



Sen. Donne E. Trotter

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09500SB1084sam001

LRB095 05992 BDD 38254 a

1 AMENDMENT TO SENATE BILL 1084

2 AMENDMENT NO. _____. Amend Senate Bill 1084 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 1. SHORT TITLE; PURPOSE

5 Section 1-1. Short Title. This Act may be cited as the
6 FY2008 Budget Implementation (Finance) Act.

7 Section 1-5. Purpose. It is the purpose of this Act to make
8 changes in State programs concerning finance that are necessary
9 to implement the FY2008 Budget.

10 ARTICLE 5. AMENDATORY PROVISIONS

11 Section 5-5. The Mental Health and Developmental
12 Disabilities Administrative Act is amended by changing Section
13 18.4 as follows:

1 (20 ILCS 1705/18.4)

2 Sec. 18.4. Community Mental Health Medicaid Trust Fund;
3 reimbursement.

4 (a) The Community Mental Health Medicaid Trust Fund is
5 hereby created in the State Treasury.

6 (b) ~~Amounts Except as otherwise provided in this Section,~~
7 ~~following repayment of interfund transfers under subsection~~
8 ~~(b-1),~~ amounts paid to the State during each State fiscal year
9 by the federal government under Title XIX or Title XXI of the
10 Social Security Act for services delivered by community mental
11 health providers, and any interest earned thereon, shall be
12 deposited as follows:

13 (1) The first \$75,000,000 shall be deposited directly
14 into the Community Mental Health Medicaid Trust Fund to be
15 used for the purchase of community mental health services;

16 (2) The next \$4,500,000 shall be deposited directly
17 into the Community Mental Health Medicaid Trust Fund to be
18 used by the Department of Human Services' Division of
19 Mental Health for the oversight and administration of
20 community mental health services and up to \$1,000,000 of
21 this amount may be used for support of community mental
22 health service initiatives ; ~~and~~

23 (3) The next \$3,500,000 shall be deposited directly
24 into the General Revenue Fund;

25 (4) Any additional amounts shall be deposited ~~50%~~ into

1 the Community Mental Health Medicaid Trust Fund to be used
2 for the purchase of community mental health services ~~and~~
3 ~~50% into the General Revenue Fund.~~

4 ~~(b-1) For State fiscal year 2005, the first \$73,000,000 in~~
5 ~~any funds paid to the State by the federal government under~~
6 ~~Title XIX or Title XXI of the Social Security Act for services~~
7 ~~delivered by community mental health services providers, and~~
8 ~~any interest earned thereon, shall be deposited directly into~~
9 ~~the Community Mental Health Medicaid Trust Fund before any~~
10 ~~deposits are made into the General Revenue Fund. The next~~
11 ~~\$25,000,000, less any deposits made prior to the effective date~~
12 ~~of this amendatory Act of the 94th General Assembly, shall be~~
13 ~~deposited into the General Revenue Fund. Amounts received in~~
14 ~~excess of \$98,000,000 shall be deposited 50% into the General~~
15 ~~Revenue Fund and 50% into the Community Mental Health Medicaid~~
16 ~~Trust Fund. At the direction of the Director of Healthcare and~~
17 ~~Family Services, on April 1, 2005, or as soon thereafter as~~
18 ~~practical, the Comptroller shall direct and the State Treasurer~~
19 ~~shall transfer amounts not to exceed \$14,000,000 into the~~
20 ~~Community Mental Health Medicaid Trust Fund from the Public Aid~~
21 ~~Recoveries Trust Fund.~~

22 ~~(b-2) For State fiscal year 2006, and in subsequent fiscal~~
23 ~~years until any transfers under subsection (b-1) are repaid,~~
24 ~~the first \$73,000,000 in any funds paid to the State by the~~
25 ~~federal government under Title XIX or Title XXI of the Social~~
26 ~~Security Act for services delivered by community mental health~~

1 ~~providers, and any interest earned thereon, shall be deposited~~
2 ~~directly into the Community Mental Health Medicaid Trust Fund.~~
3 ~~Then the next \$14,000,000, or such amount as was transferred~~
4 ~~under subsection (b-1) at the direction of the Director of~~
5 ~~Healthcare and Family Services, shall be deposited into the~~
6 ~~Public Aid Recoveries Trust Fund. Any additional amounts~~
7 ~~received shall be deposited in accordance with subsection (b).~~

8 (c) The Department shall reimburse community mental health
9 providers for services provided to eligible individuals.
10 Moneys in the Community Mental Health Medicaid Trust Fund may
11 be used for that purpose.

12 (d) As used in this Section:

13 "Community mental health provider" means a community
14 agency that is funded by the Department to provide a service.

15 "Service" means a mental health service provided pursuant
16 to the provisions of administrative rules adopted by the
17 Department and funded by the Department of Human Services'
18 Division of Mental Health.

19 (Source: P.A. 93-841, eff. 7-30-04; 94-58, eff. 6-17-05;
20 94-839, eff. 6-6-06.)

21 Section 5-7. If and only if House Bill 25 of the 95th
22 General Assembly (as amended by Senate Amendments No. 3, 4, and
23 6) becomes law, then the State Finance Act is amended by adding
24 Sections 5.675 and 5.676 as follows:

1 (30 ILCS 105/5.675 new)

2 Sec. 5.675. The FY08 Education Investment Fund. This
3 Section is repealed on July 1, 2008.

4 (30 ILCS 105/5.676 new)

5 Sec. 5.676. The Pay-As-You-Go Capital Fund. This Section is
6 repealed on July 1, 2008.

7 Section 5-10. The State Finance Act is amended by changing
8 Sections 6z-32, 6z-63, 6z-64, 8.3, 8g, and 13.2 and by adding
9 Sections 5.677, 6z-69, and 8.46 as follows:

10 (30 ILCS 105/5.677 new)

11 Sec. 5.677. The Minority Film Support Fund.

12 (30 ILCS 105/6z-32)

13 Sec. 6z-32. Conservation 2000.

14 (a) The Conservation 2000 Fund and the Conservation 2000
15 Projects Fund are created as special funds in the State
16 Treasury. These funds shall be used to establish a
17 comprehensive program to protect Illinois' natural resources
18 through cooperative partnerships between State government and
19 public and private landowners. Moneys in these Funds may be
20 used, subject to appropriation, by the Environmental
21 Protection Agency and the Departments of Agriculture, Natural
22 Resources, and Transportation for purposes relating to natural

1 resource protection, recreation, tourism, and compatible
2 agricultural and economic development activities. Without
3 limiting these general purposes, moneys in these Funds may be
4 used, subject to appropriation, for the following specific
5 purposes:

6 (1) To foster sustainable agriculture practices and
7 control soil erosion and sedimentation, including grants
8 to Soil and Water Conservation Districts for conservation
9 practice cost-share grants and for personnel, educational,
10 and administrative expenses.

11 (2) To establish and protect a system of ecosystems in
12 public and private ownership through conservation
13 easements, incentives to public and private landowners,
14 including technical assistance and grants, and land
15 acquisition provided these mechanisms are all voluntary on
16 the part of the landowner and do not involve the use of
17 eminent domain.

18 (3) To develop a systematic and long-term program to
19 effectively measure and monitor natural resources and
20 ecological conditions through investments in technology
21 and involvement of scientific experts.

22 (4) To initiate strategies to enhance, use, and
23 maintain Illinois' inland lakes through education,
24 technical assistance, research, and financial incentives.

25 (5) To conduct an extensive review of existing Illinois
26 water laws.

1 (b) The State Comptroller and State Treasurer shall
 2 automatically transfer on the last day of each month, beginning
 3 on September 30, 1995 and ending on June 30, 2009, from the
 4 General Revenue Fund to the Conservation 2000 Fund, an amount
 5 equal to 1/10 of the amount set forth below in fiscal year 1996
 6 and an amount equal to 1/12 of the amount set forth below in
 7 each of the other specified fiscal years:

8 Fiscal Year	Amount
9 1996	\$ 3,500,000
10 1997	\$ 9,000,000
11 1998	\$10,000,000
12 1999	\$11,000,000
13 2000	\$12,500,000
14 2001 through 2004	\$14,000,000
15 2005	\$7,000,000
16 2006	\$11,000,000
17 2007	\$0
18 2008 through 2009	\$0 \$14,000,000
19 <u>2009</u>	<u>\$14,000,000</u>

20 (c) Notwithstanding any other provision of law to the
 21 contrary and in addition to any other transfers that may be
 22 provided for by law, on the last day of each month beginning on
 23 July 31, 2006 and ending on June 30, 2008 ~~2007~~, or as soon
 24 thereafter as may be practical, the State Comptroller shall
 25 direct and the State Treasurer shall transfer \$1,000,000 from
 26 the Open Space Lands Acquisition and Development Fund to the

1 Conservation 2000 Fund.

2 (d) There shall be deposited into the Conservation 2000
3 Projects Fund such bond proceeds and other moneys as may, from
4 time to time, be provided by law.

5 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05; 94-839,
6 eff. 6-6-06.)

7 (30 ILCS 105/6z-63)

8 Sec. 6z-63. The Professional Services Fund.

9 (a) The Professional Services Fund is created as a
10 revolving fund in the State treasury. The following moneys
11 shall be deposited into the Fund:

12 (1) amounts authorized for transfer to the Fund from
13 the General Revenue Fund and other State funds (except for
14 funds classified by the Comptroller as federal trust funds
15 or State trust funds) pursuant to State law or Executive
16 Order;

17 (2) federal funds received by the Department of Central
18 Management Services (the "Department") as a result of
19 expenditures from the Fund;

20 (3) interest earned on moneys in the Fund; and

21 (4) receipts or inter-fund transfers resulting from
22 billings issued by the Department to State agencies for the
23 cost of professional services rendered by the Department
24 that are not compensated through the specific fund
25 transfers authorized by this Section.

1 (b) Moneys in the Fund may be used by the Department for
2 reimbursement or payment for:

3 (1) providing professional services to State agencies
4 or other State entities;

5 (2) rendering other services to State agencies at the
6 Governor's direction or to other State entities upon
7 agreement between the Director of Central Management
8 Services and the appropriate official or governing body of
9 the other State entity; or

10 (3) providing for payment of administrative and other
11 expenses incurred by the Department in providing
12 professional services.

13 (c) State agencies or other State entities may direct the
14 Comptroller to process inter-fund transfers or make payment
15 through the voucher and warrant process to the Professional
16 Services Fund in satisfaction of billings issued under
17 subsection (a) of this Section.

18 (d) Reconciliation. For the fiscal year beginning on July
19 1, 2004 only, the Director of Central Management Services (the
20 "Director") shall order that each State agency's payments and
21 transfers made to the Fund be reconciled with actual Fund costs
22 for professional services provided by the Department on no less
23 than an annual basis. The Director may require reports from
24 State agencies as deemed necessary to perform this
25 reconciliation.

26 (e) The following amounts are authorized for transfer into

1 the Professional Services Fund for the fiscal year beginning
2 July 1, 2004:

3	General Revenue Fund	\$5,440,431
4	Road Fund	\$814,468
5	Motor Fuel Tax Fund	\$263,500
6	Child Support Administrative Fund	\$234,013
7	Professions Indirect Cost Fund	\$276,800
8	Capital Development Board Revolving Fund	\$207,610
9	Bank & Trust Company Fund	\$200,214
10	State Lottery Fund	\$193,691
11	Insurance Producer Administration Fund	\$174,672
12	Insurance Financial Regulation Fund	\$168,327
13	Illinois Clean Water Fund	\$124,675
14	Clean Air Act (CAA) Permit Fund	\$91,803
15	Statistical Services Revolving Fund	\$90,959
16	Financial Institution Fund	\$109,428
17	Horse Racing Fund	\$71,127
18	Health Insurance Reserve Fund	\$66,577
19	Solid Waste Management Fund	\$61,081
20	Guardianship and Advocacy Fund	\$1,068
21	Agricultural Premium Fund	\$493
22	Wildlife and Fish Fund	\$247
23	Radiation Protection Fund	\$33,277
24	Nuclear Safety Emergency Preparedness Fund	\$25,652
25	Tourism Promotion Fund	\$6,814

26 All of these transfers shall be made on July 1, 2004, or as

1 soon thereafter as practical. These transfers shall be made
2 notwithstanding any other provision of State law to the
3 contrary.

4 (e-5) Notwithstanding any other provision of State law to
5 the contrary, on or after July 1, 2005 and through June 30,
6 2006, in addition to any other transfers that may be provided
7 for by law, at the direction of and upon notification from the
8 Director of Central Management Services, the State Comptroller
9 shall direct and the State Treasurer shall transfer amounts
10 into the Professional Services Fund from the designated funds
11 not exceeding the following totals:

12	Food and Drug Safety Fund	\$3,249
13	Financial Institution Fund	\$12,942
14	General Professions Dedicated Fund	\$8,579
15	Illinois Department of Agriculture	
16	Laboratory Services Revolving Fund	\$1,963
17	Illinois Veterans' Rehabilitation Fund	\$11,275
18	State Boating Act Fund	\$27,000
19	State Parks Fund	\$22,007
20	Agricultural Premium Fund	\$59,483
21	Fire Prevention Fund	\$29,862
22	Mental Health Fund	\$78,213
23	Illinois State Pharmacy Disciplinary Fund	\$2,744
24	Radiation Protection Fund	\$16,034
25	Solid Waste Management Fund	\$37,669
26	Illinois Gaming Law Enforcement Fund	\$7,260

1	Subtitle D Management Fund	\$4,659
2	Illinois State Medical Disciplinary Fund	\$8,602
3	Department of Children and	
4	Family Services Training Fund	\$29,906
5	Facility Licensing Fund	\$1,083
6	Youth Alcoholism and Substance	
7	Abuse Prevention Fund	\$2,783
8	Plugging and Restoration Fund	\$1,105
9	State Crime Laboratory Fund	\$1,353
10	Motor Vehicle Theft Prevention Trust Fund	\$9,190
11	Weights and Measures Fund	\$4,932
12	Solid Waste Management Revolving	
13	Loan Fund	\$2,735
14	Illinois School Asbestos Abatement Fund	\$2,166
15	Violence Prevention Fund	\$5,176
16	Capital Development Board Revolving Fund	\$14,777
17	DCFS Children's Services Fund	\$1,256,594
18	State Police DUI Fund	\$1,434
19	Illinois Health Facilities Planning Fund	\$3,191
20	Emergency Public Health Fund	\$7,996
21	Fair and Exposition Fund	\$3,732
22	Nursing Dedicated and Professional Fund	\$5,792
23	Optometric Licensing and Disciplinary Board Fund ..	\$1,032
24	Underground Resources Conservation Enforcement Fund	\$1,221
25	State Rail Freight Loan Repayment Fund	\$6,434
26	Drunk and Drugged Driving Prevention Fund	\$5,473

1	Illinois Affordable Housing Trust Fund	\$118,222
2	Community Water Supply Laboratory Fund	\$10,021
3	Used Tire Management Fund	\$17,524
4	Natural Areas Acquisition Fund	\$15,501
5	Open Space Lands Acquisition	
6	and Development Fund	\$49,105
7	Working Capital Revolving Fund	\$126,344
8	State Garage Revolving Fund	\$92,513
9	Statistical Services Revolving Fund	\$181,949
10	Paper and Printing Revolving Fund	\$3,632
11	Air Transportation Revolving Fund	\$1,969
12	Communications Revolving Fund	\$304,278
13	Environmental Laboratory Certification Fund	\$1,357
14	Public Health Laboratory Services Revolving Fund ..	\$5,892
15	Provider Inquiry Trust Fund	\$1,742
16	Lead Poisoning Screening,	
17	Prevention, and Abatement Fund	\$8,200
18	Drug Treatment Fund	\$14,028
19	Feed Control Fund	\$2,472
20	Plumbing Licensure and Program Fund	\$3,521
21	Insurance Premium Tax Refund Fund	\$7,872
22	Tax Compliance and Administration Fund	\$5,416
23	Appraisal Administration Fund	\$2,924
24	Trauma Center Fund	\$40,139
25	Alternate Fuels Fund	\$1,467
26	Illinois State Fair Fund	\$13,844

1	State Asset Forfeiture Fund	\$8,210
2	Federal Asset Forfeiture Fund	\$6,471
3	Department of Corrections Reimbursement	
4	and Education Fund	\$78,965
5	Health Facility Plan Review Fund	\$3,444
6	LEADS Maintenance Fund	\$6,075
7	State Offender DNA Identification	
8	System Fund	\$1,712
9	Illinois Historic Sites Fund	\$4,511
10	Public Pension Regulation Fund	\$2,313
11	Workforce, Technology, and Economic	
12	Development Fund	\$5,357
13	Renewable Energy Resources Trust Fund	\$29,920
14	Energy Efficiency Trust Fund	\$8,368
15	Pesticide Control Fund	\$6,687
16	Conservation 2000 Fund	\$30,764
17	Wireless Carrier Reimbursement Fund	\$91,024
18	International Tourism Fund	\$13,057
19	Public Transportation Fund	\$701,837
20	Horse Racing Fund	\$18,589
21	Death Certificate Surcharge Fund	\$1,901
22	State Police Wireless Service	
23	Emergency Fund	\$1,012
24	Downstate Public Transportation Fund	\$112,085
25	Motor Carrier Safety Inspection Fund	\$6,543
26	State Police Whistleblower Reward	

1	and Protection Fund	\$1,894
2	Illinois Standardbred Breeders Fund	\$4,412
3	Illinois Thoroughbred Breeders Fund	\$6,635
4	Illinois Clean Water Fund	\$17,579
5	Independent Academic Medical Center Fund	\$5,611
6	Child Support Administrative Fund	\$432,527
7	Corporate Headquarters Relocation	
8	Assistance Fund	\$4,047
9	Local Initiative Fund	\$58,762
10	Tourism Promotion Fund	\$88,072
11	Digital Divide Elimination Fund	\$11,593
12	Presidential Library and Museum Operating Fund	\$4,624
13	Metro-East Public Transportation Fund	\$47,787
14	Medical Special Purposes Trust Fund	\$11,779
15	Dram Shop Fund	\$11,317
16	Illinois State Dental Disciplinary Fund	\$1,986
17	Hazardous Waste Research Fund	\$1,333
18	Real Estate License Administration Fund	\$10,886
19	Traffic and Criminal Conviction	
20	Surcharge Fund	\$44,798
21	Criminal Justice Information	
22	Systems Trust Fund	\$5,693
23	Design Professionals Administration	
24	and Investigation Fund	\$2,036
25	State Surplus Property Revolving Fund	\$6,829
26	Illinois Forestry Development Fund	\$7,012

1	State Police Services Fund	\$47,072
2	Youth Drug Abuse Prevention Fund	\$1,299
3	Metabolic Screening and Treatment Fund	\$15,947
4	Insurance Producer Administration Fund	\$30,870
5	Coal Technology Development Assistance Fund	\$43,692
6	Rail Freight Loan Repayment Fund	\$1,016
7	Low-Level Radioactive Waste	
8	Facility Development and Operation Fund	\$1,989
9	Environmental Protection Permit and Inspection Fund	\$32,125
10	Park and Conservation Fund	\$41,038
11	Local Tourism Fund	\$34,492
12	Illinois Capital Revolving Loan Fund	\$10,624
13	Illinois Equity Fund	\$1,929
14	Large Business Attraction Fund	\$5,554
15	Illinois Beach Marina Fund	\$5,053
16	International and Promotional Fund	\$1,466
17	Public Infrastructure Construction	
18	Loan Revolving Fund	\$3,111
19	Insurance Financial Regulation Fund	\$42,575
20	Total	\$4,975,487

21 (e-7) Notwithstanding any other provision of State law to
22 the contrary, on or after July 1, 2006 and through June 30,
23 2007, in addition to any other transfers that may be provided
24 for by law, at the direction of and upon notification from the
25 Director of Central Management Services, the State Comptroller
26 shall direct and the State Treasurer shall transfer amounts

1 into the Professional Services Fund from the designated funds
2 not exceeding the following totals:

3	Food and Drug Safety Fund	\$3,300
4	Financial Institution Fund	\$13,000
5	General Professions Dedicated Fund	\$8,600
6	Illinois Department of Agriculture	
7	Laboratory Services Revolving Fund	\$2,000
8	Illinois Veterans' Rehabilitation Fund	\$11,300
9	State Boating Act Fund	\$27,200
10	State Parks Fund	\$22,100
11	Agricultural Premium Fund	\$59,800
12	Fire Prevention Fund	\$30,000
13	Mental Health Fund	\$78,700
14	Illinois State Pharmacy Disciplinary Fund	\$2,800
15	Radiation Protection Fund	\$16,100
16	Solid Waste Management Fund	\$37,900
17	Illinois Gaming Law Enforcement Fund	\$7,300
18	Subtitle D Management Fund	\$4,700
19	Illinois State Medical Disciplinary Fund	\$8,700
20	Facility Licensing Fund	\$1,100
21	Youth Alcoholism and	
22	Substance Abuse Prevention Fund	\$2,800
23	Plugging and Restoration Fund	\$1,100
24	State Crime Laboratory Fund	\$1,400
25	Motor Vehicle Theft Prevention Trust Fund	\$9,200
26	Weights and Measures Fund	\$5,000

1	Illinois School Asbestos Abatement Fund	\$2,200
2	Violence Prevention Fund	\$5,200
3	Capital Development Board Revolving Fund	\$14,900
4	DCFS Children's Services Fund	\$1,294,000
5	State Police DUI Fund	\$1,400
6	Illinois Health Facilities Planning Fund	\$3,200
7	Emergency Public Health Fund	\$8,000
8	Fair and Exposition Fund	\$3,800
9	Nursing Dedicated and Professional Fund	\$5,800
10	Optometric Licensing and Disciplinary Board Fund ..	\$1,000
11	Underground Resources Conservation	
12	Enforcement Fund	\$1,200
13	State Rail Freight Loan Repayment Fund	\$6,500
14	Drunk and Drugged Driving Prevention Fund	\$5,500
15	Illinois Affordable Housing Trust Fund	\$118,900
16	Community Water Supply Laboratory Fund	\$10,100
17	Used Tire Management Fund	\$17,600
18	Natural Areas Acquisition Fund	\$15,600
19	Open Space Lands Acquisition	
20	and Development Fund	\$49,400
21	Working Capital Revolving Fund	\$127,100
22	State Garage Revolving Fund	\$93,100
23	Statistical Services Revolving Fund	\$183,000
24	Paper and Printing Revolving Fund	\$3,700
25	Air Transportation Revolving Fund	\$2,000
26	Communications Revolving Fund	\$306,100

1	Environmental Laboratory Certification Fund	\$1,400
2	Public Health Laboratory Services	
3	Revolving Fund	\$5,900
4	Provider Inquiry Trust Fund	\$1,800
5	Lead Poisoning Screening, Prevention,	
6	and Abatement Fund	\$8,200
7	Drug Treatment Fund	\$14,100
8	Feed Control Fund	\$2,500
9	Plumbing Licensure and Program Fund	\$3,500
10	Insurance Premium Tax Refund Fund	\$7,900
11	Tax Compliance and Administration Fund	\$5,400
12	Appraisal Administration Fund	\$2,900
13	Trauma Center Fund	\$40,400
14	Alternate Fuels Fund	\$1,500
15	Illinois State Fair Fund	\$13,900
16	State Asset Forfeiture Fund	\$8,300
17	Department of Corrections	
18	Reimbursement and Education Fund	\$79,400
19	Health Facility Plan Review Fund	\$3,500
20	LEADS Maintenance Fund	\$6,100
21	State Offender DNA Identification System Fund	\$1,700
22	Illinois Historic Sites Fund	\$4,500
23	Public Pension Regulation Fund	\$2,300
24	Workforce, Technology, and Economic	
25	Development Fund	\$5,400
26	Renewable Energy Resources Trust Fund	\$30,100

1	Energy Efficiency Trust Fund	\$8,400
2	Pesticide Control Fund	\$6,700
3	Conservation 2000 Fund	\$30,900
4	Wireless Carrier Reimbursement Fund	\$91,600
5	International Tourism Fund	\$13,100
6	Public Transportation Fund	\$705,900
7	Horse Racing Fund	\$18,700
8	Death Certificate Surcharge Fund	\$1,900
9	State Police Wireless Service Emergency Fund	\$1,000
10	Downstate Public Transportation Fund	\$112,700
11	Motor Carrier Safety Inspection Fund	\$6,600
12	State Police Whistleblower	
13	Reward and Protection Fund	\$1,900
14	Illinois Standardbred Breeders Fund	\$4,400
15	Illinois Thoroughbred Breeders Fund	\$6,700
16	Illinois Clean Water Fund	\$17,700
17	Child Support Administrative Fund	\$435,100
18	Tourism Promotion Fund	\$88,600
19	Digital Divide Elimination Fund	\$11,700
20	Presidential Library and Museum Operating Fund	\$4,700
21	Metro-East Public Transportation Fund	\$48,100
22	Medical Special Purposes Trust Fund	\$11,800
23	Dram Shop Fund	\$11,400
24	Illinois State Dental Disciplinary Fund	\$2,000
25	Hazardous Waste Research Fund	\$1,300
26	Real Estate License Administration Fund	\$10,900

1	Traffic and Criminal Conviction Surcharge Fund ..	\$45,100
2	Criminal Justice Information Systems Trust Fund	\$5,700
3	Design Professionals Administration	
4	and Investigation Fund	\$2,000
5	State Surplus Property Revolving Fund	\$6,900
6	State Police Services Fund	\$47,300
7	Youth Drug Abuse Prevention Fund	\$1,300
8	Metabolic Screening and Treatment Fund	\$16,000
9	Insurance Producer Administration Fund	\$31,100
10	Coal Technology Development Assistance Fund	\$43,900
11	Low-Level Radioactive Waste Facility	
12	Development and Operation Fund	\$2,000
13	Environmental Protection Permit	
14	and Inspection Fund	\$32,300
15	Park and Conservation Fund	\$41,300
16	Local Tourism Fund	\$34,700
17	Illinois Capital Revolving Loan Fund	\$10,700
18	Illinois Equity Fund	\$1,900
19	Large Business Attraction Fund	\$5,600
20	Illinois Beach Marina Fund	\$5,100
21	International and Promotional Fund	\$1,500
22	Public Infrastructure Construction	
23	Loan Revolving Fund	\$3,100
24	Insurance Financial Regulation Fund	\$42,800
25	Total	\$4,918,200
26	(e-10) Notwithstanding any other provision of State law to	

1 the contrary and in addition to any other transfers that may be
 2 provided for by law, on the first day of each calendar quarter
 3 of the fiscal year beginning July 1, 2005, or as soon as may be
 4 practical thereafter, the State Comptroller shall direct and
 5 the State Treasurer shall transfer from each designated fund
 6 into the Professional Services Fund amounts equal to one-fourth
 7 of each of the following totals:

8	General Revenue Fund	\$4,440,000
9	Road Fund.....	\$5,324,411
10	Total	\$9,764,411

11 (e-15) Notwithstanding any other provision of State law to
 12 the contrary and in addition to any other transfers that may be
 13 provided for by law, the State Comptroller shall direct and the
 14 State Treasurer shall transfer from the funds specified into
 15 the Professional Services Fund according to the schedule
 16 specified herein as follows:

17	General Revenue Fund	\$4,466,000
18	Road Fund.....	\$5,355,500
19	Total	\$9,821,500

20 One-fourth of the specified amount shall be transferred on
 21 each of July 1 and October 1, 2006, or as soon as may be
 22 practical thereafter, and one-half of the specified amount
 23 shall be transferred on January 1, 2007, or as soon as may be
 24 practical thereafter.

25 (e-20) Notwithstanding any other provision of State law to
 26 the contrary, on or after July 1, 2007 and through June 30,

1 2008, in addition to any other transfers that may be provided
 2 for by law, at the direction of and upon notification from the
 3 Director of Central Management Services, the State Comptroller
 4 shall direct and the State Treasurer shall transfer amounts
 5 into the Professional Services Fund from the designated funds
 6 not exceeding the following totals:

7 Food and Drug Safety Fund \$3,300

8 Financial Institution Fund \$13,000

9 General Professions Dedicated Fund \$8,600

10 Illinois Department of Agriculture

11 Laboratory Services Revolving Fund \$2,000

12 Illinois Veterans' Rehabilitation Fund \$11,300

13 State Boating Act Fund \$27,200

14 State Parks Fund \$22,100

15 Agricultural Premium Fund \$59,800

16 Fire Prevention Fund \$30,000

17 Mental Health Fund \$78,700

18 Illinois State Pharmacy Disciplinary Fund \$2,800

19 Radiation Protection Fund \$16,100

20 Solid Waste Management Fund \$37,900

21 Illinois Gaming Law Enforcement Fund \$7,300

22 Subtitle D Management Fund \$4,700

23 Illinois State Medical Disciplinary Fund \$8,700

24 Facility Licensing Fund \$1,100

25 Youth Alcoholism and

26 Substance Abuse Prevention Fund \$2,800

1	<u>Plugging and Restoration Fund</u>	<u>\$1,100</u>
2	<u>State Crime Laboratory Fund</u>	<u>\$1,400</u>
3	<u>Motor Vehicle Theft Prevention Trust Fund</u>	<u>\$9,200</u>
4	<u>Weights and Measures Fund</u>	<u>\$5,000</u>
5	<u>Illinois School Asbestos Abatement Fund</u>	<u>\$2,200</u>
6	<u>Violence Prevention Fund</u>	<u>\$5,200</u>
7	<u>Capital Development Board Revolving Fund</u>	<u>\$14,900</u>
8	<u>DCFS Children's Services Fund</u>	<u>\$1,294,000</u>
9	<u>State Police DUI Fund</u>	<u>\$1,400</u>
10	<u>Illinois Health Facilities Planning Fund</u>	<u>\$3,200</u>
11	<u>Emergency Public Health Fund</u>	<u>\$8,000</u>
12	<u>Fair and Exposition Fund</u>	<u>\$3,800</u>
13	<u>Nursing Dedicated and Professional Fund</u>	<u>\$5,800</u>
14	<u>Optometric Licensing and Disciplinary Board Fund</u> ..	<u>\$1,000</u>
15	<u>Underground Resources Conservation</u>	
16	<u>Enforcement Fund</u>	<u>\$1,200</u>
17	<u>State Rail Freight Loan Repayment Fund</u>	<u>\$6,500</u>
18	<u>Drunk and Drugged Driving Prevention Fund</u>	<u>\$5,500</u>
19	<u>Illinois Affordable Housing Trust Fund</u>	<u>\$118,900</u>
20	<u>Community Water Supply Laboratory Fund</u>	<u>\$10,100</u>
21	<u>Used Tire Management Fund</u>	<u>\$17,600</u>
22	<u>Natural Areas Acquisition Fund</u>	<u>\$15,600</u>
23	<u>Open Space Lands Acquisition</u>	
24	<u>and Development Fund</u>	<u>\$49,400</u>
25	<u>Working Capital Revolving Fund</u>	<u>\$127,100</u>
26	<u>State Garage Revolving Fund</u>	<u>\$93,100</u>

1	<u>Statistical Services Revolving Fund</u>	\$183,000
2	<u>Paper and Printing Revolving Fund</u>	\$3,700
3	<u>Air Transportation Revolving Fund</u>	\$2,000
4	<u>Communications Revolving Fund</u>	\$306,100
5	<u>Environmental Laboratory Certification Fund</u>	\$1,400
6	<u>Public Health Laboratory Services</u>	
7	<u>Revolving Fund</u>	\$5,900
8	<u>Provider Inquiry Trust Fund</u>	\$1,800
9	<u>Lead Poisoning Screening, Prevention,</u>	
10	<u>and Abatement Fund</u>	\$8,200
11	<u>Drug Treatment Fund</u>	\$14,100
12	<u>Feed Control Fund</u>	\$2,500
13	<u>Plumbing Licensure and Program Fund</u>	\$3,500
14	<u>Insurance Premium Tax Refund Fund</u>	\$7,900
15	<u>Tax Compliance and Administration Fund</u>	\$5,400
16	<u>Appraisal Administration Fund</u>	\$2,900
17	<u>Trauma Center Fund</u>	\$40,400
18	<u>Alternate Fuels Fund</u>	\$1,500
19	<u>Illinois State Fair Fund</u>	\$13,900
20	<u>State Asset Forfeiture Fund</u>	\$8,300
21	<u>Department of Corrections</u>	
22	<u>Reimbursement and Education Fund</u>	\$79,400
23	<u>Health Facility Plan Review Fund</u>	\$3,500
24	<u>LEADS Maintenance Fund</u>	\$6,100
25	<u>State Offender DNA Identification System Fund</u>	\$1,700
26	<u>Illinois Historic Sites Fund</u>	\$4,500

1	<u>Public Pension Regulation Fund</u>	<u>\$2,300</u>
2	<u>Workforce, Technology, and Economic</u>	
3	<u>Development Fund</u>	<u>\$5,400</u>
4	<u>Renewable Energy Resources Trust Fund</u>	<u>\$30,100</u>
5	<u>Energy Efficiency Trust Fund</u>	<u>\$8,400</u>
6	<u>Pesticide Control Fund</u>	<u>\$6,700</u>
7	<u>Conservation 2000 Fund</u>	<u>\$30,900</u>
8	<u>Wireless Carrier Reimbursement Fund</u>	<u>\$91,600</u>
9	<u>International Tourism Fund</u>	<u>\$13,100</u>
10	<u>Public Transportation Fund</u>	<u>\$705,900</u>
11	<u>Horse Racing Fund</u>	<u>\$18,700</u>
12	<u>Death Certificate Surcharge Fund</u>	<u>\$1,900</u>
13	<u>State Police Wireless Service Emergency Fund</u>	<u>\$1,000</u>
14	<u>Downstate Public Transportation Fund</u>	<u>\$112,700</u>
15	<u>Motor Carrier Safety Inspection Fund</u>	<u>\$6,600</u>
16	<u>State Police Whistleblower</u>	
17	<u>Reward and Protection Fund</u>	<u>\$1,900</u>
18	<u>Illinois Standardbred Breeders Fund</u>	<u>\$4,400</u>
19	<u>Illinois Thoroughbred Breeders Fund</u>	<u>\$6,700</u>
20	<u>Illinois Clean Water Fund</u>	<u>\$17,700</u>
21	<u>Child Support Administrative Fund</u>	<u>\$435,100</u>
22	<u>Tourism Promotion Fund</u>	<u>\$88,600</u>
23	<u>Digital Divide Elimination Fund</u>	<u>\$11,700</u>
24	<u>Presidential Library and Museum Operating Fund</u>	<u>\$4,700</u>
25	<u>Metro-East Public Transportation Fund</u>	<u>\$48,100</u>
26	<u>Medical Special Purposes Trust Fund</u>	<u>\$11,800</u>

1	<u>Dram Shop Fund</u>	<u>\$11,400</u>
2	<u>Illinois State Dental Disciplinary Fund</u>	<u>\$2,000</u>
3	<u>Hazardous Waste Research Fund</u>	<u>\$1,300</u>
4	<u>Real Estate License Administration Fund</u>	<u>\$10,900</u>
5	<u>Traffic and Criminal Conviction Surcharge Fund</u> ..	<u>\$45,100</u>
6	<u>Criminal Justice Information Systems Trust Fund</u>	<u>\$5,700</u>
7	<u>Design Professionals Administration</u>	
8	<u>and Investigation Fund</u>	<u>\$2,000</u>
9	<u>State Surplus Property Revolving Fund</u>	<u>\$6,900</u>
10	<u>State Police Services Fund</u>	<u>\$47,300</u>
11	<u>Youth Drug Abuse Prevention Fund</u>	<u>\$1,300</u>
12	<u>Metabolic Screening and Treatment Fund</u>	<u>\$16,000</u>
13	<u>Insurance Producer Administration Fund</u>	<u>\$31,100</u>
14	<u>Coal Technology Development Assistance Fund</u>	<u>\$43,900</u>
15	<u>Low-Level Radioactive Waste Facility</u>	
16	<u>Development and Operation Fund</u>	<u>\$2,000</u>
17	<u>Environmental Protection Permit</u>	
18	<u>and Inspection Fund</u>	<u>\$32,300</u>
19	<u>Park and Conservation Fund</u>	<u>\$41,300</u>
20	<u>Local Tourism Fund</u>	<u>\$34,700</u>
21	<u>Illinois Capital Revolving Loan Fund</u>	<u>\$10,700</u>
22	<u>Illinois Equity Fund</u>	<u>\$1,900</u>
23	<u>Large Business Attraction Fund</u>	<u>\$5,600</u>
24	<u>Illinois Beach Marina Fund</u>	<u>\$5,100</u>
25	<u>International and Promotional Fund</u>	<u>\$1,500</u>
26	<u>Public Infrastructure Construction</u>	

1	<u>Loan Revolving Fund</u>	<u>\$3,100</u>
2	<u>Insurance Financial Regulation Fund</u>	<u>\$42,800</u>
3	<u>Total</u>	<u>\$4,918,200</u>

4 (e-25) Notwithstanding any other provision of State law to
5 the contrary and in addition to any other transfers that may be
6 provided for by law, the State Comptroller shall direct and the
7 State Treasurer shall transfer from the funds specified into
8 the Professional Services Fund according to the schedule
9 specified herein as follows:

10	<u>General Revenue Fund</u>	<u>\$4,466,000</u>
11	<u>Road Fund</u>	<u>\$5,355,500</u>
12	<u>Total</u>	<u>\$9,821,500</u>

13 One-fourth of the specified amount shall be transferred on
14 each of July 1 and October 1, 2007, or as soon as may be
15 practical thereafter, and one-half of the specified amount
16 shall be transferred on January 1, 2008, or as soon as may be
17 practical thereafter.

18 (f) The term "professional services" means services
19 rendered on behalf of State agencies and other State entities
20 pursuant to Section 405-293 of the Department of Central
21 Management Services Law of the Civil Administrative Code of
22 Illinois.

23 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05; 94-839,
24 eff. 6-6-06.)

1 Sec. 6z-64. The Workers' Compensation Revolving Fund.

2 (a) The Workers' Compensation Revolving Fund is created as
3 a revolving fund in the State treasury. The following moneys
4 shall be deposited into the Fund:

5 (1) amounts authorized for transfer to the Fund from
6 the General Revenue Fund and other State funds (except for
7 funds classified by the Comptroller as federal trust funds
8 or State trust funds) pursuant to State law or Executive
9 Order;

10 (2) federal funds received by the Department of Central
11 Management Services (the "Department") as a result of
12 expenditures from the Fund;

13 (3) interest earned on moneys in the Fund;

14 (4) receipts or inter-fund transfers resulting from
15 billings issued by the Department to State agencies and
16 universities for the cost of workers' compensation
17 services rendered by the Department that are not
18 compensated through the specific fund transfers authorized
19 by this Section, if any;

20 (5) amounts received from a State agency or university
21 for workers' compensation payments for temporary total
22 disability, as provided in Section 405-105 of the
23 Department of Central Management Services Law of the Civil
24 Administrative Code of Illinois; and

25 (6) amounts recovered through subrogation in workers'
26 compensation and workers' occupational disease cases.

1 (b) Moneys in the Fund may be used by the Department for
2 reimbursement or payment for:

3 (1) providing workers' compensation services to State
4 agencies and State universities; or

5 (2) providing for payment of administrative and other
6 expenses incurred by the Department in providing workers'
7 compensation services.

8 (c) State agencies may direct the Comptroller to process
9 inter-fund transfers or make payment through the voucher and
10 warrant process to the Workers' Compensation Revolving Fund in
11 satisfaction of billings issued under subsection (a) of this
12 Section.

13 (d) Reconciliation. For the fiscal year beginning on July
14 1, 2004 only, the Director of Central Management Services (the
15 "Director") shall order that each State agency's payments and
16 transfers made to the Fund be reconciled with actual Fund costs
17 for workers' compensation services provided by the Department
18 and attributable to the State agency and relevant fund on no
19 less than an annual basis. The Director may require reports
20 from State agencies as deemed necessary to perform this
21 reconciliation.

22 (d-5) Notwithstanding any other provision of State law to
23 the contrary, on or after July 1, 2005 and until June 30, 2006,
24 in addition to any other transfers that may be provided for by
25 law, at the direction of and upon notification of the Director
26 of Central Management Services, the State Comptroller shall

1 direct and the State Treasurer shall transfer amounts into the
 2 Workers' Compensation Revolving Fund from the designated funds
 3 not exceeding the following totals:

4 Mental Health Fund \$17,694,000

5 Statistical Services Revolving Fund \$1,252,600

6 Department of Corrections Reimbursement

7 and Education Fund \$1,198,600

8 Communications Revolving Fund \$535,400

9 Child Support Administrative Fund \$441,900

10 Health Insurance Reserve Fund \$238,900

11 Fire Prevention Fund \$234,100

12 Park and Conservation Fund \$142,000

13 Motor Fuel Tax Fund \$132,800

14 Illinois Workers' Compensation

15 Commission Operations Fund \$123,900

16 State Boating Act Fund \$112,300

17 Public Utility Fund \$106,500

18 State Lottery Fund \$101,300

19 Traffic and Criminal Conviction

20 Surcharge Fund \$88,500

21 State Surplus Property Revolving Fund \$82,700

22 Natural Areas Acquisition Fund \$65,600

23 Securities Audit and Enforcement Fund \$65,200

24 Agricultural Premium Fund \$63,400

25 Capital Development Fund \$57,500

26 State Gaming Fund \$54,300

1	Underground Storage Tank Fund	\$53,700
2	Illinois State Medical Disciplinary Fund	\$53,000
3	Personal Property Tax Replacement Fund	\$53,000
4	General Professions Dedicated Fund	\$51,900
5	Total	\$23,003,100

6 (d-10) Notwithstanding any other provision of State law to
7 the contrary and in addition to any other transfers that may be
8 provided for by law, on the first day of each calendar quarter
9 of the fiscal year beginning July 1, 2005, or as soon as may be
10 practical thereafter, the State Comptroller shall direct and
11 the State Treasurer shall transfer from each designated fund
12 into the Workers' Compensation Revolving Fund amounts equal to
13 one-fourth of each of the following totals:

14	General Revenue Fund	\$34,000,000
15	Road Fund	\$25,987,000
16	Total	\$59,987,000

17 (d-12) Notwithstanding any other provision of State law to
18 the contrary and in addition to any other transfers that may be
19 provided for by law, on the effective date of this amendatory
20 Act of the 94th General Assembly, or as soon as may be
21 practical thereafter, the State Comptroller shall direct and
22 the State Treasurer shall transfer from each designated fund
23 into the Workers' Compensation Revolving Fund the following
24 amounts:

25	General Revenue Fund	\$10,000,000
26	Road Fund	\$5,000,000

1 Total \$15,000,000

2 (d-15) Notwithstanding any other provision of State law to
3 the contrary and in addition to any other transfers that may be
4 provided for by law, on July 1, 2006, or as soon as may be
5 practical thereafter, the State Comptroller shall direct and
6 the State Treasurer shall transfer from each designated fund
7 into the Workers' Compensation Revolving Fund the following
8 amounts:

9 General Revenue Fund \$44,028,200

10 Road Fund \$28,084,000

11 Total \$72,112,200

12 (d-20) Notwithstanding any other provision of State law to
13 the contrary, on or after July 1, 2006 and until June 30, 2007,
14 in addition to any other transfers that may be provided for by
15 law, at the direction of and upon notification of the Director
16 of Central Management Services, the State Comptroller shall
17 direct and the State Treasurer shall transfer amounts into the
18 Workers' Compensation Revolving Fund from the designated funds
19 not exceeding the following totals:

20 Mental Health Fund \$19,121,800

21 Statistical Services Revolving Fund \$1,353,700

22 Department of Corrections Reimbursement
23 and Education Fund \$1,295,300

24 Communications Revolving Fund \$578,600

25 Child Support Administrative Fund \$477,600

26 Health Insurance Reserve Fund \$258,200

1	Fire Prevention Fund	\$253,000
2	Park and Conservation Fund	\$153,500
3	Motor Fuel Tax Fund	\$143,500
4	Illinois Workers' Compensation	
5	Commission Operations Fund	\$133,900
6	State Boating Act Fund	\$121,400
7	Public Utility Fund	\$115,100
8	State Lottery Fund	\$109,500
9	Traffic and Criminal Conviction Surcharge Fund ..	\$95,700
10	State Surplus Property Revolving Fund	\$89,400
11	Natural Areas Acquisition Fund	\$70,800
12	Securities Audit and Enforcement Fund	\$70,400
13	Agricultural Premium Fund	\$68,500
14	State Gaming Fund	\$58,600
15	Underground Storage Tank Fund	\$58,000
16	Illinois State Medical Disciplinary Fund	\$57,200
17	Personal Property Tax Replacement Fund	\$57,200
18	General Professions Dedicated Fund	\$56,100
19	Total	\$24,797,000

20 (d-25) Notwithstanding any other provision of State law to
21 the contrary and in addition to any other transfers that may be
22 provided for by law, on the effective date of this amendatory
23 Act of the 95th General Assembly, or as soon as may be
24 practical thereafter, the State Comptroller shall direct and
25 the State Treasurer shall transfer from each designated fund
26 into the Workers' Compensation Revolving Fund the following

1 amounts:

2	<u>General Revenue Fund</u>	<u>\$10,000,000</u>
3	<u>Road Fund</u>	<u>\$5,000,000</u>
4	<u>Total</u>	<u>\$15,000,000</u>

5 (d-30) Notwithstanding any other provision of State law to
6 the contrary and in addition to any other transfers that may be
7 provided for by law, on July 1, 2007, or as soon as may be
8 practical thereafter, the State Comptroller shall direct and
9 the State Treasurer shall transfer from each designated fund
10 into the Workers' Compensation Revolving Fund the following

11 amounts:

12	<u>General Revenue Fund</u>	<u>\$44,028,200</u>
13	<u>Road Fund</u>	<u>\$28,084,000</u>
14	<u>Total</u>	<u>\$72,112,200</u>

15 (d-35) Notwithstanding any other provision of State law to
16 the contrary, on or after July 1, 2007 and until June 30, 2008,
17 in addition to any other transfers that may be provided for by
18 law, at the direction of and upon notification of the Director
19 of Central Management Services, the State Comptroller shall
20 direct and the State Treasurer shall transfer amounts into the
21 Workers' Compensation Revolving Fund from the designated funds
22 not exceeding the following totals:

23	<u>Mental Health Fund</u>	<u>\$19,121,800</u>
24	<u>Statistical Services Revolving Fund</u>	<u>\$1,353,700</u>
25	<u>Department of Corrections Reimbursement</u>	
26	<u>and Education Fund</u>	<u>\$1,295,300</u>

1	<u>Communications Revolving Fund</u>	\$578,600
2	<u>Child Support Administrative Fund</u>	\$477,600
3	<u>Health Insurance Reserve Fund</u>	\$258,200
4	<u>Fire Prevention Fund</u>	\$253,000
5	<u>Park and Conservation Fund</u>	\$153,500
6	<u>Motor Fuel Tax Fund</u>	\$143,500
7	<u>Illinois Workers' Compensation</u>	
8	<u>Commission Operations Fund</u>	\$133,900
9	<u>State Boating Act Fund</u>	\$121,400
10	<u>Public Utility Fund</u>	\$115,100
11	<u>State Lottery Fund</u>	\$109,500
12	<u>Traffic and Criminal Conviction Surcharge Fund</u> ..	\$95,700
13	<u>State Surplus Property Revolving Fund</u>	\$89,400
14	<u>Natural Areas Acquisition Fund</u>	\$70,800
15	<u>Securities Audit and Enforcement Fund</u>	\$70,400
16	<u>Agricultural Premium Fund</u>	\$68,500
17	<u>State Gaming Fund</u>	\$58,600
18	<u>Underground Storage Tank Fund</u>	\$58,000
19	<u>Illinois State Medical Disciplinary Fund</u>	\$57,200
20	<u>Personal Property Tax Replacement Fund</u>	\$57,200
21	<u>General Professions Dedicated Fund</u>	\$56,100
22	<u>Total</u>	\$24,797,000

23 (e) The term "workers' compensation services" means
24 services, claims expenses, and related administrative costs
25 incurred in performing the duties under Sections 405-105 and
26 405-411 of the Department of Central Management Services Law of

1 the Civil Administrative Code of Illinois.

2 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05; 94-839,
3 eff. 6-6-06.)

4 (30 ILCS 105/6z-69 new)

5 Sec. 6z-69. Minority Film Support Fund. There is created in
6 the State Treasury the Minority Film Support Fund. The Minority
7 Film Support Fund shall be a non-appropriated fund that is held
8 by the State Treasurer separate and apart from other State
9 funds. The Fund shall be administered by the State Treasurer to
10 help collateralize loans from financial institutions to
11 minority film makers producing films or building or maintaining
12 minority film and television studios in the State of Illinois
13 when those films or studios would not otherwise meet the
14 institutions' credit standards. The Fund shall consist of all
15 public and private moneys donated or transferred to the Fund
16 consistent with the Fund's purpose. Any moneys received by the
17 State Treasurer for the Fund shall be deposited into the Fund
18 by the State Treasurer.

19 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

20 Sec. 8.3. Money in the Road Fund shall, if and when the
21 State of Illinois incurs any bonded indebtedness for the
22 construction of permanent highways, be set aside and used for
23 the purpose of paying and discharging annually the principal
24 and interest on that bonded indebtedness then due and payable,

1 and for no other purpose. The surplus, if any, in the Road Fund
2 after the payment of principal and interest on that bonded
3 indebtedness then annually due shall be used as follows:

4 first -- to pay the cost of administration of Chapters
5 2 through 10 of the Illinois Vehicle Code, except the cost
6 of administration of Articles I and II of Chapter 3 of that
7 Code; and

8 secondly -- for expenses of the Department of
9 Transportation for construction, reconstruction,
10 improvement, repair, maintenance, operation, and
11 administration of highways in accordance with the
12 provisions of laws relating thereto, or for any purpose
13 related or incident to and connected therewith, including
14 the separation of grades of those highways with railroads
15 and with highways and including the payment of awards made
16 by the Illinois Workers' Compensation Commission under the
17 terms of the Workers' Compensation Act or Workers'
18 Occupational Diseases Act for injury or death of an
19 employee of the Division of Highways in the Department of
20 Transportation; or for the acquisition of land and the
21 erection of buildings for highway purposes, including the
22 acquisition of highway right-of-way or for investigations
23 to determine the reasonably anticipated future highway
24 needs; or for making of surveys, plans, specifications and
25 estimates for and in the construction and maintenance of
26 flight strips and of highways necessary to provide access

1 to military and naval reservations, to defense industries
2 and defense-industry sites, and to the sources of raw
3 materials and for replacing existing highways and highway
4 connections shut off from general public use at military
5 and naval reservations and defense-industry sites, or for
6 the purchase of right-of-way, except that the State shall
7 be reimbursed in full for any expense incurred in building
8 the flight strips; or for the operating and maintaining of
9 highway garages; or for patrolling and policing the public
10 highways and conserving the peace; or for the operating
11 expenses of the Department relating to the administration
12 of public transportation programs; or for any of those
13 purposes or any other purpose that may be provided by law.

14 Appropriations for any of those purposes are payable from
15 the Road Fund. Appropriations may also be made from the Road
16 Fund for the administrative expenses of any State agency that
17 are related to motor vehicles or arise from the use of motor
18 vehicles.

19 Beginning with fiscal year 1980 and thereafter, no Road
20 Fund monies shall be appropriated to the following Departments
21 or agencies of State government for administration, grants, or
22 operations; but this limitation is not a restriction upon
23 appropriating for those purposes any Road Fund monies that are
24 eligible for federal reimbursement;

- 25 1. Department of Public Health;
- 26 2. Department of Transportation, only with respect to

1 subsidies for one-half fare Student Transportation and
2 Reduced Fare for Elderly;

3 3. Department of Central Management Services, except
4 for expenditures incurred for group insurance premiums of
5 appropriate personnel;

6 4. Judicial Systems and Agencies.

7 Beginning with fiscal year 1981 and thereafter, no Road
8 Fund monies shall be appropriated to the following Departments
9 or agencies of State government for administration, grants, or
10 operations; but this limitation is not a restriction upon
11 appropriating for those purposes any Road Fund monies that are
12 eligible for federal reimbursement:

13 1. Department of State Police, except for expenditures
14 with respect to the Division of Operations;

15 2. Department of Transportation, only with respect to
16 Intercity Rail Subsidies and Rail Freight Services.

17 Beginning with fiscal year 1982 and thereafter, no Road
18 Fund monies shall be appropriated to the following Departments
19 or agencies of State government for administration, grants, or
20 operations; but this limitation is not a restriction upon
21 appropriating for those purposes any Road Fund monies that are
22 eligible for federal reimbursement: Department of Central
23 Management Services, except for awards made by the Illinois
24 Workers' Compensation Commission under the terms of the
25 Workers' Compensation Act or Workers' Occupational Diseases
26 Act for injury or death of an employee of the Division of

1 Highways in the Department of Transportation.

2 Beginning with fiscal year 1984 and thereafter, no Road
3 Fund monies shall be appropriated to the following Departments
4 or agencies of State government for administration, grants, or
5 operations; but this limitation is not a restriction upon
6 appropriating for those purposes any Road Fund monies that are
7 eligible for federal reimbursement:

8 1. Department of State Police, except not more than 40%
9 of the funds appropriated for the Division of Operations;

10 2. State Officers.

11 Beginning with fiscal year 1984 and thereafter, no Road
12 Fund monies shall be appropriated to any Department or agency
13 of State government for administration, grants, or operations
14 except as provided hereafter; but this limitation is not a
15 restriction upon appropriating for those purposes any Road Fund
16 monies that are eligible for federal reimbursement. It shall
17 not be lawful to circumvent the above appropriation limitations
18 by governmental reorganization or other methods.
19 Appropriations shall be made from the Road Fund only in
20 accordance with the provisions of this Section.

21 Money in the Road Fund shall, if and when the State of
22 Illinois incurs any bonded indebtedness for the construction of
23 permanent highways, be set aside and used for the purpose of
24 paying and discharging during each fiscal year the principal
25 and interest on that bonded indebtedness as it becomes due and
26 payable as provided in the Transportation Bond Act, and for no

1 other purpose. The surplus, if any, in the Road Fund after the
2 payment of principal and interest on that bonded indebtedness
3 then annually due shall be used as follows:

4 first -- to pay the cost of administration of Chapters
5 2 through 10 of the Illinois Vehicle Code; and

6 secondly -- no Road Fund monies derived from fees,
7 excises, or license taxes relating to registration,
8 operation and use of vehicles on public highways or to
9 fuels used for the propulsion of those vehicles, shall be
10 appropriated or expended other than for costs of
11 administering the laws imposing those fees, excises, and
12 license taxes, statutory refunds and adjustments allowed
13 thereunder, administrative costs of the Department of
14 Transportation, including, but not limited to, the
15 operating expenses of the Department relating to the
16 administration of public transportation programs, payment
17 of debts and liabilities incurred in construction and
18 reconstruction of public highways and bridges, acquisition
19 of rights-of-way for and the cost of construction,
20 reconstruction, maintenance, repair, and operation of
21 public highways and bridges under the direction and
22 supervision of the State, political subdivision, or
23 municipality collecting those monies, and the costs for
24 patrolling and policing the public highways (by State,
25 political subdivision, or municipality collecting that
26 money) for enforcement of traffic laws. The separation of

1 grades of such highways with railroads and costs associated
2 with protection of at-grade highway and railroad crossing
3 shall also be permissible.

4 Appropriations for any of such purposes are payable from
5 the Road Fund or the Grade Crossing Protection Fund as provided
6 in Section 8 of the Motor Fuel Tax Law.

7 Except as provided in this paragraph, beginning with fiscal
8 year 1991 and thereafter, no Road Fund monies shall be
9 appropriated to the Department of State Police for the purposes
10 of this Section in excess of its total fiscal year 1990 Road
11 Fund appropriations for those purposes unless otherwise
12 provided in Section 5g of this Act. For fiscal years 2003,
13 2004, 2005, 2006, ~~and~~ 2007, and 2008 only, no Road Fund monies
14 shall be appropriated to the Department of State Police for the
15 purposes of this Section in excess of \$97,310,000. It shall not
16 be lawful to circumvent this limitation on appropriations by
17 governmental reorganization or other methods unless otherwise
18 provided in Section 5g of this Act.

19 In fiscal year 1994, no Road Fund monies shall be
20 appropriated to the Secretary of State for the purposes of this
21 Section in excess of the total fiscal year 1991 Road Fund
22 appropriations to the Secretary of State for those purposes,
23 plus \$9,800,000. It shall not be lawful to circumvent this
24 limitation on appropriations by governmental reorganization or
25 other method.

26 Beginning with fiscal year 1995 and thereafter, no Road

1 Fund monies shall be appropriated to the Secretary of State for
2 the purposes of this Section in excess of the total fiscal year
3 1994 Road Fund appropriations to the Secretary of State for
4 those purposes. It shall not be lawful to circumvent this
5 limitation on appropriations by governmental reorganization or
6 other methods.

7 Beginning with fiscal year 2000, total Road Fund
8 appropriations to the Secretary of State for the purposes of
9 this Section shall not exceed the amounts specified for the
10 following fiscal years:

11	Fiscal Year 2000	\$80,500,000;
12	Fiscal Year 2001	\$80,500,000;
13	Fiscal Year 2002	\$80,500,000;
14	Fiscal Year 2003	\$130,500,000;
15	Fiscal Year 2004	\$130,500,000;
16	Fiscal Year 2005	\$130,500,000;
17	Fiscal Year 2006	\$130,500,000;
18	Fiscal Year 2007	\$130,500,000;
19	Fiscal Year 2008 and	<u>\$130,500,000;</u>
20	<u>Fiscal Year 2009 and</u> each year thereafter	\$30,500,000.

21 It shall not be lawful to circumvent this limitation on
22 appropriations by governmental reorganization or other
23 methods.

24 No new program may be initiated in fiscal year 1991 and
25 thereafter that is not consistent with the limitations imposed
26 by this Section for fiscal year 1984 and thereafter, insofar as

1 appropriation of Road Fund monies is concerned.

2 Nothing in this Section prohibits transfers from the Road
3 Fund to the State Construction Account Fund under Section 5e of
4 this Act; nor to the General Revenue Fund, as authorized by
5 this amendatory Act of the 93rd General Assembly.

6 The additional amounts authorized for expenditure in this
7 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
8 shall be repaid to the Road Fund from the General Revenue Fund
9 in the next succeeding fiscal year that the General Revenue
10 Fund has a positive budgetary balance, as determined by
11 generally accepted accounting principles applicable to
12 government.

13 The additional amounts authorized for expenditure by the
14 Secretary of State and the Department of State Police in this
15 Section by this amendatory Act of the 94th General Assembly
16 shall be repaid to the Road Fund from the General Revenue Fund
17 in the next succeeding fiscal year that the General Revenue
18 Fund has a positive budgetary balance, as determined by
19 generally accepted accounting principles applicable to
20 government.

21 (Source: P.A. 93-25, eff. 6-20-03; 93-721, eff. 1-1-05; 93-839,
22 eff. 7-30-04; 94-91, eff. 7-1-05; 94-839, eff. 6-6-06.)

23 (30 ILCS 105/8.46 new)

24 Sec. 8.46. Special fund transfers.

25 (a) In order to maintain the integrity of special funds and

1 improve stability in the General Revenue Fund, the following
 2 transfers are authorized from the designated funds into the
 3 General Revenue Fund:

4	<u>Aggregate Operations Regulatory Fund</u>	<u>\$10,600</u>
5	<u>Agrichemical Incident Response Trust Fund</u>	<u>\$57,300</u>
6	<u>Air Transportation Revolving Fund</u>	<u>\$13,200</u>
7	<u>Asbestos Abatement Fund</u>	<u>\$1,986,500</u>
8	<u>Attorney General Whistleblower</u>	
9	<u>Reward and Protection Fund</u>	<u>\$909,900</u>
10	<u>Auction Recovery Fund</u>	<u>\$36,100</u>
11	<u>Audit Expense Fund</u>	<u>\$2,453,900</u>
12	<u>Charter Schools Revolving Loan Fund</u>	<u>\$6,800</u>
13	<u>Coal Mining Regulatory Fund</u>	<u>\$3,800</u>
14	<u>Communications Revolving Fund</u>	<u>\$1,643,800</u>
15	<u>Community Health Center Care Fund</u>	<u>\$46,000</u>
16	<u>Community Water Supply Laboratory Fund</u>	<u>\$253,700</u>
17	<u>Corporate Franchise Tax Refund Fund</u>	<u>\$686,600</u>
18	<u>Death Certificate Surcharge Fund</u>	<u>\$683,600</u>
19	<u>Department of Business Services</u>	
20	<u>Special Operations Fund</u>	<u>\$75,100</u>
21	<u>Department of Labor Special</u>	
22	<u>State Trust Fund</u>	<u>\$347,200</u>
23	<u>Design Professionals Administration</u>	
24	<u>and Investigation Fund</u>	<u>\$64,600</u>
25	<u>Division of Corporations Registered</u>	
26	<u>Limited Liability Partnership Fund</u>	<u>\$5,900</u>

1	<u>Dram Shop Fund</u>	\$418,700
2	<u>Drivers Education Fund</u>	\$458,500
3	<u>Economic Research and Information Fund</u>	\$7,500
4	<u>Environmental Protection Permit</u>	
5	<u>and Inspection Fund</u>	\$1,614,800
6	<u>Explosives Regulatory Fund</u>	\$7,100
7	<u>Facilities Management Revolving Fund</u>	\$4,080,300
8	<u>Fair and Exposition Fund</u>	\$474,900
9	<u>Food and Drug Safety Fund</u>	\$57,500
10	<u>General Professions Dedicated Fund</u>	\$2,986,100
11	<u>Grade Crossing Protection Fund</u>	\$2,705,700
12	<u>Health Facility Plan Review Fund</u>	\$380,200
13	<u>Health Insurance Reserve Fund</u>	\$33,142,400
14	<u>Home Inspector Administration Fund</u>	\$485,800
15	<u>Illinois Beach Marina Fund</u>	\$31,600
16	<u>Illinois Department of Agriculture</u>	
17	<u>Laboratory Services Revolving Fund</u>	\$6,600
18	<u>Illinois Gaming Law Enforcement Fund</u>	\$68,300
19	<u>Illinois Historic Sites Fund</u>	\$260,800
20	<u>Illinois State Dental Disciplinary Fund</u>	\$955,800
21	<u>Illinois State Pharmacy Disciplinary Fund</u>	\$724,300
22	<u>Illinois State Podiatric Disciplinary Fund</u>	\$58,700
23	<u>Income Tax Refund Fund</u>	\$52,643,600
24	<u>Innovations in Long-Term Care Quality</u>	
25	<u>Demonstration Grants Fund</u>	\$781,400
26	<u>Insurance Financial Regulation Fund</u>	\$3,625,100

1	<u>Insurance Producer Administration Fund</u>	.....	\$2,087,100
2	<u>International and Promotional Fund</u>	.....	\$15,400
3	<u>International Tourism Fund</u>	.....	\$2,002,500
4	<u>IPTIP Administrative Trust Fund</u>	.....	\$263,500
5	<u>Lawyers' Assistance Program Fund</u>	.....	\$37,100
6	<u>LEADS Maintenance Fund</u>	.....	\$55,200
7	<u>Local Government Health Insurance</u>		
8	<u>Reserve Fund</u>	.....	\$2,375,800
9	<u>Long Term Care Monitor/Receiver Fund</u>	.....	\$694,100
10	<u>Mandatory Arbitration Fund</u>	.....	\$3,211,900
11	<u>Medicaid Buy-In Program Revolving Fund</u>	.....	\$310,000
12	<u>Motor Carrier Safety Inspection Fund</u>	.....	\$32,100
13	<u>Motor Vehicle Theft Prevention Trust Fund</u>	.....	\$1,031,600
14	<u>Natural Areas Acquisition Fund</u>	.....	\$5,425,900
15	<u>Nursing Dedicated and Professional Fund</u>	.....	\$2,074,700
16	<u>Paper and Printing Revolving Fund</u>	.....	\$8,100
17	<u>Pawnbroker Regulation Fund</u>	.....	\$23,700
18	<u>Post Transplant Maintenance and Retention Fund</u>	....	\$8,000
19	<u>Presidential Library and Museum</u>		
20	<u>Operating Fund</u>	.....	\$1,135,100
21	<u>Professional Services Fund</u>	.....	\$2,750,600
22	<u>Professions Indirect Cost Fund</u>	.....	\$419,100
23	<u>Public Aid Recoveries Trust Fund</u>	.....	\$16,393,500
24	<u>Public Pension Regulation Fund</u>	.....	\$280,100
25	<u>Public Utility Fund</u>	.....	\$2,337,800
26	<u>Real Estate License Administration Fund</u>	.....	\$5,654,100

1	<u>Real Estate Recovery Fund</u>	<u>\$89,900</u>
2	<u>Registered Certified Public Accountants'</u>	
3	<u>Administration and Disciplinary Fund</u>	<u>\$474,200</u>
4	<u>Savings and Residential Finance</u>	
5	<u>Regulatory Fund</u>	<u>\$8,620,300</u>
6	<u>School District Emergency Financial</u>	
7	<u>Assistance Fund</u>	<u>\$5,100</u>
8	<u>Securities Audit and Enforcement Fund</u>	<u>\$3,747,800</u>
9	<u>Solid Waste Management Fund</u>	<u>\$1,219,200</u>
10	<u>State Asset Forfeiture Fund</u>	<u>\$643,700</u>
11	<u>State Garage Revolving Fund</u>	<u>\$457,500</u>
12	<u>State Parks Fund</u>	<u>\$62,900</u>
13	<u>State Police DUI Fund</u>	<u>\$342,000</u>
14	<u>State Police Services Fund</u>	<u>\$3,799,000</u>
15	<u>State Police Vehicle Fund</u>	<u>\$8,300</u>
16	<u>State Police Whistleblower</u>	
17	<u>Reward and Protection Fund</u>	<u>\$604,300</u>
18	<u>State Surplus Property Revolving Fund</u>	<u>\$33,600</u>
19	<u>State Treasurer Court Ordered Escrow Fund</u>	<u>\$50,800</u>
20	<u>State Treasurer's Bank Services Trust Fund</u>	<u>\$891,300</u>
21	<u>Statistical Services Revolving Fund</u>	<u>\$5,464,900</u>
22	<u>Subtitle D Management Fund</u>	<u>\$83,400</u>
23	<u>Tax Compliance and Administration Fund</u>	<u>\$276,300</u>
24	<u>Tax Recovery Fund</u>	<u>\$61,500</u>
25	<u>Tobacco Settlement Recovery Fund</u>	<u>\$9,092,500</u>
26	<u>Tourism Promotion Fund</u>	<u>\$4,117,100</u>

1 Traffic and Criminal Conviction

2 Surcharge Fund \$1,769,900

3 Trauma Center Fund \$2,214,800

4 Treasurer's Rental Fee Fund \$17,200

5 Underground Resources Conservation

6 Enforcement Fund \$50,700

7 Used Tire Management Fund \$499,400

8 Weights and Measures Fund \$852,300

9 Wireless Carrier Reimbursement Fund \$9,646,400

10 Workers' Compensation Revolving Fund \$563,200

11 All of these transfers shall be made in equal quarterly
 12 installments with the first made on July 1, 2007, or as soon
 13 thereafter as practical, and with the remaining transfers to be
 14 made on October 1, January 1, and April 1, or as soon
 15 thereafter as practical. These transfers shall be made
 16 notwithstanding any other provision of State law to the
 17 contrary.

18 (b) On and after the effective date of this amendatory Act
 19 of the 95th General Assembly through June 30, 2008, if any of
 20 the funds listed in subsection (a) have insufficient cash from
 21 which the State Comptroller may make expenditures properly
 22 supported by appropriations from the fund, then the State
 23 Treasurer and State Comptroller shall transfer from the General
 24 Revenue Fund to the fund only such amount as is immediately
 25 necessary to satisfy outstanding expenditure obligations on a
 26 timely basis, subject to the provisions of the State Prompt

1 Payment Act. All or a portion of the amounts transferred from
2 the General Revenue Fund to a fund pursuant to this subsection
3 (b) from time to time may be re-transferred by the State
4 Comptroller and the State Treasurer from the receiving fund
5 into the General Revenue Fund as soon as and to the extent that
6 deposits are made into or receipts are collected by the
7 receiving fund.

8 (30 ILCS 105/8g)

9 Sec. 8g. Fund transfers.

10 (a) In addition to any other transfers that may be provided
11 for by law, as soon as may be practical after the effective
12 date of this amendatory Act of the 91st General Assembly, the
13 State Comptroller shall direct and the State Treasurer shall
14 transfer the sum of \$10,000,000 from the General Revenue Fund
15 to the Motor Vehicle License Plate Fund created by Senate Bill
16 1028 of the 91st General Assembly.

17 (b) In addition to any other transfers that may be provided
18 for by law, as soon as may be practical after the effective
19 date of this amendatory Act of the 91st General Assembly, the
20 State Comptroller shall direct and the State Treasurer shall
21 transfer the sum of \$25,000,000 from the General Revenue Fund
22 to the Fund for Illinois' Future created by Senate Bill 1066 of
23 the 91st General Assembly.

24 (c) In addition to any other transfers that may be provided
25 for by law, on August 30 of each fiscal year's license period,

1 the Illinois Liquor Control Commission shall direct and the
2 State Comptroller and State Treasurer shall transfer from the
3 General Revenue Fund to the Youth Alcoholism and Substance
4 Abuse Prevention Fund an amount equal to the number of retail
5 liquor licenses issued for that fiscal year multiplied by \$50.

6 (d) The payments to programs required under subsection (d)
7 of Section 28.1 of the Horse Racing Act of 1975 shall be made,
8 pursuant to appropriation, from the special funds referred to
9 in the statutes cited in that subsection, rather than directly
10 from the General Revenue Fund.

11 Beginning January 1, 2000, on the first day of each month,
12 or as soon as may be practical thereafter, the State
13 Comptroller shall direct and the State Treasurer shall transfer
14 from the General Revenue Fund to each of the special funds from
15 which payments are to be made under Section 28.1(d) of the
16 Horse Racing Act of 1975 an amount equal to 1/12 of the annual
17 amount required for those payments from that special fund,
18 which annual amount shall not exceed the annual amount for
19 those payments from that special fund for the calendar year
20 1998. The special funds to which transfers shall be made under
21 this subsection (d) include, but are not necessarily limited
22 to, the Agricultural Premium Fund; the Metropolitan Exposition
23 Auditorium and Office Building Fund; the Fair and Exposition
24 Fund; the Standardbred Breeders Fund; the Thoroughbred
25 Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

26 (e) In addition to any other transfers that may be provided

1 for by law, as soon as may be practical after the effective
2 date of this amendatory Act of the 91st General Assembly, but
3 in no event later than June 30, 2000, the State Comptroller
4 shall direct and the State Treasurer shall transfer the sum of
5 \$15,000,000 from the General Revenue Fund to the Fund for
6 Illinois' Future.

7 (f) In addition to any other transfers that may be provided
8 for by law, as soon as may be practical after the effective
9 date of this amendatory Act of the 91st General Assembly, but
10 in no event later than June 30, 2000, the State Comptroller
11 shall direct and the State Treasurer shall transfer the sum of
12 \$70,000,000 from the General Revenue Fund to the Long-Term Care
13 Provider Fund.

14 (f-1) In fiscal year 2002, in addition to any other
15 transfers that may be provided for by law, at the direction of
16 and upon notification from the Governor, the State Comptroller
17 shall direct and the State Treasurer shall transfer amounts not
18 exceeding a total of \$160,000,000 from the General Revenue Fund
19 to the Long-Term Care Provider Fund.

20 (g) In addition to any other transfers that may be provided
21 for by law, on July 1, 2001, or as soon thereafter as may be
22 practical, the State Comptroller shall direct and the State
23 Treasurer shall transfer the sum of \$1,200,000 from the General
24 Revenue Fund to the Violence Prevention Fund.

25 (h) In each of fiscal years 2002 through 2004, but not
26 thereafter, in addition to any other transfers that may be

1 provided for by law, the State Comptroller shall direct and the
2 State Treasurer shall transfer \$5,000,000 from the General
3 Revenue Fund to the Tourism Promotion Fund.

4 (i) On or after July 1, 2001 and until May 1, 2002, in
5 addition to any other transfers that may be provided for by
6 law, at the direction of and upon notification from the
7 Governor, the State Comptroller shall direct and the State
8 Treasurer shall transfer amounts not exceeding a total of
9 \$80,000,000 from the General Revenue Fund to the Tobacco
10 Settlement Recovery Fund. Any amounts so transferred shall be
11 re-transferred by the State Comptroller and the State Treasurer
12 from the Tobacco Settlement Recovery Fund to the General
13 Revenue Fund at the direction of and upon notification from the
14 Governor, but in any event on or before June 30, 2002.

15 (i-1) On or after July 1, 2002 and until May 1, 2003, in
16 addition to any other transfers that may be provided for by
17 law, at the direction of and upon notification from the
18 Governor, the State Comptroller shall direct and the State
19 Treasurer shall transfer amounts not exceeding a total of
20 \$80,000,000 from the General Revenue Fund to the Tobacco
21 Settlement Recovery Fund. Any amounts so transferred shall be
22 re-transferred by the State Comptroller and the State Treasurer
23 from the Tobacco Settlement Recovery Fund to the General
24 Revenue Fund at the direction of and upon notification from the
25 Governor, but in any event on or before June 30, 2003.

26 (j) On or after July 1, 2001 and no later than June 30,

1 2002, in addition to any other transfers that may be provided
 2 for by law, at the direction of and upon notification from the
 3 Governor, the State Comptroller shall direct and the State
 4 Treasurer shall transfer amounts not to exceed the following
 5 sums into the Statistical Services Revolving Fund:

6	From the General Revenue Fund	\$8,450,000
7	From the Public Utility Fund	1,700,000
8	From the Transportation Regulatory Fund	2,650,000
9	From the Title III Social Security and	
10	Employment Fund	3,700,000
11	From the Professions Indirect Cost Fund	4,050,000
12	From the Underground Storage Tank Fund	550,000
13	From the Agricultural Premium Fund	750,000
14	From the State Pensions Fund	200,000
15	From the Road Fund	2,000,000
16	From the Health Facilities	
17	Planning Fund	1,000,000
18	From the Savings and Residential Finance	
19	Regulatory Fund	130,800
20	From the Appraisal Administration Fund	28,600
21	From the Pawnbroker Regulation Fund	3,600
22	From the Auction Regulation	
23	Administration Fund	35,800
24	From the Bank and Trust Company Fund.....	634,800
25	From the Real Estate License	
26	Administration Fund	313,600

1 (k) In addition to any other transfers that may be provided
 2 for by law, as soon as may be practical after the effective
 3 date of this amendatory Act of the 92nd General Assembly, the
 4 State Comptroller shall direct and the State Treasurer shall
 5 transfer the sum of \$2,000,000 from the General Revenue Fund to
 6 the Teachers Health Insurance Security Fund.

7 (k-1) In addition to any other transfers that may be
 8 provided for by law, on July 1, 2002, or as soon as may be
 9 practical thereafter, the State Comptroller shall direct and
 10 the State Treasurer shall transfer the sum of \$2,000,000 from
 11 the General Revenue Fund to the Teachers Health Insurance
 12 Security Fund.

13 (k-2) In addition to any other transfers that may be
 14 provided for by law, on July 1, 2003, or as soon as may be
 15 practical thereafter, the State Comptroller shall direct and
 16 the State Treasurer shall transfer the sum of \$2,000,000 from
 17 the General Revenue Fund to the Teachers Health Insurance
 18 Security Fund.

19 (k-3) On or after July 1, 2002 and no later than June 30,
 20 2003, in addition to any other transfers that may be provided
 21 for by law, at the direction of and upon notification from the
 22 Governor, the State Comptroller shall direct and the State
 23 Treasurer shall transfer amounts not to exceed the following
 24 sums into the Statistical Services Revolving Fund:

25	Appraisal Administration Fund	\$150,000
26	General Revenue Fund	10,440,000

1	Savings and Residential Finance	
2	Regulatory Fund	200,000
3	State Pensions Fund	100,000
4	Bank and Trust Company Fund	100,000
5	Professions Indirect Cost Fund	3,400,000
6	Public Utility Fund	2,081,200
7	Real Estate License Administration Fund	150,000
8	Title III Social Security and	
9	Employment Fund	1,000,000
10	Transportation Regulatory Fund	3,052,100
11	Underground Storage Tank Fund	50,000

12 (1) In addition to any other transfers that may be provided
13 for by law, on July 1, 2002, or as soon as may be practical
14 thereafter, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$3,000,000 from the General
16 Revenue Fund to the Presidential Library and Museum Operating
17 Fund.

18 (m) In addition to any other transfers that may be provided
19 for by law, on July 1, 2002 and on the effective date of this
20 amendatory Act of the 93rd General Assembly, or as soon
21 thereafter as may be practical, the State Comptroller shall
22 direct and the State Treasurer shall transfer the sum of
23 \$1,200,000 from the General Revenue Fund to the Violence
24 Prevention Fund.

25 (n) In addition to any other transfers that may be provided
26 for by law, on July 1, 2003, or as soon thereafter as may be

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$6,800,000 from the General
3 Revenue Fund to the DHS Recoveries Trust Fund.

4 (o) On or after July 1, 2003, and no later than June 30,
5 2004, in addition to any other transfers that may be provided
6 for by law, at the direction of and upon notification from the
7 Governor, the State Comptroller shall direct and the State
8 Treasurer shall transfer amounts not to exceed the following
9 sums into the Vehicle Inspection Fund:

10 From the Underground Storage Tank Fund \$35,000,000.

11 (p) On or after July 1, 2003 and until May 1, 2004, in
12 addition to any other transfers that may be provided for by
13 law, at the direction of and upon notification from the
14 Governor, the State Comptroller shall direct and the State
15 Treasurer shall transfer amounts not exceeding a total of
16 \$80,000,000 from the General Revenue Fund to the Tobacco
17 Settlement Recovery Fund. Any amounts so transferred shall be
18 re-transferred from the Tobacco Settlement Recovery Fund to the
19 General Revenue Fund at the direction of and upon notification
20 from the Governor, but in any event on or before June 30, 2004.

21 (q) In addition to any other transfers that may be provided
22 for by law, on July 1, 2003, or as soon as may be practical
23 thereafter, the State Comptroller shall direct and the State
24 Treasurer shall transfer the sum of \$5,000,000 from the General
25 Revenue Fund to the Illinois Military Family Relief Fund.

26 (r) In addition to any other transfers that may be provided

1 for by law, on July 1, 2003, or as soon as may be practical
2 thereafter, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$1,922,000 from the General
4 Revenue Fund to the Presidential Library and Museum Operating
5 Fund.

6 (s) In addition to any other transfers that may be provided
7 for by law, on or after July 1, 2003, the State Comptroller
8 shall direct and the State Treasurer shall transfer the sum of
9 \$4,800,000 from the Statewide Economic Development Fund to the
10 General Revenue Fund.

11 (t) In addition to any other transfers that may be provided
12 for by law, on or after July 1, 2003, the State Comptroller
13 shall direct and the State Treasurer shall transfer the sum of
14 \$50,000,000 from the General Revenue Fund to the Budget
15 Stabilization Fund.

16 (u) On or after July 1, 2004 and until May 1, 2005, in
17 addition to any other transfers that may be provided for by
18 law, at the direction of and upon notification from the
19 Governor, the State Comptroller shall direct and the State
20 Treasurer shall transfer amounts not exceeding a total of
21 \$80,000,000 from the General Revenue Fund to the Tobacco
22 Settlement Recovery Fund. Any amounts so transferred shall be
23 retransferred by the State Comptroller and the State Treasurer
24 from the Tobacco Settlement Recovery Fund to the General
25 Revenue Fund at the direction of and upon notification from the
26 Governor, but in any event on or before June 30, 2005.

1 (v) In addition to any other transfers that may be provided
2 for by law, on July 1, 2004, or as soon thereafter as may be
3 practical, the State Comptroller shall direct and the State
4 Treasurer shall transfer the sum of \$1,200,000 from the General
5 Revenue Fund to the Violence Prevention Fund.

6 (w) In addition to any other transfers that may be provided
7 for by law, on July 1, 2004, or as soon thereafter as may be
8 practical, the State Comptroller shall direct and the State
9 Treasurer shall transfer the sum of \$6,445,000 from the General
10 Revenue Fund to the Presidential Library and Museum Operating
11 Fund.

12 (x) In addition to any other transfers that may be provided
13 for by law, on January 15, 2005, or as soon thereafter as may
14 be practical, the State Comptroller shall direct and the State
15 Treasurer shall transfer to the General Revenue Fund the
16 following sums:

17 From the State Crime Laboratory Fund, \$200,000;

18 From the State Police Wireless Service Emergency Fund,
19 \$200,000;

20 From the State Offender DNA Identification System
21 Fund, \$800,000; and

22 From the State Police Whistleblower Reward and
23 Protection Fund, \$500,000.

24 (y) Notwithstanding any other provision of law to the
25 contrary, in addition to any other transfers that may be
26 provided for by law on June 30, 2005, or as soon as may be

1 practical thereafter, the State Comptroller shall direct and
2 the State Treasurer shall transfer the remaining balance from
3 the designated funds into the General Revenue Fund and any
4 future deposits that would otherwise be made into these funds
5 must instead be made into the General Revenue Fund:

6 (1) the Keep Illinois Beautiful Fund;

7 (2) the Metropolitan Fair and Exposition Authority
8 Reconstruction Fund;

9 (3) the New Technology Recovery Fund;

10 (4) the Illinois Rural Bond Bank Trust Fund;

11 (5) the ISBE School Bus Driver Permit Fund;

12 (6) the Solid Waste Management Revolving Loan Fund;

13 (7) the State Postsecondary Review Program Fund;

14 (8) the Tourism Attraction Development Matching Grant
15 Fund;

16 (9) the Patent and Copyright Fund;

17 (10) the Credit Enhancement Development Fund;

18 (11) the Community Mental Health and Developmental
19 Disabilities Services Provider Participation Fee Trust
20 Fund;

21 (12) the Nursing Home Grant Assistance Fund;

22 (13) the By-product Material Safety Fund;

23 (14) the Illinois Student Assistance Commission Higher
24 EdNet Fund;

25 (15) the DORS State Project Fund;

26 (16) the School Technology Revolving Fund;

- 1 (17) the Energy Assistance Contribution Fund;
2 (18) the Illinois Building Commission Revolving Fund;
3 (19) the Illinois Aquaculture Development Fund;
4 (20) the Homelessness Prevention Fund;
5 (21) the DCFS Refugee Assistance Fund;
6 (22) the Illinois Century Network Special Purposes
7 Fund; and
8 (23) the Build Illinois Purposes Fund.

9 (z) In addition to any other transfers that may be provided
10 for by law, on July 1, 2005, or as soon as may be practical
11 thereafter, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$1,200,000 from the General
13 Revenue Fund to the Violence Prevention Fund.

14 (aa) In addition to any other transfers that may be
15 provided for by law, on July 1, 2005, or as soon as may be
16 practical thereafter, the State Comptroller shall direct and
17 the State Treasurer shall transfer the sum of \$9,000,000 from
18 the General Revenue Fund to the Presidential Library and Museum
19 Operating Fund.

20 (bb) In addition to any other transfers that may be
21 provided for by law, on July 1, 2005, or as soon as may be
22 practical thereafter, the State Comptroller shall direct and
23 the State Treasurer shall transfer the sum of \$6,803,600 from
24 the General Revenue Fund to the Securities Audit and
25 Enforcement Fund.

26 (cc) In addition to any other transfers that may be

1 provided for by law, on or after July 1, 2005 and until May 1,
2 2006, at the direction of and upon notification from the
3 Governor, the State Comptroller shall direct and the State
4 Treasurer shall transfer amounts not exceeding a total of
5 \$80,000,000 from the General Revenue Fund to the Tobacco
6 Settlement Recovery Fund. Any amounts so transferred shall be
7 re-transferred by the State Comptroller and the State Treasurer
8 from the Tobacco Settlement Recovery Fund to the General
9 Revenue Fund at the direction of and upon notification from the
10 Governor, but in any event on or before June 30, 2006.

11 (dd) In addition to any other transfers that may be
12 provided for by law, on April 1, 2005, or as soon thereafter as
13 may be practical, at the direction of the Director of Public
14 Aid (now Director of Healthcare and Family Services), the State
15 Comptroller shall direct and the State Treasurer shall transfer
16 from the Public Aid Recoveries Trust Fund amounts not to exceed
17 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

18 (ee) Notwithstanding any other provision of law, on July 1,
19 2006, or as soon thereafter as practical, the State Comptroller
20 shall direct and the State Treasurer shall transfer the
21 remaining balance from the Illinois Civic Center Bond Fund to
22 the Illinois Civic Center Bond Retirement and Interest Fund.

23 (ff) In addition to any other transfers that may be
24 provided for by law, on and after July 1, 2006 and until June
25 30, 2007, at the direction of and upon notification from the
26 Director of the Governor's Office of Management and Budget, the

1 State Comptroller shall direct and the State Treasurer shall
 2 transfer amounts not exceeding a total of \$1,900,000 from the
 3 General Revenue Fund to the Illinois Capital Revolving Loan
 4 Fund.

5 (gg) In addition to any other transfers that may be
 6 provided for by law, on and after July 1, 2006 and until May 1,
 7 2007, at the direction of and upon notification from the
 8 Governor, the State Comptroller shall direct and the State
 9 Treasurer shall transfer amounts not exceeding a total of
 10 \$80,000,000 from the General Revenue Fund to the Tobacco
 11 Settlement Recovery Fund. Any amounts so transferred shall be
 12 retransferred by the State Comptroller and the State Treasurer
 13 from the Tobacco Settlement Recovery Fund to the General
 14 Revenue Fund at the direction of and upon notification from the
 15 Governor, but in any event on or before June 30, 2007.

16 (hh) In addition to any other transfers that may be
 17 provided for by law, on and after July 1, 2006 and until June
 18 30, 2007, at the direction of and upon notification from the
 19 Governor, the State Comptroller shall direct and the State
 20 Treasurer shall transfer amounts from the Illinois Affordable
 21 Housing Trust Fund to the designated funds not exceeding the
 22 following amounts:

- 23 DCFs Children's Services Fund \$2,200,000
- 24 Department of Corrections Reimbursement
- 25 and Education Fund \$1,500,000
- 26 Supplemental Low-Income Energy

1 Assistance Fund..... \$75,000

2 (ii) In addition to any other transfers that may be
3 provided for by law, on or before August 31, 2006, the Governor
4 and the State Comptroller may agree to transfer the surplus
5 cash balance from the General Revenue Fund to the Budget
6 Stabilization Fund and the Pension Stabilization Fund in equal
7 proportions. The determination of the amount of the surplus
8 cash balance shall be made by the Governor, with the
9 concurrence of the State Comptroller, after taking into account
10 the June 30, 2006 balances in the general funds and the actual
11 or estimated spending from the general funds during the lapse
12 period. Notwithstanding the foregoing, the maximum amount that
13 may be transferred under this subsection (ii) is \$50,000,000.

14 (jj) In addition to any other transfers that may be
15 provided for by law, on July 1, 2006, or as soon thereafter as
16 practical, the State Comptroller shall direct and the State
17 Treasurer shall transfer the sum of \$8,250,000 from the General
18 Revenue Fund to the Presidential Library and Museum Operating
19 Fund.

20 (kk) In addition to any other transfers that may be
21 provided for by law, on July 1, 2006, or as soon thereafter as
22 practical, the State Comptroller shall direct and the State
23 Treasurer shall transfer the sum of \$1,400,000 from the General
24 Revenue Fund to the Violence Prevention Fund.

25 (ll) In addition to any other transfers that may be
26 provided for by law, on the first day of each calendar quarter

1 of the fiscal year beginning July 1, 2006, or as soon
2 thereafter as practical, the State Comptroller shall direct and
3 the State Treasurer shall transfer from the General Revenue
4 Fund amounts equal to one-fourth of \$20,000,000 to the
5 Renewable Energy Resources Trust Fund.

6 (mm) In addition to any other transfers that may be
7 provided for by law, on July 1, 2006, or as soon thereafter as
8 practical, the State Comptroller shall direct and the State
9 Treasurer shall transfer the sum of \$1,320,000 from the General
10 Revenue Fund to the I-FLY Fund.

11 (nn) In addition to any other transfers that may be
12 provided for by law, on July 1, 2006, or as soon thereafter as
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the sum of \$3,000,000 from the General
15 Revenue Fund to the African-American HIV/AIDS Response Fund.

16 (oo) In addition to any other transfers that may be
17 provided for by law, on and after July 1, 2006 and until June
18 30, 2007, at the direction of and upon notification from the
19 Governor, the State Comptroller shall direct and the State
20 Treasurer shall transfer amounts identified as net receipts
21 from the sale of all or part of the Illinois Student Assistance
22 Commission loan portfolio from the Student Loan Operating Fund
23 to the General Revenue Fund. The maximum amount that may be
24 transferred pursuant to this Section is \$38,800,000. In
25 addition, no transfer may be made pursuant to this Section that
26 would have the effect of reducing the available balance in the

1 Student Loan Operating Fund to an amount less than the amount
2 remaining unexpended and unreserved from the total
3 appropriations from the Fund estimated to be expended for the
4 fiscal year. The State Treasurer and Comptroller shall transfer
5 the amounts designated under this Section as soon as may be
6 practical after receiving the direction to transfer from the
7 Governor.

8 (pp) ~~(cc)~~ In addition to any other transfers that may be
9 provided for by law, on July 1, 2006, or as soon thereafter as
10 practical, the State Comptroller shall direct and the State
11 Treasurer shall transfer the sum of \$2,000,000 from the General
12 Revenue Fund to the Illinois Veterans Assistance Fund.

13 (qq) Notwithstanding any other provision of law, on July 1,
14 2007, or as soon thereafter as practical, the State Comptroller
15 shall direct and the State Treasurer shall transfer the
16 remaining balance from the Illinois Civic Center Bond Fund to
17 the Illinois Civic Center Bond Retirement and Interest Fund.

18 (rr) In addition to any other transfers that may be
19 provided for by law, on and after July 1, 2007 and until May 1,
20 2008, at the direction of and upon notification from the
21 Governor, the State Comptroller shall direct and the State
22 Treasurer shall transfer amounts not exceeding a total of
23 \$80,000,000 from the General Revenue Fund to the Tobacco
24 Settlement Recovery Fund. Any amounts so transferred shall be
25 retransferred by the State Comptroller and the State Treasurer
26 from the Tobacco Settlement Recovery Fund to the General

1 Revenue Fund at the direction of and upon notification from the
2 Governor, but in any event on or before June 30, 2008.

3 (ss) In addition to any other transfers that may be
4 provided for by law, on and after July 1, 2007 and until June
5 30, 2008, at the direction of and upon notification from the
6 Governor, the State Comptroller shall direct and the State
7 Treasurer shall transfer amounts from the Illinois Affordable
8 Housing Trust Fund to the designated funds not exceeding the
9 following amounts:

10	<u>DCFS Children's Services Fund</u>	<u>\$2,200,000</u>
11	<u>Department of Corrections Reimbursement</u>	
12	<u>and Education Fund</u>	<u>\$1,500,000</u>
13	<u>Supplemental Low-Income Energy</u>	
14	<u>Assistance Fund</u>	<u>\$75,000</u>

15 (tt) In addition to any other transfers that may be
16 provided for by law, on July 1, 2007, or as soon thereafter as
17 practical, the State Comptroller shall direct and the State
18 Treasurer shall transfer the sum of \$8,250,000 from the General
19 Revenue Fund to the Presidential Library and Museum Operating
20 Fund.

21 (uu) In addition to any other transfers that may be
22 provided for by law, on July 1, 2007, or as soon thereafter as
23 practical, the State Comptroller shall direct and the State
24 Treasurer shall transfer the sum of \$1,400,000 from the General
25 Revenue Fund to the Violence Prevention Fund.

26 (vv) In addition to any other transfers that may be

1 provided for by law, on July 1, 2007, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$1,320,000 from the General
4 Revenue Fund to the I-FLY Fund.

5 (ww) In addition to any other transfers that may be
6 provided for by law, on July 1, 2007, or as soon thereafter as
7 practical, the State Comptroller shall direct and the State
8 Treasurer shall transfer the sum of \$3,000,000 from the General
9 Revenue Fund to the African-American HIV/AIDS Response Fund.

10 (Source: P.A. 93-32, eff. 6-20-03; 93-648, eff. 1-8-04; 93-839,
11 eff. 7-30-04; 93-1067, eff. 1-15-05; 94-58, eff. 6-17-05;
12 94-91, eff. 7-1-05; 94-816, eff. 5-30-06; 94-839, eff. 6-6-06;
13 revised 8-3-06.)

14 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

15 Sec. 13.2. Transfers among line item appropriations.

16 (a) Transfers among line item appropriations from the same
17 treasury fund for the objects specified in this Section may be
18 made in the manner provided in this Section when the balance
19 remaining in one or more such line item appropriations is
20 insufficient for the purpose for which the appropriation was
21 made.

22 (a-1) No transfers may be made from one agency to another
23 agency, nor may transfers be made from one institution of
24 higher education to another institution of higher education.

25 (a-2) Except as otherwise provided in this Section,

1 transfers may be made only among the objects of expenditure
2 enumerated in this Section, except that no funds may be
3 transferred from any appropriation for personal services, from
4 any appropriation for State contributions to the State
5 Employees' Retirement System, from any separate appropriation
6 for employee retirement contributions paid by the employer, nor
7 from any appropriation for State contribution for employee
8 group insurance. During State fiscal year 2005, an agency may
9 transfer amounts among its appropriations within the same
10 treasury fund for personal services, employee retirement
11 contributions paid by employer, and State Contributions to
12 retirement systems; notwithstanding and in addition to the
13 transfers authorized in subsection (c) of this Section, the
14 fiscal year 2005 transfers authorized in this sentence may be
15 made in an amount not to exceed 2% of the aggregate amount
16 appropriated to an agency within the same treasury fund. During
17 State fiscal years ~~year~~ 2007 and 2008, the Departments of
18 Children and Family Services, Corrections, Human Services, and
19 Juvenile Justice may transfer amounts among their respective
20 appropriations within the same treasury fund for personal
21 services, employee retirement contributions paid by employer,
22 and State contributions to retirement systems.
23 Notwithstanding, and in addition to, the transfers authorized
24 in subsection (c) of this Section, these transfers may be made
25 in an amount not to exceed 2% of the aggregate amount
26 appropriated to an agency within the same treasury fund.

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

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

26 The Department on Aging is authorized to make transfers not

1 exceeding 2% of the aggregate amount appropriated to it within
2 the same treasury fund for the following Community Care Program
3 line items among these same line items: Homemaker and Senior
4 Companion Services, Alternative Senior Services, Case
5 Coordination Units, and Adult Day Care Services.

6 The State Treasurer is authorized to make transfers among
7 line item appropriations from the Capital Litigation Trust
8 Fund, with respect to costs incurred in fiscal years 2002 and
9 2003 only, when the balance remaining in one or more such line
10 item appropriations is insufficient for the purpose for which
11 the appropriation was made, provided that no such transfer may
12 be made unless the amount transferred is no longer required for
13 the purpose for which that appropriation was made.

14 (c) The sum of such transfers for an agency in a fiscal
15 year shall not exceed 2% of the aggregate amount appropriated
16 to it within the same treasury fund for the following objects:
17 Personal Services; Extra Help; Student and Inmate
18 Compensation; State Contributions to Retirement Systems; State
19 Contributions to Social Security; State Contribution for
20 Employee Group Insurance; Contractual Services; Travel;
21 Commodities; Printing; Equipment; Electronic Data Processing;
22 Operation of Automotive Equipment; Telecommunications
23 Services; Travel and Allowance for Committed, Paroled and
24 Discharged Prisoners; Library Books; Federal Matching Grants
25 for Student Loans; Refunds; Workers' Compensation,
26 Occupational Disease, and Tort Claims; and, in appropriations

1 to institutions of higher education, Awards and Grants.
2 Notwithstanding the above, any amounts appropriated for
3 payment of workers' compensation claims to an agency to which
4 the authority to evaluate, administer and pay such claims has
5 been delegated by the Department of Central Management Services
6 may be transferred to any other expenditure object where such
7 amounts exceed the amount necessary for the payment of such
8 claims.

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

1 refunds; workers' compensation, occupational disease, and tort
2 claims; and, in appropriations to institutions of higher
3 education, awards and grants.

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

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

1 agencies require the approval of the Governor.

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

15 (Source: P.A. 93-680, eff. 7-1-04; 93-839, eff. 7-30-04;
16 94-839, eff. 6-6-06.)

17 Section 5-15. The Illinois Income Tax Act is amended by
18 changing Section 901 as follows:

19 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

20 Sec. 901. Collection Authority.

21 (a) In general.

22 The Department shall collect the taxes imposed by this Act.
23 The Department shall collect certified past due child support
24 amounts under Section 2505-650 of the Department of Revenue Law

1 (20 ILCS 2505/2505-650). Except as provided in subsections (c)
2 and (e) of this Section, money collected pursuant to
3 subsections (a) and (b) of Section 201 of this Act shall be
4 paid into the General Revenue Fund in the State treasury; money
5 collected pursuant to subsections (c) and (d) of Section 201 of
6 this Act shall be paid into the Personal Property Tax
7 Replacement Fund, a special fund in the State Treasury; and
8 money collected under Section 2505-650 of the Department of
9 Revenue Law (20 ILCS 2505/2505-650) shall be paid into the
10 Child Support Enforcement Trust Fund, a special fund outside
11 the State Treasury, or to the State Disbursement Unit
12 established under Section 10-26 of the Illinois Public Aid
13 Code, as directed by the Department of Healthcare and Family
14 Services.

15 (b) Local Governmental Distributive Fund.

16 Beginning August 1, 1969, and continuing through June 30,
17 1994, the Treasurer shall transfer each month from the General
18 Revenue Fund to a special fund in the State treasury, to be
19 known as the "Local Government Distributive Fund", an amount
20 equal to 1/12 of the net revenue realized from the tax imposed
21 by subsections (a) and (b) of Section 201 of this Act during
22 the preceding month. Beginning July 1, 1994, and continuing
23 through June 30, 1995, the Treasurer shall transfer each month
24 from the General Revenue Fund to the Local Government
25 Distributive Fund an amount equal to 1/11 of the net revenue
26 realized from the tax imposed by subsections (a) and (b) of

1 Section 201 of this Act during the preceding month. Beginning
2 July 1, 1995, the Treasurer shall transfer each month from the
3 General Revenue Fund to the Local Government Distributive Fund
4 an amount equal to the net of (i) 1/10 of the net revenue
5 realized from the tax imposed by subsections (a) and (b) of
6 Section 201 of the Illinois Income Tax Act during the preceding
7 month (ii) minus, beginning July 1, 2003 and ending June 30,
8 2004, \$6,666,666, and beginning July 1, 2004, zero. Net revenue
9 realized for a month shall be defined as the revenue from the
10 tax imposed by subsections (a) and (b) of Section 201 of this
11 Act which is deposited in the General Revenue Fund, the
12 Educational Assistance Fund and the Income Tax Surcharge Local
13 Government Distributive Fund during the month minus the amount
14 paid out of the General Revenue Fund in State warrants during
15 that same month as refunds to taxpayers for overpayment of
16 liability under the tax imposed by subsections (a) and (b) of
17 Section 201 of this Act.

18 (c) Deposits Into Income Tax Refund Fund.

19 (1) Beginning on January 1, 1989 and thereafter, the
20 Department shall deposit a percentage of the amounts
21 collected pursuant to subsections (a) and (b)(1), (2), and
22 (3), of Section 201 of this Act into a fund in the State
23 treasury known as the Income Tax Refund Fund. The
24 Department shall deposit 6% of such amounts during the
25 period beginning January 1, 1989 and ending on June 30,
26 1989. Beginning with State fiscal year 1990 and for each

1 fiscal year thereafter, the percentage deposited into the
2 Income Tax Refund Fund during a fiscal year shall be the
3 Annual Percentage. For fiscal years 1999 through 2001, the
4 Annual Percentage shall be 7.1%. For fiscal year 2003, the
5 Annual Percentage shall be 8%. For fiscal year 2004, the
6 Annual Percentage shall be 11.7%. Upon the effective date
7 of this amendatory Act of the 93rd General Assembly, the
8 Annual Percentage shall be 10% for fiscal year 2005. For
9 fiscal year 2006, the Annual Percentage shall be 9.75%. For
10 fiscal years ~~year~~ 2007 and 2008, the Annual Percentage
11 shall be 9.75%. For all other fiscal years, the Annual
12 Percentage shall be calculated as a fraction, the numerator
13 of which shall be the amount of refunds approved for
14 payment by the Department during the preceding fiscal year
15 as a result of overpayment of tax liability under
16 subsections (a) and (b) (1), (2), and (3) of Section 201 of
17 this Act plus the amount of such refunds remaining approved
18 but unpaid at the end of the preceding fiscal year, minus
19 the amounts transferred into the Income Tax Refund Fund
20 from the Tobacco Settlement Recovery Fund, and the
21 denominator of which shall be the amounts which will be
22 collected pursuant to subsections (a) and (b) (1), (2), and
23 (3) of Section 201 of this Act during the preceding fiscal
24 year; except that in State fiscal year 2002, the Annual
25 Percentage shall in no event exceed 7.6%. The Director of
26 Revenue shall certify the Annual Percentage to the

1 Comptroller on the last business day of the fiscal year
2 immediately preceding the fiscal year for which it is to be
3 effective.

4 (2) Beginning on January 1, 1989 and thereafter, the
5 Department shall deposit a percentage of the amounts
6 collected pursuant to subsections (a) and (b)(6), (7), and
7 (8), (c) and (d) of Section 201 of this Act into a fund in
8 the State treasury known as the Income Tax Refund Fund. The
9 Department shall deposit 18% of such amounts during the
10 period beginning January 1, 1989 and ending on June 30,
11 1989. Beginning with State fiscal year 1990 and for each
12 fiscal year thereafter, the percentage deposited into the
13 Income Tax Refund Fund during a fiscal year shall be the
14 Annual Percentage. For fiscal years 1999, 2000, and 2001,
15 the Annual Percentage shall be 19%. For fiscal year 2003,
16 the Annual Percentage shall be 27%. For fiscal year 2004,
17 the Annual Percentage shall be 32%. Upon the effective date
18 of this amendatory Act of the 93rd General Assembly, the
19 Annual Percentage shall be 24% for fiscal year 2005. For
20 fiscal year 2006, the Annual Percentage shall be 20%. For
21 fiscal years ~~year~~ 2007 and 2008, the Annual Percentage
22 shall be 17.5%. For all other fiscal years, the Annual
23 Percentage shall be calculated as a fraction, the numerator
24 of which shall be the amount of refunds approved for
25 payment by the Department during the preceding fiscal year
26 as a result of overpayment of tax liability under

1 subsections (a) and (b) (6), (7), and (8), (c) and (d) of
2 Section 201 of this Act plus the amount of such refunds
3 remaining approved but unpaid at the end of the preceding
4 fiscal year, and the denominator of which shall be the
5 amounts which will be collected pursuant to subsections (a)
6 and (b) (6), (7), and (8), (c) and (d) of Section 201 of
7 this Act during the preceding fiscal year; except that in
8 State fiscal year 2002, the Annual Percentage shall in no
9 event exceed 23%. The Director of Revenue shall certify the
10 Annual Percentage to the Comptroller on the last business
11 day of the fiscal year immediately preceding the fiscal
12 year for which it is to be effective.

13 (3) The Comptroller shall order transferred and the
14 Treasurer shall transfer from the Tobacco Settlement
15 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000
16 in January, 2001, (ii) \$35,000,000 in January, 2002, and
17 (iii) \$35,000,000 in January, 2003.

18 (d) Expenditures from Income Tax Refund Fund.

19 (1) Beginning January 1, 1989, money in the Income Tax
20 Refund Fund shall be expended exclusively for the purpose
21 of paying refunds resulting from overpayment of tax
22 liability under Section 201 of this Act, for paying rebates
23 under Section 208.1 in the event that the amounts in the
24 Homeowners' Tax Relief Fund are insufficient for that
25 purpose, and for making transfers pursuant to this
26 subsection (d).

1 (2) The Director shall order payment of refunds
2 resulting from overpayment of tax liability under Section
3 201 of this Act from the Income Tax Refund Fund only to the
4 extent that amounts collected pursuant to Section 201 of
5 this Act and transfers pursuant to this subsection (d) and
6 item (3) of subsection (c) have been deposited and retained
7 in the Fund.

8 (3) As soon as possible after the end of each fiscal
9 year, the Director shall order transferred and the State
10 Treasurer and State Comptroller shall transfer from the
11 Income Tax Refund Fund to the Personal Property Tax
12 Replacement Fund an amount, certified by the Director to
13 the Comptroller, equal to the excess of the amount
14 collected pursuant to subsections (c) and (d) of Section
15 201 of this Act deposited into the Income Tax Refund Fund
16 during the fiscal year over the amount of refunds resulting
17 from overpayment of tax liability under subsections (c) and
18 (d) of Section 201 of this Act paid from the Income Tax
19 Refund Fund during the fiscal year.

20 (4) As soon as possible after the end of each fiscal
21 year, the Director shall order transferred and the State
22 Treasurer and State Comptroller shall transfer from the
23 Personal Property Tax Replacement Fund to the Income Tax
24 Refund Fund an amount, certified by the Director to the
25 Comptroller, equal to the excess of the amount of refunds
26 resulting from overpayment of tax liability under

1 subsections (c) and (d) of Section 201 of this Act paid
2 from the Income Tax Refund Fund during the fiscal year over
3 the amount collected pursuant to subsections (c) and (d) of
4 Section 201 of this Act deposited into the Income Tax
5 Refund Fund during the fiscal year.

6 (4.5) As soon as possible after the end of fiscal year
7 1999 and of each fiscal year thereafter, the Director shall
8 order transferred and the State Treasurer and State
9 Comptroller shall transfer from the Income Tax Refund Fund
10 to the General Revenue Fund any surplus remaining in the
11 Income Tax Refund Fund as of the end of such fiscal year;
12 excluding for fiscal years 2000, 2001, and 2002 amounts
13 attributable to transfers under item (3) of subsection (c)
14 less refunds resulting from the earned income tax credit.

15 (5) This Act shall constitute an irrevocable and
16 continuing appropriation from the Income Tax Refund Fund
17 for the purpose of paying refunds upon the order of the
18 Director in accordance with the provisions of this Section.

19 (e) Deposits into the Education Assistance Fund and the
20 Income Tax Surcharge Local Government Distributive Fund.

21 On July 1, 1991, and thereafter, of the amounts collected
22 pursuant to subsections (a) and (b) of Section 201 of this Act,
23 minus deposits into the Income Tax Refund Fund, the Department
24 shall deposit 7.3% into the Education Assistance Fund in the
25 State Treasury. Beginning July 1, 1991, and continuing through
26 January 31, 1993, of the amounts collected pursuant to

1 subsections (a) and (b) of Section 201 of the Illinois Income
2 Tax Act, minus deposits into the Income Tax Refund Fund, the
3 Department shall deposit 3.0% into the Income Tax Surcharge
4 Local Government Distributive Fund in the State Treasury.
5 Beginning February 1, 1993 and continuing through June 30,
6 1993, of the amounts collected pursuant to subsections (a) and
7 (b) of Section 201 of the Illinois Income Tax Act, minus
8 deposits into the Income Tax Refund Fund, the Department shall
9 deposit 4.4% into the Income Tax Surcharge Local Government
10 Distributive Fund in the State Treasury. Beginning July 1,
11 1993, and continuing through June 30, 1994, of the amounts
12 collected under subsections (a) and (b) of Section 201 of this
13 Act, minus deposits into the Income Tax Refund Fund, the
14 Department shall deposit 1.475% into the Income Tax Surcharge
15 Local Government Distributive Fund in the State Treasury.
16 (Source: P.A. 93-32, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91,
17 eff. 7-1-05; 94-839, eff. 6-6-06.)

18 Section 5-20. The Film Production Services Tax Credit Act
19 is amended by changing Section 90 as follows:

20 (35 ILCS 15/90)

21 (Section scheduled to be repealed on January 1, 2008)

22 Sec. 90. Repeal. This Act is repealed on January 1, 2009
23 ~~2008~~.

24 (Source: P.A. 93-543, eff. 1-1-04; 93-840, eff. 7-30-04;

1 94-171, eff. 7-11-05; 94-817, eff. 5-30-06.)

2 Section 5-23. If and only if House Bill 25 of the 95th
3 General Assembly (as amended by Senate Amendments No. 3, 4, and
4 6) becomes law, then the Riverboat Gambling Act is amended by
5 changing Sections 7, 12, and 13 as follows:

6 (230 ILCS 10/7) (from Ch. 120, par. 2407)

7 Sec. 7. Owners Licenses.

8 (a) The Board shall issue owners licenses to persons, firms
9 or corporations which apply for such licenses upon payment to
10 the Board of the non-refundable license fee set by the Board,
11 upon payment of a \$25,000 license fee for the first year of
12 operation and a \$5,000 license fee for each succeeding year and
13 upon a determination by the Board that the applicant is
14 eligible for an owners license pursuant to this Act and the
15 rules of the Board. No application under this Section shall be
16 required from the Authority. The Authority is not required to
17 pay the yearly license fees imposed above ~~under this Section~~.
18 From May 26, 2006 (the effective date of Public Act 94-804)
19 until the effective date of this amendatory Act of the 95th
20 General Assembly, as a condition of licensure and as an
21 alternative source of payment for those funds payable under
22 subsection (c-5) of Section 13 of the Riverboat and Casino
23 Gambling Act, any owners licensee that holds or receives its
24 owners license on or after the effective date of this

1 amendatory Act of the 94th General Assembly, other than an
2 owners licensee operating a riverboat with adjusted gross
3 receipts in calendar year 2004 of less than \$200,000,000, must
4 pay into the Horse Racing Equity Trust Fund, in addition to any
5 other payments required under this Act, an amount equal to 3%
6 of the adjusted gross receipts received by the owners licensee.
7 Beginning on the effective date of this amendatory Act of the
8 95th General Assembly, as a condition of licensure and as an
9 alternative source of payment for those funds payable under
10 subsection (c-5) of Section 13, any owners licensee that holds
11 or receives its owners license on or after the effective date
12 of this amendatory Act of the 95th General Assembly must pay
13 into the Horse Racing Equity Trust Fund, in addition to any
14 other payments required under this Act, based on the gross
15 gaming receipts received by a licensed owner from gambling
16 games authorized under this Act, an amount based on the
17 following rates:

18 0.5% for owners licensees with annual gross gaming
19 receipts up to and including \$50,000,000;

20 1% for owners licensees with annual gross gaming
21 receipts in excess of \$50,000,000 but not exceeding
22 \$100,000,000;

23 1.5% for owners licensees with annual gross gaming
24 receipts in excess of \$100,000,000 but not exceeding
25 \$250,000,000;

26 3.5% for owners licensees with annual gross gaming

1 receipts in excess of \$250,000,000.

2 Beginning on the effective date of this amendatory Act of
3 the 95th General Assembly, as a condition of licensure, the
4 owners licensee whose license is authorized under subsection
5 (e-6) must pay into the Depressed Communities and Economic
6 Development Fund, in addition to any other payments required
7 under this Act, an amount equal to 0.5% of its gross gaming
8 receipts.

9 The payments required under this Section shall be made by
10 the owners licensee to the State Treasurer no later than 3:00
11 o'clock p.m. of the day after the day when the gross gaming
12 receipts were received by the owners licensee. A person, firm
13 or corporation is ineligible to receive an owners license if:

14 (1) the person has been convicted of a felony under the
15 laws of this State, any other state, or the United States;

16 (2) the person has been convicted of any violation of
17 Article 28 of the Criminal Code of 1961, or substantially
18 similar laws of any other jurisdiction;

19 (3) the person has submitted an application for a
20 license under this Act which contains false information;

21 (4) the person is a member of the Board;

22 (5) a person defined in (1), (2), (3) or (4) is an
23 officer, director or managerial employee of the firm or
24 corporation;

25 (6) the firm or corporation employs a person defined in
26 (1), (2), (3) or (4) who participates in the management or

1 operation of gambling operations authorized under this
2 Act;

3 (7) (blank); or

4 (8) a license of the person, firm or corporation issued
5 under this Act, or a license to own or operate gambling
6 facilities in any other jurisdiction, has been revoked.

7 (b) In determining whether to grant an owners license to an
8 applicant, the Board shall consider:

9 (1) the character, reputation, experience and
10 financial integrity of the applicants and of any other or
11 separate person that either:

12 (A) controls, directly or indirectly, such
13 applicant, or

14 (B) is controlled, directly or indirectly, by such
15 applicant or by a person which controls, directly or
16 indirectly, such applicant;

17 (2) the facilities or proposed facilities for the
18 conduct of riverboat gambling;

19 (3) the highest prospective total revenue to be derived
20 by the State from the conduct of riverboat gambling;

21 (4) the extent to which the ownership of the applicant
22 reflects the diversity of the State by including minority
23 persons and females and the good faith affirmative action
24 plan of each applicant to recruit, train and upgrade
25 minority persons and females in all employment
26 classifications;

1 (5) the financial ability of the applicant to purchase
2 and maintain adequate liability and casualty insurance;

3 (6) whether the applicant has adequate capitalization
4 to provide and maintain, for the duration of a license, a
5 riverboat;

6 (7) the extent to which the applicant exceeds or meets
7 other standards for the issuance of an owners license which
8 the Board may adopt by rule; and

9 (8) The amount of the applicant's license bid.

10 (c) Each owners license shall specify the place where
11 riverboats shall operate and dock.

12 (d) Each applicant shall submit with his application, on
13 forms provided by the Board, 2 sets of his fingerprints.

14 (e) In addition to the licenses authorized under
15 subsections (e-5) and (e-6), the Board may issue up to 10
16 licenses authorizing the holders of such licenses to own
17 riverboats. In the application for an owners license, the
18 applicant shall state the dock at which the riverboat is based
19 and the water on which the riverboat will be located. The Board
20 shall issue 5 licenses to become effective not earlier than
21 January 1, 1991. Three of such licenses shall authorize
22 riverboat gambling on the Mississippi River, or, with approval
23 by the municipality in which the riverboat was docked on August
24 7, 2003 and with Board approval, be authorized to relocate to a
25 new location, in a municipality that (1) borders on the
26 Mississippi River or is within 5 miles of the city limits of a

1 municipality that borders on the Mississippi River and (2), on
2 August 7, 2003, had a riverboat conducting riverboat gambling
3 operations pursuant to a license issued under this Act; one of
4 which shall authorize riverboat gambling from a home dock in
5 the city of East St. Louis. One other license shall authorize
6 riverboat gambling on the Illinois River south of Marshall
7 County. The Board shall issue one additional license to become
8 effective not earlier than March 1, 1992, which shall authorize
9 riverboat gambling on the Des Plaines River in Will County. The
10 Board may issue 4 additional licenses to become effective not
11 earlier than March 1, 1992. In determining the water upon which
12 riverboats will operate, the Board shall consider the economic
13 benefit which riverboat gambling confers on the State, and
14 shall seek to assure that all regions of the State share in the
15 economic benefits of riverboat gambling.

16 (e-5) In addition to the licenses authorized under
17 subsections (e) and (e-6), the Board may issue 3 additional
18 licenses authorizing riverboat gambling.

19 (1) One of the licenses issued under this subsection
20 (e-5) shall authorize its holder to conduct riverboat
21 gambling from a home dock located in a municipality that
22 (A) has a population of at least 75,000 inhabitants, (B) is
23 bordered on the East by Lake Michigan, and (C) is located
24 in a county, the entirety of which is located to the North
25 of Cook County, and may authorize its holder to conduct
26 riverboat gambling on Lake Michigan.

1 (2) One license issued under this subsection (e-5)
2 shall authorize its holder to conduct riverboat gambling in
3 Cook County from a home dock located in the area bordered
4 on the North by the southern corporate limit of the City of
5 Chicago, on the South by Route 30, and on the West by
6 Interstate 57 and that is within 8 miles of the Indiana
7 border.

8 (3) One license issued under this subsection (e-5)
9 shall authorize its holder to conduct riverboat gambling
10 operations from a home dock located within 4 miles of any
11 portion of O'Hare International Airport.

12 Licenses authorized under this subsection (e-5) shall be
13 awarded pursuant to a process of competitive bidding to the
14 highest bidder that is eligible to hold an owners license under
15 this Act. The minimum bid for an owners license under this
16 subsection (e-5) shall be \$365,000,000, except that the Board
17 may declare a lower minimum bid for a specific license if it
18 finds a lower minimum bid to be necessary or appropriate.

19 (e-6) In addition to the licenses authorized under
20 subsections (e) and (e-5), the Board may, upon written request
21 of the Authority and upon payment by the Authority to the Board
22 on or before June 30, 2008 of a fee of \$800,000,000, issue an
23 owners license to the Authority authorizing the conduct of
24 gambling operations in a casino located in a municipality with
25 a population of more than 500,000 inhabitants. Until completion
26 of a permanent casino, the Authority's license shall authorize

1 it to conduct gambling operations in one or more land-based or
2 riverboat temporary casinos within the municipality, provided
3 that the total number of gaming positions is limited to 4,000.
4 The license issued to the Authority shall be perpetual and may
5 not be revoked, suspended, or limited by the Board. Casino
6 gambling operations shall be conducted by a casino operator on
7 behalf of the Authority. The Authority shall conduct a
8 competitive bidding process for the selection of casino
9 operators to develop and operate the casino and one or more
10 temporary casinos and riverboats. Any such casino operators
11 shall be subject to licensing by, and full jurisdiction of, the
12 Board.

13 (e-10) In granting all licenses, the Board may give
14 favorable consideration to economically depressed areas of the
15 State, to applicants presenting plans which provide for
16 significant economic development over a large geographic area,
17 and to applicants who currently operate non-gambling
18 riverboats in Illinois. The Board shall review all applications
19 for owners licenses, and shall inform each applicant of the
20 Board's decision. The Board may grant an owners license to an
21 applicant that has not submitted the highest license bid, but
22 if it does not select the highest bidder, the Board shall issue
23 a written decision explaining why another applicant was
24 selected and identifying the factors set forth in this Section
25 that favored the winning bidder.

26 In granting all licenses, the Board must give favorable

1 consideration to applicants based on each applicant's level of
2 minority persons and female ownership. For the purposes of this
3 subsection (e-10), the terms "minority person" and "female"
4 have the meanings provided in Section 2 of the Business
5 Enterprise for Minorities, Females, and Persons with
6 Disabilities Act

7 (e-15) In addition to any other revocation powers granted
8 to the Board under this Act, the Board may revoke the owners
9 license of a licensee which fails to begin conducting gambling
10 within 15 months of receipt of the Board's approval of the
11 application if the Board determines that license revocation is
12 in the best interests of the State.

13 (f) Owners licenses issued under this Act shall permit the
14 holder to own up to 2 riverboats and equipment thereon for a
15 period of 3 years after the effective date of the license.
16 Holders of the first 10 owners licenses must pay the annual
17 license fee for each of the 3 years during which they are
18 authorized to own riverboats.

19 (g) Upon the termination, expiration, or revocation of each
20 owners license, which shall be issued for a 3 year period, all
21 licenses are renewable annually upon payment of the fee and a
22 determination by the Board that the licensee continues to meet
23 all of the requirements of this Act and the Board's rules.
24 However, for licenses renewed on or after May 1, 1998, renewal
25 shall be for a period of 4 years, unless the Board sets a
26 shorter period. The Authority's license shall be perpetual and

1 shall not be subject to renewal.

2 (h) An owners license, other than an owners license
3 authorized under subsection (e-6), shall entitle the licensee
4 to operate up to 2,000 gaming positions. An owners license
5 issued under subsection (e-6) shall entitle the licensee to
6 operate up to 4,000 gaming positions. Electronic poker
7 positions shall not be included when determining the number of
8 gaming positions for the purposes of the limitations contained
9 in this subsection (h). For licenses issued before the
10 effective date of this amendatory Act of the 95th General
11 Assembly, any positions operated in excess of 1,200, up to
12 2,000 positions, shall be subject to a one-time fee of \$30,000
13 per position.

14 (h-5) In addition to the 2,000 gaming positions authorized
15 by an owners license authorized under subsections (e) and
16 (e-5), a licensee may operate gaming positions that it acquires
17 pursuant to the competitive bidding process established under
18 this subsection (h-5). For each 4-year license period, a
19 licensee shall certify to the Board the total number of gaming
20 positions it will use during the license period. If a licensee
21 certifies that it will use a given number of gaming positions
22 during its license period and, in the Board's determination,
23 fails to use some or all of those gaming positions, then the
24 unused gaming positions shall become the property of the Board.
25 If a licensee certifies that it will use fewer than 2,000
26 gaming positions, then the authorized but unused gaming

1 positions shall become the property of the Board. The Board
2 shall establish, by rule, a method for licensees to
3 competitively bid for the right to use gaming positions that
4 become the property of the Board under this subsection (h-5). A
5 licensee may not bid for additional gaming positions under this
6 subsection (h-5) unless it uses all 2,000 gaming positions
7 authorized by its license.

8 (h-6) An owners licensee that obtains in excess of 1,200
9 positions, other than the owners licensee that received a
10 license under subsection (e-5) or (e-6), may conduct riverboat
11 gambling operations from a land-based facility within or
12 attached to its home dock facility or from a temporary
13 facility, as the term "temporary facility" is defined by Board
14 rule, that is attached to the licensee's home dock, with Board
15 approval. Gaming positions located in a land-based facility
16 must be located in an area that is accessible only to persons
17 who are at least 21 years of age. A licensee may not conduct
18 gambling at a land-based facility unless the admission tax
19 imposed under Section 12 has been paid for all persons who
20 enter the land-based facility. The Board shall adopt rules
21 concerning the conduct of gambling from land-based facilities,
22 including rules concerning the number of gaming positions that
23 may be located at a temporary facility.

24 (h-7) Notwithstanding any other provision in law to the
25 contrary, the Board may license minority person-owned
26 businesses or female-owned businesses to purchase a total of

1 600 positions by a process of competitive bidding. No minority
2 person-owned business or female-owned business may purchase
3 more than 50 positions. The owners of any positions acquired
4 under this subsection (h-7) may lease these positions to an
5 owners licensee. Each minority person-owned business or
6 female-owned business that purchases a position under this
7 subsection (h-7) must pay a privilege tax of 5% annually of the
8 annual lease amount of each position it owns to the Board to be
9 deposited into the State Gaming Fund. The Board shall adopt
10 rules as necessary to implement the provisions of this
11 subsection (h-7). For the purposes of this Act, these
12 additional positions shall not count toward the total number of
13 positions an owners licensee is authorized to operate under
14 this Act. For the purposes of this subsection (h-7), the terms
15 "minority person" and "female" have the meanings provided in
16 Section 2 of the Business Enterprise for Minorities, Females,
17 and Persons with Disabilities Act.

18 (h-10) The total number of gaming positions operated by an
19 owners licensee under subsection (e) or (e-5) shall not exceed
20 3,500 at one time. The total number of gaming positions
21 operated by an owners licensee under subsection (e-6) shall not
22 exceed 4,000 at one time.

23 (i) A licensed owner is authorized to apply to the Board
24 for and, if approved therefor, to receive all licenses from the
25 Board necessary for the operation of a riverboat, including a
26 liquor license, a license to prepare and serve food for human

1 consumption, and other necessary licenses. All use, occupation
2 and excise taxes which apply to the sale of food and beverages
3 in this State and all taxes imposed on the sale or use of
4 tangible personal property apply to such sales aboard the
5 riverboat or in the casino.

6 (j) The Board may issue or re-issue a license authorizing a
7 riverboat to dock in a municipality or approve a relocation
8 under Section 11.2 only if, prior to the issuance or
9 re-issuance of the license or approval, the governing body of
10 the municipality in which the riverboat will dock has by a
11 majority vote approved the docking of riverboats in the
12 municipality. The Board may issue or re-issue a license
13 authorizing a riverboat to dock in areas of a county outside
14 any municipality or approve a relocation under Section 11.2
15 only if, prior to the issuance or re-issuance of the license or
16 approval, the governing body of the county has by a majority
17 vote approved of the docking of riverboats within such areas.

18 (k) Notwithstanding any rule or statute to the contrary,
19 any licensed owner holding 3 or more owners licenses on May 31,
20 2007 may continue to hold those licenses, but may not hold any
21 more than the number of licenses held on that date.

22 (Source: P.A. 93-28, eff. 6-20-03; 93-453, eff. 8-7-03; 94-667,
23 eff. 8-23-05; 94-804, eff. 5-26-06; 095HB0025eng with sam03,
24 sam04, and sam06.)

1 Sec. 12. Admission tax; fees.

2 (a) A tax is hereby imposed upon admissions to riverboats
3 and casinos operated by licensed owners and upon admissions to
4 casinos and riverboats operated by casino operators on behalf
5 of the Authority authorized pursuant to this Act. Until July 1,
6 2002, the rate is \$2 per person admitted. From July 1, 2002
7 until July 1, 2003, the rate is \$3 per person admitted. From
8 July 1, 2003 until the effective date of this amendatory Act of
9 the 94th General Assembly, for a licensee that admitted
10 1,000,000 persons or fewer in the previous calendar year, the
11 rate is \$3 per person admitted; for a licensee that admitted
12 more than 1,000,000 but no more than 2,300,000 persons in the
13 previous calendar year, the rate is \$4 per person admitted; and
14 for a licensee that admitted more than 2,300,000 persons in the
15 previous calendar year, the rate is \$5 per person admitted.
16 Beginning on August 23, 2005 (the effective date of Public Act
17 94-673) and until the effective date of this amendatory Act of
18 the 95th General Assembly, for a licensee that admitted
19 1,000,000 persons or fewer in calendar year 2004, the rate is
20 \$2 per person admitted, and for all other licensees the rate is
21 \$3 per person admitted. Beginning on the effective date of this
22 amendatory Act of the 95th General Assembly, for a licensee
23 that conducted riverboat gambling operations in calendar year
24 2003 and (i) admitted 1,000,000 persons or fewer in the
25 calendar year 2003, the rate is \$1 per person admitted; (ii)
26 admitted more than 1,000,000 persons but fewer than 1,500,000

1 persons, the rate is \$2 per person admitted; and (iii) admitted
2 1,500,000 persons or more, the rate is \$3 per person admitted.
3 For a licensee that receives its license under subsection (e-5)
4 or (e-6) of Section 7 or that conducts riverboat gambling
5 operations pursuant to a dormant license, the rate is \$3 per
6 person admitted. This admission tax is imposed upon the
7 licensed owner conducting gambling. For the purposes of this
8 Section 12, the term "dormant license" has the meaning set
9 forth under subsection (a-3) of Section 13.

10 (1) The admission tax shall be paid for each admission,
11 except that a person who exits a riverboat gambling
12 facility or a casino and reenters that riverboat gambling
13 facility or casino within the same gaming day, as the term
14 "gaming day" is defined by the Board by rule, shall be
15 subject only to the initial admission tax. The Board shall
16 establish, by rule, a procedure to determine whether a
17 person admitted to a riverboat gambling facility or casino
18 has paid the admission tax.

19 (2) (Blank).

20 (3) An owners licensee and the Authority may issue
21 tax-free passes to actual and necessary officials and
22 employees of the licensee or other persons actually working
23 on the riverboat or in the casino.

24 (4) The number and issuance of tax-free passes is
25 subject to the rules of the Board, and a list of all
26 persons to whom the tax-free passes are issued shall be

1 filed with the Board.

2 (a-5) A fee is hereby imposed upon admissions operated by
3 licensed managers on behalf of the State pursuant to Section
4 7.3 at the rates provided in this subsection (a-5). For a
5 licensee that admitted 1,000,000 persons or fewer in the
6 previous calendar year, the rate is \$3 per person admitted; for
7 a licensee that admitted more than 1,000,000 but no more than
8 2,300,000 persons in the previous calendar year, the rate is \$4
9 per person admitted; and for a licensee that admitted more than
10 2,300,000 persons in the previous calendar year, the rate is \$5
11 per person admitted.

12 (1) The admission fee shall be paid for each admission.

13 (2) (Blank).

14 (3) The licensed manager may issue fee-free passes to
15 actual and necessary officials and employees of the manager
16 or other persons actually working on the riverboat.

17 (4) The number and issuance of fee-free passes is
18 subject to the rules of the Board, and a list of all
19 persons to whom the fee-free passes are issued shall be
20 filed with the Board.

21 (b) From the tax imposed under subsection (a) and the fee
22 imposed under subsection (a-5), a municipality shall receive
23 from the State \$1 for each person embarking on a riverboat
24 docked within the municipality or entering a casino located
25 within the municipality, and a county shall receive \$1 for each
26 person entering a casino or embarking on a riverboat docked

1 within the county but outside the boundaries of any
2 municipality. The municipality's or county's share shall be
3 collected by the Board on behalf of the State and remitted
4 quarterly by the State, subject to appropriation, to the
5 treasurer of the unit of local government for deposit in the
6 general fund. For each admission in excess of 1,500,000 in a
7 year, from the tax imposed under this Section, the county in
8 which the licensee's home dock or casino is located shall
9 receive, subject to appropriation, \$0.15, which shall be in
10 addition to any other moneys paid to the county under this
11 Section, and \$0.20 shall be paid into the Agricultural Premium
12 Fund.

13 (c) The licensed owner and the licensed casino operator
14 conducting gambling operations on behalf of the Authority shall
15 pay the entire admission tax to the Board and the licensed
16 manager shall pay the entire admission fee to the Board. Such
17 payments shall be made daily. Accompanying each payment shall
18 be a return on forms provided by the Board which shall include
19 other information regarding admissions as the Board may
20 require. Failure to submit either the payment or the return
21 within the specified time may result in suspension or
22 revocation of the owners or managers license.

23 (d) The Board shall administer and collect the admission
24 tax imposed by this Section, to the extent practicable, in a
25 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
26 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the

1 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
2 Penalty and Interest Act.

3 (Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673,
4 eff. 8-23-05; 095HB0025eng with sam03, sam04, and sam06.)

5 (230 ILCS 10/13) (from Ch. 120, par. 2413)

6 Sec. 13. Wagering tax; rate; distribution.

7 (a) Until January 1, 1998, a tax is imposed on the gross
8 gaming receipts received from gambling games authorized under
9 this Act at the rate of 20%.

10 (a-1) From January 1, 1998 until July 1, 2002, a privilege
11 tax is imposed on persons engaged in the business of conducting
12 riverboat gambling operations, based on the gross gaming
13 receipts received by a licensed owner from gambling games
14 authorized under this Act at the following rates:

15 15% of annual gross gaming receipts up to and including
16 \$25,000,000;

17 20% of annual gross gaming receipts in excess of
18 \$25,000,000 but not exceeding \$50,000,000;

19 25% of annual gross gaming receipts in excess of
20 \$50,000,000 but not exceeding \$75,000,000;

21 30% of annual gross gaming receipts in excess of
22 \$75,000,000 but not exceeding \$100,000,000;

23 35% of annual gross gaming receipts in excess of
24 \$100,000,000.

25 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax

1 is imposed on persons engaged in the business of conducting
2 riverboat gambling operations, other than licensed managers
3 conducting riverboat gambling operations on behalf of the
4 State, based on the gross gaming receipts received by a
5 licensed owner from gambling games authorized under this Act at
6 the following rates:

7 15% of annual gross gaming receipts up to and including
8 \$25,000,000;

9 22.5% of annual gross gaming receipts in excess of
10 \$25,000,000 but not exceeding \$50,000,000;

11 27.5% of annual gross gaming receipts in excess of
12 \$50,000,000 but not exceeding \$75,000,000;

13 32.5% of annual gross gaming receipts in excess of
14 \$75,000,000 but not exceeding \$100,000,000;

15 37.5% of annual gross gaming receipts in excess of
16 \$100,000,000 but not exceeding \$150,000,000;

17 45% of annual gross gaming receipts in excess of
18 \$150,000,000 but not exceeding \$200,000,000;

19 50% of annual gross gaming receipts in excess of
20 \$200,000,000.

21 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
22 persons engaged in the business of conducting riverboat
23 gambling operations, other than licensed managers conducting
24 riverboat gambling operations on behalf of the State, based on
25 the gross gaming receipts received by a licensed owner from
26 gambling games authorized under this Act at the following

1 rates:

2 15% of annual gross gaming receipts up to and including
3 \$25,000,000;

4 27.5% of annual gross gaming receipts in excess of
5 \$25,000,000 but not exceeding \$37,500,000;

6 32.5% of annual gross gaming receipts in excess of
7 \$37,500,000 but not exceeding \$50,000,000;

8 37.5% of annual gross gaming receipts in excess of
9 \$50,000,000 but not exceeding \$75,000,000;

10 45% of annual gross gaming receipts in excess of
11 \$75,000,000 but not exceeding \$100,000,000;

12 50% of annual gross gaming receipts in excess of
13 \$100,000,000 but not exceeding \$250,000,000;

14 70% of annual gross gaming receipts in excess of
15 \$250,000,000.

16 An amount equal to the amount of wagering taxes collected
17 under this subsection (a-3) that are in addition to the amount
18 of wagering taxes that would have been collected if the
19 wagering tax rates under subsection (a-2) were in effect shall
20 be paid into the Common School Fund.

21 The privilege tax imposed under this subsection (a-3) shall
22 no longer be imposed beginning on the earlier of (i) July 1,
23 2005; (ii) the first date after June 20, 2003 that riverboat
24 gambling operations are conducted pursuant to a dormant
25 license; or (iii) the first day that riverboat gambling
26 operations are conducted under the authority of an owners

1 license that is in addition to the 10 owners licenses initially
2 authorized under this Act. For the purposes of this subsection
3 (a-3), the term "dormant license" means an owners license that
4 is authorized by this Act under which no riverboat gambling
5 operations are being conducted on June 20, 2003.

6 (a-4) Beginning on the first day on which the tax imposed
7 under subsection (a-3) is no longer imposed, a privilege tax is
8 imposed on persons engaged in the business of conducting
9 riverboat gambling operations, other than licensed managers
10 conducting riverboat gambling operations on behalf of the State
11 or the Authority, based on the gross gaming receipts received
12 by a licensed owner or by the Authority from gambling games
13 (including electronic poker and positions authorized under
14 subsection (h-7) of Section 7) authorized under this Act at the
15 following rates:

16 15% of annual gross gaming receipts up to and including
17 \$25,000,000;

18 22.5% of annual gross gaming receipts in excess of
19 \$25,000,000 but not exceeding \$50,000,000;

20 27.5% of annual gross gaming receipts in excess of
21 \$50,000,000 but not exceeding \$75,000,000;

22 32.5% of annual gross gaming receipts in excess of
23 \$75,000,000 but not exceeding \$100,000,000;

24 37.5% of annual gross gaming receipts in excess of
25 \$100,000,000 but not exceeding \$150,000,000;

26 45% of annual gross gaming receipts in excess of

1 \$150,000,000 but not exceeding \$200,000,000;

2 50% of annual gross gaming receipts in excess of
3 \$200,000,000.

4 For the imposition of the privilege tax in this subsection
5 (a-4), amounts paid pursuant to subsection (a) of Section 7
6 into the Horse Racing Equity Trust Fund shall not be included
7 in the determination of annual gross gaming receipts.

8 (a-5) A privilege tax is imposed on the owners licensee of
9 the license authorized under subsection (e-6) of Section 7 at
10 the rate of 50% of annual gross gaming receipts. For the
11 imposition of the privilege tax in this subsection (a-5),
12 amounts paid pursuant to subsection (a) of Section 7 into the
13 Horse Racing Equity Trust Fund shall not be included in the
14 determination of annual gross gaming receipts.

15 (a-8) Riverboat gambling operations conducted by a
16 licensed manager on behalf of the State are not subject to the
17 tax imposed under this Section.

18 (a-10) The taxes imposed by this Section shall be paid by
19 the licensed owner, or by the casino operator on behalf of the
20 Authority in the case of a license issued to the Authority, to
21 the Board not later than 3:00 o'clock p.m. of the day after the
22 day when the wagers were made.

23 (a-15) If the privilege tax imposed under subsection (a-3)
24 is no longer imposed pursuant to item (i) of the last paragraph
25 of subsection (a-3), then by June 15 of each year, each owners
26 licensee, other than an owners licensee that admitted 1,000,000

1 persons or fewer in calendar year 2004, must, in addition to
2 the payment of all amounts otherwise due under this Section,
3 pay to the Board a reconciliation payment in the amount, if
4 any, by which the licensed owner's base amount exceeds the
5 amount of net privilege tax paid by the licensed owner to the
6 Board in the then current State fiscal year. A licensed owner's
7 net privilege tax obligation due for the balance of the State
8 fiscal year shall be reduced up to the total of the amount paid
9 by the licensed owner in its June 15 reconciliation payment.
10 The obligation imposed by this subsection (a-15) is binding on
11 any person, firm, corporation, or other entity that acquires an
12 ownership interest in any such owners license. The obligation
13 imposed under this subsection (a-15) terminates on the earliest
14 of: (i) July 1, 2007, (ii) the first day after the effective
15 date of this amendatory Act of the 94th General Assembly that
16 riverboat gambling operations are conducted pursuant to a
17 dormant license, (iii) the first day that riverboat gambling
18 operations are conducted under the authority of an owners
19 license that is in addition to the 10 owners licenses initially
20 authorized under this Act, or (iv) the first day that a
21 licensee under the Illinois Horse Racing Act of 1975 conducts
22 gaming operations with slot machines or other electronic gaming
23 devices. The Board must reduce the obligation imposed under
24 this subsection (a-15) by an amount the Board deems reasonable
25 for any of the following reasons: (A) an act or acts of God,
26 (B) an act of bioterrorism or terrorism or a bioterrorism or

1 terrorism threat that was investigated by a law enforcement
2 agency, or (C) a condition beyond the control of the owners
3 licensee that does not result from any act or omission by the
4 owners licensee or any of its agents and that poses a hazardous
5 threat to the health and safety of patrons. If an owners
6 licensee pays an amount in excess of its liability under this
7 Section, the Board shall apply the overpayment to future
8 payments required under this Section.

9 For purposes of this subsection (a-15):

10 "Act of God" means an incident caused by the operation of
11 an extraordinary force that cannot be foreseen, that cannot be
12 avoided by the exercise of due care, and for which no person
13 can be held liable.

14 "Base amount" means the following:

15 For a riverboat in Alton, \$31,000,000.

16 For a riverboat in East Peoria, \$43,000,000.

17 For the Empress riverboat in Joliet, \$86,000,000.

18 For a riverboat in Metropolis, \$45,000,000.

19 For the Harrah's riverboat in Joliet, \$114,000,000.

20 For a riverboat in Aurora, \$86,000,000.

21 For a riverboat in East St. Louis, \$48,500,000.

22 For a riverboat in Elgin, \$198,000,000.

23 "Dormant license" has the meaning ascribed to it in
24 subsection (a-3).

25 "Net privilege tax" means all privilege taxes paid by a
26 licensed owner to the Board under this Section, less all

1 payments made from the State Gaming Fund pursuant to subsection
2 (b) of this Section.

3 The changes made to this subsection (a-15) by Public Act
4 94-839 are intended to restate and clarify the intent of Public
5 Act 94-673 with respect to the amount of the payments required
6 to be made under this subsection by an owners licensee to the
7 Board.

8 (b) Until January 1, 1998, 25% of the tax revenue deposited
9 in the State Gaming Fund under this Section shall be paid,
10 subject to appropriation by the General Assembly, to the unit
11 of local government which is designated as the home dock of the
12 riverboat. Except as otherwise provided in this subsection (b),
13 beginning January 1, 1998, from the tax revenue from riverboat
14 and casino gambling deposited in the State Gaming Fund under
15 this Section, an amount equal to 5% of gross gaming receipts
16 generated by a riverboat and an amount equal to 5% of gross
17 gaming receipts generated by a casino shall be paid monthly,
18 subject to appropriation by the General Assembly, to the unit
19 of local government that is designated as the home dock of the
20 riverboat or the municipality in which the casino is located.
21 From the tax revenue deposited in the State Gaming Fund
22 pursuant to riverboat gambling operations conducted by a
23 licensed manager on behalf of the State, an amount equal to 5%
24 of gross gaming receipts generated pursuant to those riverboat
25 gambling operations shall be paid monthly, subject to
26 appropriation by the General Assembly, to the unit of local

1 government that is designated as the home dock of the riverboat
2 upon which those riverboat gambling operations are conducted.

3 (b-2) From the total amount of moneys deposited in the
4 State Gaming Fund from the issuance of licenses authorized
5 under Sections (e-5) and (e-6) of Section 7 and from any
6 additional gaming positions authorized by House Bill 25 of the
7 95th General Assembly under subsections (h) and (h-5) of
8 Section 7, (1) an amount equal to \$900,000,000 shall be
9 transferred to the FY08 Education Investment Fund for
10 operations and grants to satisfy FY08 appropriations as
11 contained in Senate Bill 1110 of the 95th General Assembly, as
12 enrolled, and (2) the remainder shall be transferred to the
13 Pay-As-You-Go Capital Fund for school construction, as defined
14 in the School Construction Law, to satisfy FY08 appropriations
15 as contained in Senate Bill 1110 of the 95th General Assembly,
16 as enrolled, and for road construction to satisfy FY08
17 appropriations as contained in Senate Bill 1110 of the 95th
18 General Assembly, as enrolled.

19 (b-5) An amount equal to 1% of the moneys in the State
20 Gaming Fund shall be paid ~~transferred~~ monthly, subject to
21 appropriation by the General Assembly, to the Depressed
22 Communities Economic Development Fund, which is created in the
23 State treasury. The Department of Commerce and Economic
24 Opportunity shall administer the Fund and use moneys in the
25 Fund to make grants in accordance with the recommendations of
26 the Depressed Communities Economic Development Board.

1 (b-10) Beginning on the effective date of this amendatory
2 Act of the 95th General Assembly, from the tax revenue from
3 electronic poker into the State Gaming Fund under this Section,
4 an amount equal to one-twelfth of \$3,000,000 shall be paid
5 monthly into the Illinois Colt Stakes Purse Distribution Fund
6 to be used for horse racing purses at the Illinois State Fair
7 and DuQuoin State Fair and for bonus programs to pay owners of
8 horses that win multiple stake races that are restricted to
9 Illinois conceived and foaled horses.

10 (b-15) Beginning on the effective date of this amendatory
11 Act of the 95th General Assembly, from the tax revenue from
12 electronic poker deposited into the State Gaming Fund under
13 this Section, an amount equal to one-twelfth of \$100,000 shall
14 be transferred monthly to the Agricultural Premium Fund to be
15 used for drug testing of horses at county fairs authorized in
16 Section 34.3 of the Illinois Horse Racing Act of 1975.

17 (c) Appropriations, as approved by the General Assembly,
18 may be made from the State Gaming Fund to the Department of
19 Revenue and the Department of State Police for the
20 administration and enforcement of this Act, or to the
21 Department of Human Services for the administration of programs
22 to treat problem gambling.

23 (c-5) (Blank).

24 (c-10) (Blank).

25 (c-15) (Blank).

26 (c-20) (Blank).

1 (c-25) (Blank).

2 (c-30) After the payments required under subsections (b),
3 (b-5), (c), and (c-25) have been made, an aggregate amount
4 equal to 3% of the gross gaming receipts of owners licensees,
5 but in no event more than \$75,000,000 in any year, shall be
6 paid monthly, subject to appropriation by the General Assembly,
7 from the State Gaming Fund into the School Infrastructure Fund
8 for the purpose of funding school construction program grants.

9 (c-33) After the payments required under subsections (b),
10 (b-5), (c), (c-25), and (c-30) have been made, an aggregate
11 amount equal to 3% of the gross gaming receipts of owners
12 licensees, but in no event more than \$75,000,000 in any year,
13 shall be paid monthly, subject to appropriation by the General
14 Assembly, from the State Gaming Fund into the School
15 Construction Fund for the purpose of funding school
16 construction program grants.

17 (c-35) After the payments required under subsections (b),
18 (b-5), (c), (c-30), and (c-33) have been made, an amount equal
19 to 1% of the gross gaming receipts from any additional gaming
20 positions authorized by House Bill 25 of the 95th General
21 Assembly under subsections (h) and (h-5) of Section 7 ~~gaming~~
22 ~~positions acquired under subsection (h-5) of Section 7~~ of an
23 owners licensee that docks on the Mississippi River, the
24 Illinois River, or the Ohio River shall be paid, subject to
25 appropriation by the General Assembly, from the State Gaming
26 Fund to qualifying municipalities within 50 miles of the home

1 dock of the riverboat. The amount paid under this subsection
2 (c-35) to each qualifying municipality shall be based on the
3 proportion that the number of persons living at or below the
4 poverty level in the qualifying municipality bears to the total
5 number of persons living at or below the poverty level in
6 qualifying municipalities that are within 50 miles of the
7 owners licensee's home dock. If 2 or more owners licensees that
8 dock on the Mississippi River, the Illinois River, or the Ohio
9 River are within 50 miles of each other, payments required
10 under this subsection (c-35) from the gross gaming receipts of
11 those owners licensees shall be commingled and paid to
12 qualifying municipalities that are within 50 miles of at least
13 one of those owners licensee's home docks. For the purposes of
14 this subsection (c-35), the term "qualifying municipality"
15 means a municipality, other than a municipality in which a
16 riverboat docks, in which the poverty rate as determined by
17 using the most recent data released by the United States Census
18 Bureau is at least 3% greater than the State poverty rate as
19 determined by using the most recent data released by the United
20 States Census Bureau.

21 For the purposes of this subsection (c-35), the gross
22 gaming receipts from the additional gaming positions
23 authorized by House Bill 25 of the 95th General Assembly under
24 subsections (h) and (h-5) of Section 7 ~~gaming positions~~
25 ~~acquired under subsection (h-5) of Section 7~~ shall be the
26 difference between the gross gaming receipts in a particular

1 month from the gross gaming receipts for the corresponding
2 month in calendar year 2006.

3 (c-40) After the payments required under subsections (b),
4 (b-5), (c), (c-30), (c-33), and (c-35) have been made, an
5 amount equal to 1% of the gross gaming receipts (i) from any
6 additional gaming positions authorized by House Bill 25 of the
7 95th General Assembly under subsections (h) and (h-5) of
8 Section 7 of the gaming positions authorized under subsection
9 (h-5) of Section 7 of an owners licensee that docks on the Fox
10 River or the Des Plaines River or (ii) of an owners licensee
11 that is authorized under subsection (e-5) of Section 7, shall
12 be paid, subject to appropriation by the General Assembly, from
13 the State Gaming Fund to qualifying municipalities within 20
14 miles of the home dock of the riverboat. The amount paid under
15 this subsection (c-40) to each qualifying municipality shall be
16 based on the proportion that the number of persons living at or
17 below the poverty level in the qualifying municipality bears to
18 the total number of persons living at or below the poverty
19 level in qualifying municipalities that are within 20 miles of
20 the owners licensee's home dock. If the home docks of 2 or more
21 owners licensees that (i) dock on the Fox River or the Des
22 Plaines River or (ii) are authorized under subsection (e-5) of
23 Section 7 are within 20 miles of each other, payments required
24 under this subsection (c-40) from the gross gaming receipts of
25 those owners licensees shall be commingled and paid to
26 qualifying municipalities that are within 20 miles of at least

1 one of those owners licensee's home docks. For the purposes of
2 this subsection (c-40), the term "qualifying municipality"
3 means a municipality, other than the City of Chicago or a
4 municipality in which a riverboat docks, in which the poverty
5 rate as determined by using the most recent data released by
6 the United States Census Bureau is at least 3% greater than the
7 State poverty rate as determined by using the most recent data
8 released by the United States Census Bureau.

9 For the purposes of this subsection (c-40), the gross
10 gaming receipts from the additional gaming positions
11 authorized by House Bill 25 of the 95th General Assembly under
12 subsections (h) and (h-5) of Section 7 ~~gaming positions~~
13 ~~acquired under subsection (h-5) of Section 7~~ shall be
14 calculated in the same manner as provided in subsection (c-35).

15 (c-45) After the payments required under subsections (b),
16 (b-5), (c), (c-30), (c-33), (c-35), and (c-40) have been made,
17 an amount equal to 1% of the gross gaming receipts of an owners
18 licensee that is authorized under subsection (e-6) of Section
19 7, shall be paid, subject to appropriation by the General
20 Assembly, from the State Gaming Fund to qualifying
21 municipalities within 10 miles of the casino. The amount paid
22 under this subsection (c-45) to each qualifying municipality
23 shall be based on the proportion that the number of persons
24 living at or below the poverty level in the qualifying
25 municipality bears to the total number of persons living at or
26 below the poverty level in qualifying municipalities that are

1 within 10 miles of the casino. For the purposes of this
2 subsection (c-45), the term "qualifying municipality" means a
3 municipality, other than the City of Chicago, a municipality in
4 which a riverboat docks, or a municipality that received
5 payment under subsection (c-35) or (c-40), in which the poverty
6 rate as determined by using the most recent data released by
7 the United States Census Bureau is at least 3% greater than the
8 State poverty rate as determined by using the most recent data
9 released by the United States Census Bureau.

10 (c-60) After the payments required under subsections (b),
11 (b-5), (c), (c-30), (c-33), (c-35), (c-40), and (c-45) have
12 been made, an amount equal to 0.93% of the gross gaming
13 receipts from owners licensees authorized under Sections
14 7(e-5) and 7(e-6), but in no case more than \$3,750,000 per
15 year, subject to appropriation by the General Assembly, shall
16 be reserved for the Board and may be used by the Board, ~~subject~~
17 ~~to appropriation,~~ for the administration and enforcement of
18 this Act. Moneys reserved for the Board under this subsection
19 (c-60) shall not be deposited into the Education Assistance
20 Fund.

21 (c-65) After the payments required under subsections (b),
22 (b-5), (c), (c-30), (c-33), (c-35), (c-40), (c-45), and (c-60)
23 have been made, an amount equal to 8% of the gross gaming
24 receipts from owners licensees authorized under Sections
25 7(e-5) and 7(e-6), but in no case more than \$200,000,000 per
26 year, shall be paid, subject to appropriation by the General

1 Assembly, transferred from the State Gaming Fund to the General
2 Obligation Bond Retirement and Interest Fund.

3 (c-70) After payments required under subsections (b),
4 (b-5), (c), (c-30), (c-33), (c-35), (c-40), (c-45), (c-60), and
5 (c-65) have been made, an amount equal to 1.5% of the gross
6 gaming receipts from owners licenses issued on or after the
7 effective date of this amendatory Act of the 95th General
8 Assembly authorizing riverboat or casino gambling in Cook
9 County shall be paid monthly, subject to appropriation by the
10 General Assembly, to Cook County.

11 (c-75) After payments required under subsections (b),
12 (b-5), (c), (c-30), (c-33), (c-35), (c-40), (c-45), (c-60),
13 (c-65), and (c-70) have been made, an amount equal to 1% of the
14 gross gaming receipts from owners licenses issued on or after
15 the effective date of this amendatory Act of the 95th General
16 Assembly authorizing riverboat gambling in Cook County shall be
17 paid monthly, subject to appropriation by the General Assembly,
18 to the Chicago Convention and Tourism Bureau.

19 (c-80) After payments required under subsections (b),
20 (b-5), (c), (c-30), (c-33), (c-35), (c-40), (c-45), (c-60),
21 (c-65), (c-70), and (c-75) have been made, an amount equal to
22 2% of the gross gaming receipts from owners licenses issued on
23 or after the effective date of this amendatory Act of the 95th
24 General Assembly and 2% of the gross gaming receipts from any
25 additional gaming positions authorized by House Bill 25 of the
26 95th General Assembly under subsections (h) and (h-5) of

1 ~~Section 7 the gaming positions acquired under subsection (h-5)~~
2 ~~of Section 7~~ by owners licensees whose license was issued
3 before the effective date of this amendatory Act, shall be paid
4 monthly, subject to appropriation by the General Assembly, and
5 shall be divided equally among the following public
6 universities: Chicago State University, Eastern Illinois
7 University, Governors State University, Northeastern Illinois
8 University, Illinois State University, Northern Illinois
9 University, Southern Illinois University, the University of
10 Illinois, and Western Illinois University. For the purposes of
11 this subsection (c-80), the gross gaming receipts from the
12 gaming positions acquired under subsection (h-5) shall be
13 calculated in the same manner as provided in subsection (c-35).

14 (c-90) After the payments required under subsections (b),
15 (b-5), (c), (c-30), (c-33), (c-35), (c-40), (c-45), (c-60),
16 (c-70), (c-75), and (c-80) have been made, the remainder of the
17 gross gaming receipts from owners licensees authorized under
18 Sections 7(e-5) and 7(e-6) shall be paid, subject to
19 appropriation by the General Assembly, ~~transferred~~ from the
20 State Gaming Fund to the General Revenue Fund.

21 (d) From time to time, the Board shall transfer the
22 remainder of the funds generated by this Act into the Education
23 Assistance Fund, created by Public Act 86-0018, of the State of
24 Illinois.

25 (e) Nothing in this Act shall prohibit the unit of local
26 government designated as the home dock of the riverboat, or the

1 municipality in which the casino is located, from entering into
2 agreements with other units of local government in this State
3 or in other states to share its portion of the tax revenue.

4 (f) To the extent practicable, the Board shall administer
5 and collect the wagering taxes imposed by this Section in a
6 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
7 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
8 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
9 Penalty and Interest Act.

10 (Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673,
11 eff. 8-23-05; 94-804, eff. 5-26-06; 94-839, eff. 6-6-06;
12 095HB0025eng with sam03, sam04, and sam06.)

13 Section 5-25. The Illinois Public Aid Code is amended by
14 changing Section 5A-8 as follows:

15 (305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)

16 Sec. 5A-8. Hospital Provider Fund.

17 (a) There is created in the State Treasury the Hospital
18 Provider Fund. Interest earned by the Fund shall be credited to
19 the Fund. The Fund shall not be used to replace any moneys
20 appropriated to the Medicaid program by the General Assembly.

21 (b) The Fund is created for the purpose of receiving moneys
22 in accordance with Section 5A-6 and disbursing moneys only for
23 the following purposes, notwithstanding any other provision of
24 law:

1 (1) For making payments to hospitals as required under
2 Articles V, VI, and XIV of this Code and under the
3 Children's Health Insurance Program Act.

4 (2) For the reimbursement of moneys collected by the
5 Illinois Department from hospitals or hospital providers
6 through error or mistake in performing the activities
7 authorized under this Article and Article V of this Code.

8 (3) For payment of administrative expenses incurred by
9 the Illinois Department or its agent in performing the
10 activities authorized by this Article.

11 (4) For payments of any amounts which are reimbursable
12 to the federal government for payments from this Fund which
13 are required to be paid by State warrant.

14 (5) For making transfers, as those transfers are
15 authorized in the proceedings authorizing debt under the
16 Short Term Borrowing Act, but transfers made under this
17 paragraph (5) shall not exceed the principal amount of debt
18 issued in anticipation of the receipt by the State of
19 moneys to be deposited into the Fund.

20 (6) For making transfers to any other fund in the State
21 treasury, but transfers made under this paragraph (6) shall
22 not exceed the amount transferred previously from that
23 other fund into the Hospital Provider Fund.

24 (7) For State fiscal years 2004 and 2005 for making
25 transfers to the Health and Human Services Medicaid Trust
26 Fund, including 20% of the moneys received from hospital

1 providers under Section 5A-4 and transferred into the
 2 Hospital Provider Fund under Section 5A-6. For State fiscal
 3 year 2006 for making transfers to the Health and Human
 4 Services Medicaid Trust Fund of up to \$130,000,000 per year
 5 of the moneys received from hospital providers under
 6 Section 5A-4 and transferred into the Hospital Provider
 7 Fund under Section 5A-6. Transfers under this paragraph
 8 shall be made within 7 days after the payments have been
 9 received pursuant to the schedule of payments provided in
 10 subsection (a) of Section 5A-4.

11 (7.5) For State fiscal years 2007 and 2008 for making
 12 transfers of the moneys received from hospital providers
 13 under Section 5A-4 and transferred into the Hospital
 14 Provider Fund under Section 5A-6 to the designated funds
 15 ~~not exceeding~~ the following amounts in aggregate during
 16 that period of time in any State fiscal year:

17 Health and Human Services

18 Medicaid Trust Fund	<u>\$60,000,000</u>	\$20,000,000
19 Long-Term Care Provider Fund	<u>\$90,000,000</u>	\$30,000,000
20 General Revenue Fund	<u>\$240,000,000</u>	\$80,000,000.

21 Transfers under this paragraph shall be made within 7
 22 days after the payments have been received pursuant to the
 23 schedule of payments provided in subsection (a) of Section
 24 5A-4.

25 (8) For making refunds to hospital providers pursuant
 26 to Section 5A-10.

1 Disbursements from the Fund, other than transfers
2 authorized under paragraphs (5) and (6) of this subsection,
3 shall be by warrants drawn by the State Comptroller upon
4 receipt of vouchers duly executed and certified by the Illinois
5 Department.

6 (c) The Fund shall consist of the following:

7 (1) All moneys collected or received by the Illinois
8 Department from the hospital provider assessment imposed
9 by this Article.

10 (2) All federal matching funds received by the Illinois
11 Department as a result of expenditures made by the Illinois
12 Department that are attributable to moneys deposited in the
13 Fund.

14 (3) Any interest or penalty levied in conjunction with
15 the administration of this Article.

16 (4) Moneys transferred from another fund in the State
17 treasury.

18 (5) All other moneys received for the Fund from any
19 other source, including interest earned thereon.

20 (d) (Blank).

21 (Source: P.A. 93-659, eff. 2-3-04; 94-242, eff. 7-18-05;
22 94-839, eff. 6-6-06.)

23 Section 5-30. The Illinois Affordable Housing Act is
24 amended by changing Section 8 as follows:

1 (310 ILCS 65/8) (from Ch. 67 1/2, par. 1258)

2 Sec. 8. Uses of Trust Fund.

3 (a) Subject to annual appropriation to the Funding Agent
4 and subject to the prior dedication, allocation, transfer and
5 use of Trust Fund Moneys as provided in Sections 8(b), 8(c) and
6 9 of this Act, the Trust Fund may be used to make grants,
7 mortgages, or other loans to acquire, construct, rehabilitate,
8 develop, operate, insure, and retain affordable single-family
9 and multi-family housing in this State for low-income and very
10 low-income households. The majority of monies appropriated to
11 the Trust Fund in any given year are to be used for affordable
12 housing for very low-income households. For the fiscal years
13 2007 and 2008 ~~year beginning July 1, 2006~~ only, the Department
14 of Human Services is authorized to receive appropriations and
15 spend moneys from the Illinois Affordable Housing Trust Fund
16 for the purpose of developing and coordinating public and
17 private resources targeted to meet the affordable housing needs
18 of low-income, very low-income, and special needs households in
19 the State of Illinois.

20 (b) For each fiscal year commencing with fiscal year 1994,
21 the Program Administrator shall certify from time to time to
22 the Funding Agent, the Comptroller and the State Treasurer
23 amounts, up to an aggregate in any fiscal year of \$10,000,000,
24 of Trust Fund Moneys expected to be used or pledged by the
25 Program Administrator during the fiscal year for the purposes
26 and uses specified in Sections 8(c) and 9 of this Act. Subject

1 to annual appropriation, upon receipt of such certification,
2 the Funding Agent and the Comptroller shall dedicate and the
3 State Treasurer shall transfer not less often than monthly to
4 the Program Administrator or its designated payee, without
5 requisition or further request therefor, all amounts
6 accumulated in the Trust Fund within the State Treasury and not
7 already transferred to the Loan Commitment Account prior to the
8 Funding Agent's receipt of such certification, until the
9 Program Administrator has received the aggregate amount
10 certified by the Program Administrator, to be used solely for
11 the purposes and uses authorized and provided in Sections 8(c)
12 and 9 of this Act. Neither the Comptroller nor the Treasurer
13 shall transfer, dedicate or allocate any of the Trust Fund
14 Moneys transferred or certified for transfer by the Program
15 Administrator as provided above to any other fund, nor shall
16 the Governor authorize any such transfer, dedication or
17 allocation, nor shall any of the Trust Fund Moneys so
18 dedicated, allocated or transferred be used, temporarily or
19 otherwise, for interfund borrowing, or be otherwise used or
20 appropriated, except as expressly authorized and provided in
21 Sections 8(c) and 9 of this Act for the purposes and subject to
22 the priorities, limitations and conditions provided for
23 therein until such obligations, uses and dedications as therein
24 provided, have been satisfied.

25 (c) Notwithstanding Section 5(b) of this Act, any Trust
26 Fund Moneys transferred to the Program Administrator pursuant

1 to Section 8(b) of this Act, or otherwise obtained, paid to or
2 held by or for the Program Administrator, or pledged pursuant
3 to resolution of the Program Administrator, for Affordable
4 Housing Program Trust Fund Bonds or Notes under the Illinois
5 Housing Development Act, and all proceeds, payments and
6 receipts from investments or use of such moneys, including any
7 residual or additional funds or moneys generated or obtained in
8 connection with any of the foregoing, may be held, pledged,
9 applied or dedicated by the Program Administrator as follows:

10 (1) as required by the terms of any pledge of or
11 resolution of the Program Administrator authorized under
12 Section 9 of this Act in connection with Affordable Housing
13 Program Trust Fund Bonds or Notes issued pursuant to the
14 Illinois Housing Development Act;

15 (2) to or for costs of issuance and administration and
16 the payments of any principal, interest, premium or other
17 amounts or expenses incurred or accrued in connection with
18 Affordable Housing Program Trust Fund Bonds or Notes,
19 including rate protection contracts and credit support
20 arrangements pertaining thereto, and, provided such
21 expenses, fees and charges are obligations, whether
22 recourse or nonrecourse, and whether financed with or paid
23 from the proceeds of Affordable Housing Program Trust Fund
24 Bonds or Notes, of the developers, mortgagors or other
25 users, the Program Administrator's expenses and servicing,
26 administration and origination fees and charges in

1 connection with any loans, mortgages, or developments
2 funded or financed or expected to be funded or financed, in
3 whole or in part, from the issuance of Affordable Housing
4 Program Trust Fund Bonds or Notes;

5 (3) to or for costs of issuance and administration and
6 the payments of principal, interest, premium, loan fees,
7 and other amounts or other obligations of the Program
8 Administrator, including rate protection contracts and
9 credit support arrangements pertaining thereto, for loans,
10 commercial paper or other notes or bonds issued by the
11 Program Administrator pursuant to the Illinois Housing
12 Development Act, provided that the proceeds of such loans,
13 commercial paper or other notes or bonds are paid or
14 expended in connection with, or refund or repay, loans,
15 commercial paper or other notes or bonds issued or made in
16 connection with bridge loans or loans for the construction,
17 renovation, redevelopment, restructuring, reorganization
18 of Affordable Housing and related expenses, including
19 development costs, technical assistance, or other amounts
20 to construct, preserve, improve, renovate, rehabilitate,
21 refinance, or assist Affordable Housing, including
22 financially troubled Affordable Housing, permanent or
23 other financing for which has been funded or financed or is
24 expected to be funded or financed in whole or in part by
25 the Program Administrator through the issuance of or use of
26 proceeds from Affordable Housing Program Trust Fund Bonds

1 or Notes;

2 (4) to or for direct expenditures or reimbursement for
3 development costs, technical assistance, or other amounts
4 to construct, preserve, improve, renovate, rehabilitate,
5 refinance, or assist Affordable Housing, including
6 financially troubled Affordable Housing, permanent or
7 other financing for which has been funded or financed or is
8 expected to be funded or financed in whole or in part by
9 the Program Administrator through the issuance of or use of
10 proceeds from Affordable Housing Program Trust Fund Bonds
11 or Notes; and

12 (5) for deposit into any residual, sinking, reserve or
13 revolving fund or pool established by the Program
14 Administrator, whether or not pledged to secure Affordable
15 Housing Program Trust Fund Bonds or Notes, to support or be
16 utilized for the issuance, redemption, or payment of the
17 principal, interest, premium or other amounts payable on or
18 with respect to any existing, additional or future
19 Affordable Housing Program Trust Fund Bonds or Notes, or to
20 or for any other expenditure authorized by this Section
21 8(c).

22 (d) All or a portion of the Trust Fund Moneys on deposit or
23 to be deposited in the Trust Fund not already certified for
24 transfer or transferred to the Program Administrator pursuant
25 to Section 8(b) of this Act may be used to secure the repayment
26 of Affordable Housing Program Trust Fund Bonds or Notes, or

1 otherwise to supplement or support Affordable Housing funded or
2 financed or intended to be funded or financed, in whole or in
3 part, by Affordable Housing Program Trust Fund Bonds or Notes.

4 (e) Assisted housing may include housing for special needs
5 populations such as the homeless, single-parent families, the
6 elderly, or the physically and mentally disabled. The Trust
7 Fund shall be used to implement a demonstration congregate
8 housing project for any such special needs population.

9 (f) Grants from the Trust Fund may include, but are not
10 limited to, rental assistance and security deposit subsidies
11 for low and very low-income households.

12 (g) The Trust Fund may be used to pay actual and reasonable
13 costs for Commission members to attend Commission meetings, and
14 any litigation costs and expenses, including legal fees,
15 incurred by the Program Administrator in any litigation related
16 to this Act or its action as Program Administrator.

17 (h) The Trust Fund may be used to make grants for (1) the
18 provision of technical assistance, (2) outreach, and (3)
19 building an organization's capacity to develop affordable
20 housing projects.

21 (i) Amounts on deposit in the Trust Fund may be used to
22 reimburse the Program Administrator and the Funding Agent for
23 costs incurred in the performance of their duties under this
24 Act, excluding costs and fees of the Program Administrator
25 associated with the Program Escrow to the extent withheld
26 pursuant to paragraph (8) of subsection (b) of Section 5.

1 (Source: P.A. 94-839, eff. 6-6-06.)

2 Section 5-35. The Pretrial Services Act is amended by
3 changing Section 33 as follows:

4 (725 ILCS 185/33) (from Ch. 38, par. 333)

5 Sec. 33. The Supreme Court shall pay from funds
6 appropriated to it for this purpose 100% of all approved costs
7 for pretrial services, including pretrial services officers,
8 necessary support personnel, travel costs reasonably related
9 to the delivery of pretrial services, space costs, equipment,
10 telecommunications, postage, commodities, printing and
11 contractual services. Costs shall be reimbursed monthly, based
12 on a plan and budget approved by the Supreme Court. No
13 department may be reimbursed for costs which exceed or are not
14 provided for in the approved plan and budget. For State fiscal
15 years 2004, 2005, ~~and~~ 2006, ~~and~~ 2007, and 2008 only, the
16 Mandatory Arbitration Fund may be used to reimburse approved
17 costs for pretrial services.

18 (Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91,
19 eff. 7-1-05; 94-839, eff. 6-6-06; revised 8-3-06.)

20 Section 5-40. The Probation and Probation Officers Act is
21 amended by changing Sections 15 and 15.1 as follows:

22 (730 ILCS 110/15) (from Ch. 38, par. 204-7)

1 Sec. 15. (1) The Supreme Court of Illinois may establish a
2 Division of Probation Services whose purpose shall be the
3 development, establishment, promulgation, and enforcement of
4 uniform standards for probation services in this State, and to
5 otherwise carry out the intent of this Act. The Division may:

6 (a) establish qualifications for chief probation
7 officers and other probation and court services personnel
8 as to hiring, promotion, and training.

9 (b) make available, on a timely basis, lists of those
10 applicants whose qualifications meet the regulations
11 referred to herein, including on said lists all candidates
12 found qualified.

13 (c) establish a means of verifying the conditions for
14 reimbursement under this Act and develop criteria for
15 approved costs for reimbursement.

16 (d) develop standards and approve employee
17 compensation schedules for probation and court services
18 departments.

19 (e) employ sufficient personnel in the Division to
20 carry out the functions of the Division.

21 (f) establish a system of training and establish
22 standards for personnel orientation and training.

23 (g) develop standards for a system of record keeping
24 for cases and programs, gather statistics, establish a
25 system of uniform forms, and develop research for planning
26 of Probation Services.

1 (h) develop standards to assure adequate support
2 personnel, office space, equipment and supplies, travel
3 expenses, and other essential items necessary for
4 Probation and Court Services Departments to carry out their
5 duties.

6 (i) review and approve annual plans submitted by
7 Probation and Court Services Departments.

8 (j) monitor and evaluate all programs operated by
9 Probation and Court Services Departments, and may include
10 in the program evaluation criteria such factors as the
11 percentage of Probation sentences for felons convicted of
12 Probationable offenses.

13 (k) seek the cooperation of local and State government
14 and private agencies to improve the quality of probation
15 and court services.

16 (l) where appropriate, establish programs and
17 corresponding standards designed to generally improve the
18 quality of probation and court services and reduce the rate
19 of adult or juvenile offenders committed to the Department
20 of Corrections.

21 (m) establish such other standards and regulations and
22 do all acts necessary to carry out the intent and purposes
23 of this Act.

24 The Division shall establish a model list of structured
25 intermediate sanctions that may be imposed by a probation
26 agency for violations of terms and conditions of a sentence of

1 probation, conditional discharge, or supervision.

2 The State of Illinois shall provide for the costs of
3 personnel, travel, equipment, telecommunications, postage,
4 commodities, printing, space, contractual services and other
5 related costs necessary to carry out the intent of this Act.

6 (2) (a) The chief judge of each circuit shall provide
7 full-time probation services for all counties within the
8 circuit, in a manner consistent with the annual probation plan,
9 the standards, policies, and regulations established by the
10 Supreme Court. A probation district of two or more counties
11 within a circuit may be created for the purposes of providing
12 full-time probation services. Every county or group of counties
13 within a circuit shall maintain a probation department which
14 shall be under the authority of the Chief Judge of the circuit
15 or some other judge designated by the Chief Judge. The Chief
16 Judge, through the Probation and Court Services Department
17 shall submit annual plans to the Division for probation and
18 related services.

19 (b) The Chief Judge of each circuit shall appoint the Chief
20 Probation Officer and all other probation officers for his or
21 her circuit from lists of qualified applicants supplied by the
22 Supreme Court. Candidates for chief managing officer and other
23 probation officer positions must apply with both the Chief
24 Judge of the circuit and the Supreme Court.

25 (3) A Probation and Court Service Department shall apply to
26 the Supreme Court for funds for basic services, and may apply

1 for funds for new and expanded programs or Individualized
2 Services and Programs. Costs shall be reimbursed monthly based
3 on a plan and budget approved by the Supreme Court. No
4 Department may be reimbursed for costs which exceed or are not
5 provided for in the approved annual plan and budget. After the
6 effective date of this amendatory Act of 1985, each county must
7 provide basic services in accordance with the annual plan and
8 standards created by the division. No department may receive
9 funds for new or expanded programs or individualized services
10 and programs unless they are in compliance with standards as
11 enumerated in paragraph (h) of subsection (1) of this Section,
12 the annual plan, and standards for basic services.

13 (4) The Division shall reimburse the county or counties for
14 probation services as follows:

15 (a) 100% of the salary of all chief managing officers
16 designated as such by the Chief Judge and the division.

17 (b) 100% of the salary for all probation officer and
18 supervisor positions approved for reimbursement by the
19 division after April 1, 1984, to meet workload standards
20 and to implement intensive sanction and probation
21 supervision programs and other basic services as defined in
22 this Act.

23 (c) 100% of the salary for all secure detention
24 personnel and non-secure group home personnel approved for
25 reimbursement after December 1, 1990. For all such
26 positions approved for reimbursement before December 1,

1 1990, the counties shall be reimbursed \$1,250 per month
2 beginning July 1, 1995, and an additional \$250 per month
3 beginning each July 1st thereafter until the positions
4 receive 100% salary reimbursement. Allocation of such
5 positions will be based on comparative need considering
6 capacity, staff/resident ratio, physical plant and
7 program.

8 (d) \$1,000 per month for salaries for the remaining
9 probation officer positions engaged in basic services and
10 new or expanded services. All such positions shall be
11 approved by the division in accordance with this Act and
12 division standards.

13 (e) 100% of the travel expenses in accordance with
14 Division standards for all Probation positions approved
15 under paragraph (b) of subsection 4 of this Section.

16 (f) If the amount of funds reimbursed to the county
17 under paragraphs (a) through (e) of subsection 4 of this
18 Section on an annual basis is less than the amount the
19 county had received during the 12 month period immediately
20 prior to the effective date of this amendatory Act of 1985,
21 then the Division shall reimburse the amount of the
22 difference to the county. The effect of paragraph (b) of
23 subsection 7 of this Section shall be considered in
24 implementing this supplemental reimbursement provision.

25 (5) The Division shall provide funds beginning on April 1,
26 1987 for the counties to provide Individualized Services and

1 Programs as provided in Section 16 of this Act.

2 (6) A Probation and Court Services Department in order to
3 be eligible for the reimbursement must submit to the Supreme
4 Court an application containing such information and in such a
5 form and by such dates as the Supreme Court may require.
6 Departments to be eligible for funding must satisfy the
7 following conditions:

8 (a) The Department shall have on file with the Supreme
9 Court an annual Probation plan for continuing, improved,
10 and new Probation and Court Services Programs approved by
11 the Supreme Court or its designee. This plan shall indicate
12 the manner in which Probation and Court Services will be
13 delivered and improved, consistent with the minimum
14 standards and regulations for Probation and Court
15 Services, as established by the Supreme Court. In counties
16 with more than one Probation and Court Services Department
17 eligible to receive funds, all Departments within that
18 county must submit plans which are approved by the Supreme
19 Court.

20 (b) The annual probation plan shall seek to generally
21 improve the quality of probation services and to reduce the
22 commitment of adult offenders to the Department of
23 Corrections and to reduce the commitment of juvenile
24 offenders to the Department of Juvenile Justice and shall
25 require, when appropriate, coordination with the
26 Department of Corrections, the Department of Juvenile

1 Justice, and the Department of Children and Family Services
2 in the development and use of community resources,
3 information systems, case review and permanency planning
4 systems to avoid the duplication of services.

5 (c) The Department shall be in compliance with
6 standards developed by the Supreme Court for basic, new and
7 expanded services, training, personnel hiring and
8 promotion.

9 (d) The Department shall in its annual plan indicate
10 the manner in which it will support the rights of crime
11 victims and in which manner it will implement Article I,
12 Section 8.1 of the Illinois Constitution and in what manner
13 it will coordinate crime victims' support services with
14 other criminal justice agencies within its jurisdiction,
15 including but not limited to, the State's Attorney, the
16 Sheriff and any municipal police department.

17 (7) No statement shall be verified by the Supreme Court or
18 its designee or vouchered by the Comptroller unless each of the
19 following conditions have been met:

20 (a) The probation officer is a full-time employee
21 appointed by the Chief Judge to provide probation services.

22 (b) The probation officer, in order to be eligible for
23 State reimbursement, is receiving a salary of at least
24 \$17,000 per year.

25 (c) The probation officer is appointed or was
26 reappointed in accordance with minimum qualifications or

1 criteria established by the Supreme Court; however, all
2 probation officers appointed prior to January 1, 1978,
3 shall be exempted from the minimum requirements
4 established by the Supreme Court. Payments shall be made to
5 counties employing these exempted probation officers as
6 long as they are employed in the position held on the
7 effective date of this amendatory Act of 1985. Promotions
8 shall be governed by minimum qualifications established by
9 the Supreme Court.

10 (d) The Department has an established compensation
11 schedule approved by the Supreme Court. The compensation
12 schedule shall include salary ranges with necessary
13 increments to compensate each employee. The increments
14 shall, within the salary ranges, be based on such factors
15 as bona fide occupational qualifications, performance, and
16 length of service. Each position in the Department shall be
17 placed on the compensation schedule according to job duties
18 and responsibilities of such position. The policy and
19 procedures of the compensation schedule shall be made
20 available to each employee.

21 (8) In order to obtain full reimbursement of all approved
22 costs, each Department must continue to employ at least the
23 same number of probation officers and probation managers as
24 were authorized for employment for the fiscal year which
25 includes January 1, 1985. This number shall be designated as
26 the base amount of the Department. No positions approved by the

1 Division under paragraph (b) of subsection 4 will be included
2 in the base amount. In the event that the Department employs
3 fewer Probation officers and Probation managers than the base
4 amount for a period of 90 days, funding received by the
5 Department under subsection 4 of this Section may be reduced on
6 a monthly basis by the amount of the current salaries of any
7 positions below the base amount.

8 (9) Before the 15th day of each month, the treasurer of any
9 county which has a Probation and Court Services Department, or
10 the treasurer of the most populous county, in the case of a
11 Probation or Court Services Department funded by more than one
12 county, shall submit an itemized statement of all approved
13 costs incurred in the delivery of Basic Probation and Court
14 Services under this Act to the Supreme Court. The treasurer may
15 also submit an itemized statement of all approved costs
16 incurred in the delivery of new and expanded Probation and
17 Court Services as well as Individualized Services and Programs.
18 The Supreme Court or its designee shall verify compliance with
19 this Section and shall examine and audit the monthly statement
20 and, upon finding them to be correct, shall forward them to the
21 Comptroller for payment to the county treasurer. In the case of
22 payment to a treasurer of a county which is the most populous
23 of counties sharing the salary and expenses of a Probation and
24 Court Services Department, the treasurer shall divide the money
25 between the counties in a manner that reflects each county's
26 share of the cost incurred by the Department.

1 (10) The county treasurer must certify that funds received
2 under this Section shall be used solely to maintain and improve
3 Probation and Court Services. The county or circuit shall
4 remain in compliance with all standards, policies and
5 regulations established by the Supreme Court. If at any time
6 the Supreme Court determines that a county or circuit is not in
7 compliance, the Supreme Court shall immediately notify the
8 Chief Judge, county board chairman and the Director of Court
9 Services Chief Probation Officer. If after 90 days of written
10 notice the noncompliance still exists, the Supreme Court shall
11 be required to reduce the amount of monthly reimbursement by
12 10%. An additional 10% reduction of monthly reimbursement shall
13 occur for each consecutive month of noncompliance. Except as
14 provided in subsection 5 of Section 15, funding to counties
15 shall commence on April 1, 1986. Funds received under this Act
16 shall be used to provide for Probation Department expenses
17 including those required under Section 13 of this Act. For
18 State fiscal years 2004, 2005, 2006, ~~and~~ 2007, and 2008 only,
19 the Mandatory Arbitration Fund may be used to provide for
20 Probation Department expenses, including those required under
21 Section 13 of this Act.

22 (11) The respective counties shall be responsible for
23 capital and space costs, fringe benefits, clerical costs,
24 equipment, telecommunications, postage, commodities and
25 printing.

26 (12) For purposes of this Act only, probation officers

1 shall be considered peace officers. In the exercise of their
2 official duties, probation officers, sheriffs, and police
3 officers may, anywhere within the State, arrest any probationer
4 who is in violation of any of the conditions of his or her
5 probation, conditional discharge, or supervision, and it shall
6 be the duty of the officer making the arrest to take the
7 probationer before the Court having jurisdiction over the
8 probationer for further order.

9 (Source: P.A. 93-25, eff. 6-20-03; 93-576, eff. 1-1-04; 93-839,
10 eff. 7-30-04; 94-91, eff. 7-1-05; 94-696, eff. 6-1-06; 94-839,
11 eff. 6-6-06.)

12 (730 ILCS 110/15.1) (from Ch. 38, par. 204-7.1)

13 Sec. 15.1. Probation and Court Services Fund.

14 (a) The county treasurer in each county shall establish a
15 probation and court services fund consisting of fees collected
16 pursuant to subsection (i) of Section 5-6-3 and subsection (i)
17 of Section 5-6-3.1 of the Unified Code of Corrections,
18 subsection (10) of Section 5-615 and subsection (5) of Section
19 5-715 of the Juvenile Court Act of 1987, and paragraph 14.3 of
20 subsection (b) of Section 110-10 of the Code of Criminal
21 Procedure of 1963. The county treasurer shall disburse monies
22 from the fund only at the direction of the chief judge of the
23 circuit court in such circuit where the county is located. The
24 county treasurer of each county shall, on or before January 10
25 of each year, submit an annual report to the Supreme Court.

1 (b) Monies in the probation and court services fund shall
2 be appropriated by the county board to be used within the
3 county or jurisdiction where collected in accordance with
4 policies and guidelines approved by the Supreme Court for the
5 costs of operating the probation and court services department
6 or departments; however, except as provided in subparagraph
7 (g), monies in the probation and court services fund shall not
8 be used for the payment of salaries of probation and court
9 services personnel.

10 (c) Monies expended from the probation and court services
11 fund shall be used to supplement, not supplant, county
12 appropriations for probation and court services.

13 (d) Interest earned on monies deposited in a probation and
14 court services fund may be used by the county for its ordinary
15 and contingent expenditures.

16 (e) The county board may appropriate moneys from the
17 probation and court services fund, upon the direction of the
18 chief judge, to support programs that are part of the continuum
19 of juvenile delinquency intervention programs which are or may
20 be developed within the county. The grants from the probation
21 and court services fund shall be for no more than one year and
22 may be used for any expenses attributable to the program
23 including administration and oversight of the program by the
24 probation department.

25 (f) The county board may appropriate moneys from the
26 probation and court services fund, upon the direction of the

1 chief judge, to support practices endorsed or required under
2 the Sex Offender Management Board Act, including but not
3 limited to sex offender evaluation, treatment, and monitoring
4 programs that are or may be developed within the county.

5 (g) For the State Fiscal Years 2005, 2006, ~~and 2007,~~ and
6 2008 only, the Administrative Office of the Illinois Courts may
7 permit a county or circuit to use its probation and court
8 services fund for the payment of salaries of probation officers
9 and other court services personnel whose salaries are
10 reimbursed under this Act if the State's FY2005, FY2006, ~~or~~
11 FY2007, or FY 2008 appropriation to the Supreme Court for
12 reimbursement to counties for probation salaries and services
13 is less than the amount appropriated to the Supreme Court for
14 these purposes for State Fiscal Year 2004. The Administrative
15 Office of the Illinois Courts shall take into account each
16 county's or circuit's probation fee collections and
17 expenditures when apportioning the total reimbursement for
18 each county or circuit.

19 (Source: P.A. 93-616, eff. 1-1-04; 93-839, eff. 7-30-04; 94-91,
20 eff. 7-1-05; 94-839, eff. 6-6-06.)

21 Section 5-45. The Code of Civil Procedure is amended by
22 changing Section 2-1009A as follows:

23 (735 ILCS 5/2-1009A) (from Ch. 110, par. 2-1009A)

24 Sec. 2-1009A. Filing Fees. In each county authorized by the

1 Supreme Court to utilize mandatory arbitration, the clerk of
2 the circuit court shall charge and collect, in addition to any
3 other fees, an arbitration fee of \$8, except in counties with
4 3,000,000 or more inhabitants the fee shall be \$10, at the time
5 of filing the first pleading, paper or other appearance filed
6 by each party in all civil cases, but no additional fee shall
7 be required if more than one party is represented in a single
8 pleading, paper or other appearance. Arbitration fees received
9 by the clerk of the circuit court pursuant to this Section
10 shall be remitted within one month after receipt to the State
11 Treasurer for deposit into the Mandatory Arbitration Fund, a
12 special fund in the State treasury for the purpose of funding
13 mandatory arbitration programs and such other alternative
14 dispute resolution programs as may be authorized by circuit
15 court rule for operation in counties that have implemented
16 mandatory arbitration, with a separate account being
17 maintained for each county. Notwithstanding any other
18 provision of this Section to the contrary, and for State fiscal
19 years 2004, 2005, 2006, ~~and~~ 2007, and 2008 only, the Mandatory
20 Arbitration Fund may be used for any other purpose authorized
21 by the Supreme Court.

22 (Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91,
23 eff. 7-1-05; 94-839, eff. 6-6-06.)

1 Section 99-99. Effective date. This Act takes effect upon
2 becoming law.".