in accordance with the  
7 provisions of the Intergovernmental Cooperation Act, or the  
8 clerk of the circuit court, as aforesaid, and draw a warrant on  
9 the treasury or on other funds held by the State Treasurer,  
10 stating the amount for which the party was entitled to a  
11 warrant or other payment, the amount deducted therefrom, and  
12 on what account, and directing the payment of the balance;  
13 which warrant or payment as so drawn shall be entered on the  
14 books of the Treasurer, and such balance only shall be paid.  
15 The Comptroller may deduct any one or more of the following:  
16 (i) the entire amount due and payable to the State or a portion  
17 of the amount due and payable to the State in accordance with  
18 the request of the notifying agency; (ii) the entire amount  
19 due and payable to the United States or a portion of the amount  
20 due and payable to the United States in accordance with a  
21 reciprocal offset agreement under subsection (i-1) of Section  
22 10 of the Illinois State Collection Act of 1986; or (iii) the  
23 entire amount due and payable to the unit of local government,  
24 the school district, the public institution of higher  
25 education, the public agency or association organized under an  
26 intergovernmental agreement in accordance with the provisions

1 of the Intergovernmental Cooperation Act, or the clerk of the  
2 circuit court, or a portion of the amount due and payable to  
3 that entity, in accordance with an intergovernmental agreement  
4 authorized under this Section and Section 10.05d. No request  
5 from a notifying agency, the Secretary of the Treasury of the  
6 United States, a unit of local government, a school district,  
7 a public institution of higher education, a public agency or  
8 association organized under an intergovernmental agreement in  
9 accordance with the provisions of the Intergovernmental  
10 Cooperation Act, or the clerk of a circuit court for an amount  
11 to be deducted under this Section from a wage or salary  
12 payment, from a contractual payment to an individual for  
13 personal services, or from pension annuity payments made under  
14 the Illinois Pension Code shall exceed 25% of the net amount of  
15 such payment. "Net amount" means that part of the earnings of  
16 an individual remaining after deduction of any amounts  
17 required by law to be withheld. For purposes of this  
18 provision, wage, salary or other payments for personal  
19 services shall not include final compensation payments for the  
20 value of accrued vacation, overtime or sick leave. Whenever  
21 the Comptroller draws a warrant or makes a payment involving a  
22 deduction ordered under this Section, the Comptroller shall  
23 notify the payee and the State agency that submitted the  
24 voucher of the reason for the deduction and he or she shall  
25 retain a record of such statement in his or her records. As  
26 used in this Section, an "account or claim in favor of the

1 State" includes all amounts owing to "State agencies" as  
2 defined in Section 7 of this Act. However, the Comptroller  
3 shall not be required to accept accounts or claims owing to  
4 funds not held by the State Treasurer, where such accounts or  
5 claims do not exceed \$50, nor shall the Comptroller deduct  
6 from funds held by the State Treasurer under the Senior  
7 Citizens and Persons with Disabilities Property Tax Relief Act  
8 or for payments to institutions from the Illinois Prepaid  
9 Tuition Trust Fund (unless the Trust Fund moneys are used for  
10 child support). The Comptroller shall not deduct from payments  
11 to be disbursed from the Child Support Enforcement Trust Fund  
12 as provided for under Section 12-10.2 of the Illinois Public  
13 Aid Code, except for payments representing interest on child  
14 support obligations under Section 10-16.5 of that Code. The  
15 Comptroller and the Department of Revenue shall enter into an  
16 interagency agreement to establish responsibilities, duties,  
17 and procedures relating to deductions from lottery prizes  
18 awarded under Section 20.1 of the Illinois Lottery Law. The  
19 Comptroller may enter into an intergovernmental agreement with  
20 the Department of Revenue and the Secretary of the Treasury of  
21 the United States, or his or her delegate, to establish  
22 responsibilities, duties, and procedures relating to  
23 reciprocal offset of delinquent State and federal obligations  
24 pursuant to subsection (i-1) of Section 10 of the Illinois  
25 State Collection Act of 1986. The Comptroller may enter into  
26 intergovernmental agreements with a ~~any~~ unit of local

1 government, a school district, a public institution of higher  
2 education, a public agency or association organized under an  
3 intergovernmental agreement in accordance with the provisions  
4 of the Intergovernmental Cooperation Act, or the clerk of a  
5 circuit court to establish responsibilities, duties, and  
6 procedures to provide for the offset, by the Comptroller, of  
7 obligations owed to those entities.

8 For the purposes of this Section, "clerk of a circuit  
9 court" means the clerk of a circuit court in any county in the  
10 State.

11 (Source: P.A. 99-143, eff. 7-27-15; 100-763, eff. 8-10-18.)

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