

1 AN ACT in relation to budget implementation.

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

4 Section 5. The State Finance Act is amended by changing
5 Section 13.2 as follows:

6 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

7 Sec. 13.2. Transfers among line item appropriations.

8 (a) Transfers among line item appropriations from the same
9 treasury fund for the objects specified in this Section may be
10 made in the manner provided in this Section when the balance
11 remaining in one or more such line item appropriations is
12 insufficient for the purpose for which the appropriation was
13 made.

14 (a-1) No transfers may be made from one agency to another
15 agency, nor may transfers be made from one institution of
16 higher education to another institution of higher education.

17 (a-2) Transfers may be made only among the objects of
18 expenditure enumerated in this Section, except that no funds
19 may be transferred from any appropriation for personal
20 services, from any appropriation for State contributions to the
21 State Employees' Retirement System, from any separate
22 appropriation for employee retirement contributions paid by
23 the employer, nor from any appropriation for State contribution
24 for employee group insurance.

25 (a-3) Further, if an agency receives a separate
26 appropriation for employee retirement contributions paid by
27 the employer, any transfer by that agency into an appropriation
28 for personal services must be accompanied by a corresponding
29 transfer into the appropriation for employee retirement
30 contributions paid by the employer, in an amount sufficient to
31 meet the employer share of the employee contributions required
32 to be remitted to the retirement system.

1 (b) In addition to the general transfer authority provided
2 under subsection (c), the following agencies have the specific
3 transfer authority granted in this subsection:

4 The Illinois Department of Public Aid is authorized to make
5 transfers representing savings attributable to not increasing
6 grants due to the births of additional children from line items
7 for payments of cash grants to line items for payments for
8 employment and social services for the purposes outlined in
9 subsection (f) of Section 4-2 of the Illinois Public Aid Code.

10 The Department of Children and Family Services is
11 authorized to make transfers not exceeding 2% of the aggregate
12 amount appropriated to it within the same treasury fund for the
13 following line items among these same line items: Foster Home
14 and Specialized Foster Care and Prevention, Institutions and
15 Group Homes and Prevention, and Purchase of Adoption and
16 Guardianship Services.

17 The Department on Aging is authorized to make transfers not
18 exceeding 2% of the aggregate amount appropriated to it within
19 the same treasury fund for the following Community Care Program
20 line items among these same line items: Homemaker and Senior
21 Companion Services, Case Coordination Units, and Adult Day Care
22 Services.

23 The State Treasurer is authorized to make transfers among
24 line item appropriations from the Capital Litigation Trust
25 Fund, with respect to costs incurred in fiscal years 2002 and
26 2003 only, when the balance remaining in one or more such line
27 item appropriations is insufficient for the purpose for which
28 the appropriation was made, provided that no such transfer may
29 be made unless the amount transferred is no longer required for
30 the purpose for which that appropriation was made.

31 (c) The sum of such transfers for an agency in a fiscal
32 year shall not exceed 2% of the aggregate amount appropriated
33 to it within the same treasury fund for the following objects:
34 Personal Services; Extra Help; Student and Inmate
35 Compensation; State Contributions to Retirement Systems; State
36 Contributions to Social Security; State Contribution for

1 Employee Group Insurance; Contractual Services; Travel;
2 Commodities; Printing; Equipment; Electronic Data Processing;
3 Operation of Automotive Equipment; Telecommunications
4 Services; Travel and Allowance for Committed, Paroled and
5 Discharged Prisoners; Library Books; Federal Matching Grants
6 for Student Loans; Refunds; Workers' Compensation,
7 Occupational Disease, and Tort Claims; and, in appropriations
8 to institutions of higher education, Awards and Grants.
9 Notwithstanding the above, any amounts appropriated for
10 payment of workers' compensation claims to an agency to which
11 the authority to evaluate, administer and pay such claims has
12 been delegated by the Department of Central Management Services
13 may be transferred to any other expenditure object where such
14 amounts exceed the amount necessary for the payment of such
15 claims.

16 (c-1) Special provisions for State fiscal year 2003.
17 Notwithstanding any other provision of this Section to the
18 contrary, for State fiscal year 2003 only, transfers among line
19 item appropriations to an agency from the same treasury fund
20 may be made provided that the sum of such transfers for an
21 agency in State fiscal year 2003 shall not exceed 3% of the
22 aggregate amount appropriated to that State agency for State
23 fiscal year 2003 for the following objects: personal services,
24 except that no transfer may be approved which reduces the
25 aggregate appropriations for personal services within an
26 agency; extra help; student and inmate compensation; State
27 contributions to retirement systems; State contributions to
28 social security; State contributions for employee group
29 insurance; contractual services; travel; commodities;
30 printing; equipment; electronic data processing; operation of
31 automotive equipment; telecommunications services; travel and
32 allowance for committed, paroled, and discharged prisoners;
33 library books; federal matching grants for student loans;
34 refunds; workers' compensation, occupational disease, and tort
35 claims; and, in appropriations to institutions of higher
36 education, awards and grants.

1 (c-2) Special provisions for State fiscal year 2005.
2 Notwithstanding subsections (a), (a-2), and (c), for State
3 fiscal year 2005 only, transfers may be made among any line
4 item appropriations from the same or any other treasury fund
5 for any objects or purposes, without limitation, when the
6 balance remaining in one or more such line item appropriations
7 is insufficient for the purpose for which the appropriation was
8 made, provided that the sum of those transfers by a State
9 agency shall not exceed 4% of the aggregate amount appropriated
10 to that State agency for fiscal year 2005.

11 (d) Transfers among appropriations made to agencies of the
12 Legislative and Judicial departments and to the
13 constitutionally elected officers in the Executive branch
14 require the approval of the officer authorized in Section 10 of
15 this Act to approve and certify vouchers. Transfers among
16 appropriations made to the University of Illinois, Southern
17 Illinois University, Chicago State University, Eastern
18 Illinois University, Governors State University, Illinois
19 State University, Northeastern Illinois University, Northern
20 Illinois University, Western Illinois University, the Illinois
21 Mathematics and Science Academy and the Board of Higher
22 Education require the approval of the Board of Higher Education
23 and the Governor. Transfers among appropriations to all other
24 agencies require the approval of the Governor.

25 The officer responsible for approval shall certify that the
26 transfer is necessary to carry out the programs and purposes
27 for which the appropriations were made by the General Assembly
28 and shall transmit to the State Comptroller a certified copy of
29 the approval which shall set forth the specific amounts
30 transferred so that the Comptroller may change his records
31 accordingly. The Comptroller shall furnish the Governor with
32 information copies of all transfers approved for agencies of
33 the Legislative and Judicial departments and transfers
34 approved by the constitutionally elected officials of the
35 Executive branch other than the Governor, showing the amounts
36 transferred and indicating the dates such changes were entered

1 on the Comptroller's records.

2 (Source: P.A. 92-600, eff. 6-28-02; 92-885, eff. 1-13-03.)

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