



Rep. Michael J. Madigan

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1 AMENDMENT TO SENATE BILL 2213

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2213 by replacing  
3 everything after the enacting clause with the following:

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.

1        (a-3) Further, if an agency receives a separate  
2 appropriation for employee retirement contributions paid by  
3 the employer, any transfer by that agency into an appropriation  
4 for personal services must be accompanied by a corresponding  
5 transfer into the appropriation for employee retirement  
6 contributions paid by the employer, in an amount sufficient to  
7 meet the employer share of the employee contributions required  
8 to be remitted to the retirement system.

9        (b) In addition to the general transfer authority provided  
10 under subsection (c), the following agencies have the specific  
11 transfer authority granted in this subsection:

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

18        The Department of Children and Family Services is  
19 authorized to make transfers not exceeding 2% of the aggregate  
20 amount appropriated to it within the same treasury fund for the  
21 following line items among these same line items: Foster Home  
22 and Specialized Foster Care and Prevention, Institutions and  
23 Group Homes and Prevention, and Purchase of Adoption and  
24 Guardianship Services.

25        The Department on Aging is authorized to make transfers not  
26 exceeding 2% of the aggregate amount appropriated to it within  
27 the same treasury fund for the following Community Care Program  
28 line items among these same line items: Homemaker and Senior  
29 Companion Services, Case Coordination Units, and Adult Day Care  
30 Services.

31        The State Treasurer is authorized to make transfers among  
32 line item appropriations from the Capital Litigation Trust  
33 Fund, with respect to costs incurred in fiscal years 2002 and  
34 2003 only, when the balance remaining in one or more such line

1 item appropriations is insufficient for the purpose for which  
2 the appropriation was made, provided that no such transfer may  
3 be made unless the amount transferred is no longer required for  
4 the purpose for which that appropriation was made.

5 (c) The sum of such transfers for an agency in a fiscal  
6 year shall not exceed 2% of the aggregate amount appropriated  
7 to it within the same treasury fund for the following objects:  
8 Personal Services; Extra Help; Student and Inmate  
9 Compensation; State Contributions to Retirement Systems; State  
10 Contributions to Social Security; State Contribution for  
11 Employee Group Insurance; Contractual Services; Travel;  
12 Commodities; Printing; Equipment; Electronic Data Processing;  
13 Operation of Automotive Equipment; Telecommunications  
14 Services; Travel and Allowance for Committed, Paroled and  
15 Discharged Prisoners; Library Books; Federal Matching Grants  
16 for Student Loans; Refunds; Workers' Compensation,  
17 Occupational Disease, and Tort Claims; and, in appropriations  
18 to institutions of higher education, Awards and Grants.  
19 Notwithstanding the above, any amounts appropriated for  
20 payment of workers' compensation claims to an agency to which  
21 the authority to evaluate, administer and pay such claims has  
22 been delegated by the Department of Central Management Services  
23 may be transferred to any other expenditure object where such  
24 amounts exceed the amount necessary for the payment of such  
25 claims.

26 (c-1) Special provisions for State fiscal year 2003.  
27 Notwithstanding any other provision of this Section to the  
28 contrary, for State fiscal year 2003 only, transfers among line  
29 item appropriations to an agency from the same treasury fund  
30 may be made provided that the sum of such transfers for an  
31 agency in State fiscal year 2003 shall not exceed 3% of the  
32 aggregate amount appropriated to that State agency for State  
33 fiscal year 2003 for the following objects: personal services,  
34 except that no transfer may be approved which reduces the

1 aggregate appropriations for personal services within an  
2 agency; extra help; student and inmate compensation; State  
3 contributions to retirement systems; State contributions to  
4 social security; State contributions for employee group  
5 insurance; contractual services; travel; commodities;  
6 printing; equipment; electronic data processing; operation of  
7 automotive equipment; telecommunications services; travel and  
8 allowance for committed, paroled, and discharged prisoners;  
9 library books; federal matching grants for student loans;  
10 refunds; workers' compensation, occupational disease, and tort  
11 claims; and, in appropriations to institutions of higher  
12 education, awards and grants.

13 (c-2) Special provisions for State fiscal year 2005.  
14 Notwithstanding subsections (a), (a-2), and (c), for State  
15 fiscal year 2005 only, transfers may be made among any line  
16 item appropriations from the same or any other treasury fund  
17 for any objects or purposes, without limitation, when the  
18 balance remaining in one or more such line item appropriations  
19 is insufficient for the purpose for which the appropriation was  
20 made, provided that the sum of those transfers by a State  
21 agency shall not exceed 4% of the aggregate amount appropriated  
22 to that State agency for fiscal year 2005.

23 (d) Transfers among appropriations made to agencies of the  
24 Legislative and Judicial departments and to the  
25 constitutionally elected officers in the Executive branch  
26 require the approval of the officer authorized in Section 10 of  
27 this Act to approve and certify vouchers. Transfers among  
28 appropriations made to the University of Illinois, Southern  
29 Illinois University, Chicago State University, Eastern  
30 Illinois University, Governors State University, Illinois  
31 State University, Northeastern Illinois University, Northern  
32 Illinois University, Western Illinois University, the Illinois  
33 Mathematics and Science Academy and the Board of Higher  
34 Education require the approval of the Board of Higher Education

1 and the Governor. Transfers among appropriations to all other  
2 agencies require the approval of the Governor.

3 The officer responsible for approval shall certify that the  
4 transfer is necessary to carry out the programs and purposes  
5 for which the appropriations were made by the General Assembly  
6 and shall transmit to the State Comptroller a certified copy of  
7 the approval which shall set forth the specific amounts  
8 transferred so that the Comptroller may change his records  
9 accordingly. The Comptroller shall furnish the Governor with  
10 information copies of all transfers approved for agencies of  
11 the Legislative and Judicial departments and transfers  
12 approved by the constitutionally elected officials of the  
13 Executive branch other than the Governor, showing the amounts  
14 transferred and indicating the dates such changes were entered  
15 on the Comptroller's records.

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

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