



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4199

Introduced 11/7/2005, by Rep. Gary Hannig

SYNOPSIS AS INTRODUCED:

30 ILCS 105/8h

Amends the State Finance Act. Exempts the State's Attorneys Appellate Prosecutor's County Fund from the Act's administrative charge-back provisions. Effective immediately.

LRB094 14149 BDD 49054 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning finance.

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 8h as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.

8 (a) Except as provided in subsection (b), notwithstanding
9 any other State law to the contrary, the Governor may, through
10 June 30, 2007, from time to time direct the State Treasurer and
11 Comptroller to transfer a specified sum from any fund held by
12 the State Treasurer to the General Revenue Fund in order to
13 help defray the State's operating costs for the fiscal year.
14 The total transfer under this Section from any fund in any
15 fiscal year shall not exceed the lesser of (i) 8% of the
16 revenues to be deposited into the fund during that fiscal year
17 or (ii) an amount that leaves a remaining fund balance of 25%
18 of the July 1 fund balance of that fiscal year. In fiscal year
19 2005 only, prior to calculating the July 1, 2004 final
20 balances, the Governor may calculate and direct the State
21 Treasurer with the Comptroller to transfer additional amounts
22 determined by applying the formula authorized in Public Act
23 93-839 to the funds balances on July 1, 2003. No transfer may
24 be made from a fund under this Section that would have the
25 effect of reducing the available balance in the fund to an
26 amount less than the amount remaining unexpended and unreserved
27 from the total appropriation from that fund estimated to be
28 expended for that fiscal year. This Section does not apply to
29 any funds that are restricted by federal law to a specific use,
30 to any funds in the Motor Fuel Tax Fund, the Intercity
31 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
32 Provider Relief Fund, the Reviewing Court Alternative Dispute

1 Resolution Fund, ~~or~~ the Voters' Guide Fund, the Foreign
2 Language Interpreter Fund, the Lawyers' Assistance Program
3 Fund, the Supreme Court Federal Projects Fund, the Supreme
4 Court Special State Projects Fund, ~~or~~ the Low-Level Radioactive
5 Waste Facility Development and Operation Fund, or the Hospital
6 Basic Services Preservation Fund, or to any funds to which
7 subsection (f) of Section 20-40 of the Nursing and Advanced
8 Practice Nursing Act applies. No transfers may be made under
9 this Section from the Pet Population Control Fund.
10 Notwithstanding any other provision of this Section, for fiscal
11 year 2004, the total transfer under this Section from the Road
12 Fund or the State Construction Account Fund shall not exceed
13 the lesser of (i) 5% of the revenues to be deposited into the
14 fund during that fiscal year or (ii) 25% of the beginning
15 balance in the fund. For fiscal year 2005 through fiscal year
16 2007, no amounts may be transferred under this Section from the
17 Road Fund, the State Construction Account Fund, the State's
18 Attorneys Appellate Prosecutor's County Fund, the Criminal
19 Justice Information Systems Trust Fund, the Wireless Service
20 Emergency Fund, or the Mandatory Arbitration Fund.

21 In determining the available balance in a fund, the
22 Governor may include receipts, transfers into the fund, and
23 other resources anticipated to be available in the fund in that
24 fiscal year.

25 The State Treasurer and Comptroller shall transfer the
26 amounts designated under this Section as soon as may be
27 practicable after receiving the direction to transfer from the
28 Governor.

29 (b) This Section does not apply to: (i) the Ticket For The
30 Cure Fund; (ii) ~~or to~~ any fund established under the Community
31 Senior Services and Resources Act; or (iii) ~~(ii)~~ on or after
32 January 1, 2006 (the effective date of Public Act 94-511) ~~this~~
33 ~~amendatory Act of the 94th General Assembly~~, the Child Labor
34 and Day and Temporary Labor Enforcement Fund.

35 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
36 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;

1 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
2 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
3 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
4 eff. 8-22-05; 94-648, eff. 1-1-06; revised 8-29-05.)

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