

HB3332



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB3332

Introduced 2/22/2005, by Rep. Tom Cross

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-5

was 15 ILCS 20/38

Amends the State Budget Law of the Civil Administrative Code of Illinois. Makes a technical change in a Section concerning the Governor's submission of the State budget.

LRB094 06171 RCE 36236 b

A BILL FOR

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 Budget Law of the Civil Administrative
5 Code of Illinois is amended by changing Section 50-5 as
6 follows:

7 (15 ILCS 20/50-5) (was 15 ILCS 20/38)

8 Sec. 50-5. Governor to submit State budget. The ~~The~~
9 Governor shall, as soon as possible and not later than the
10 second Wednesday in April in 2003 and the third Wednesday in
11 February of each year beginning in 2004, except as otherwise
12 provided in this Section, submit a State budget, embracing
13 therein the amounts recommended by the Governor to be
14 appropriated to the respective departments, offices, and
15 institutions, and for all other public purposes, the estimated
16 revenues from taxation, the estimated revenues from sources
17 other than taxation, and an estimate of the amount required to
18 be raised by taxation. In 2004 only, the Governor shall submit
19 the capital development section of the State budget not later
20 than the fourth Tuesday of March (March 23, 2004). The amounts
21 recommended by the Governor for appropriation to the respective
22 departments, offices and institutions shall be formulated
23 according to the various functions and activities for which the
24 respective department, office or institution of the State
25 government (including the elective officers in the executive
26 department and including the University of Illinois and the
27 judicial department) is responsible. The amounts relating to
28 particular functions and activities shall be further
29 formulated in accordance with the object classification
30 specified in Section 13 of the State Finance Act.

31 The Governor shall not propose expenditures and the General
32 Assembly shall not enact appropriations that exceed the

1 resources estimated to be available, as provided in this
2 Section.

3 For the purposes of Article VIII, Section 2 of the 1970
4 Illinois Constitution, the State budget for the following funds
5 shall be prepared on the basis of revenue and expenditure
6 measurement concepts that are in concert with generally
7 accepted accounting principles for governments:

8 (1) General Revenue Fund.

9 (2) Common School Fund.

10 (3) Educational Assistance Fund.

11 (4) Road Fund.

12 (5) Motor Fuel Tax Fund.

13 (6) Agricultural Premium Fund.

14 These funds shall be known as the "budgeted funds". The
15 revenue estimates used in the State budget for the budgeted
16 funds shall include the estimated beginning fund balance, plus
17 revenues estimated to be received during the budgeted year,
18 plus the estimated receipts due the State as of June 30 of the
19 budgeted year that are expected to be collected during the
20 lapse period following the budgeted year, minus the receipts
21 collected during the first 2 months of the budgeted year that
22 became due to the State in the year before the budgeted year.
23 Revenues shall also include estimated federal reimbursements
24 associated with the recognition of Section 25 of the State
25 Finance Act liabilities. For any budgeted fund for which
26 current year revenues are anticipated to exceed expenditures,
27 the surplus shall be considered to be a resource available for
28 expenditure in the budgeted fiscal year.

29 Expenditure estimates for the budgeted funds included in
30 the State budget shall include the costs to be incurred by the
31 State for the budgeted year, to be paid in the next fiscal
32 year, excluding costs paid in the budgeted year which were
33 carried over from the prior year, where the payment is
34 authorized by Section 25 of the State Finance Act. For any
35 budgeted fund for which expenditures are expected to exceed
36 revenues in the current fiscal year, the deficit shall be

1 considered as a use of funds in the budgeted fiscal year.

2 Revenues and expenditures shall also include transfers
3 between funds that are based on revenues received or costs
4 incurred during the budget year.

5 By March 15 of each year, the Economic and Fiscal
6 Commission shall prepare revenue and fund transfer estimates in
7 accordance with the requirements of this Section and report
8 those estimates to the General Assembly and the Governor.

9 For all funds other than the budgeted funds, the proposed
10 expenditures shall not exceed funds estimated to be available
11 for the fiscal year as shown in the budget. Appropriation for a
12 fiscal year shall not exceed funds estimated by the General
13 Assembly to be available during that year.

14 (Source: P.A. 93-1, eff. 2-6-03; 93-662, eff. 2-11-04.)