



Adopted in House Comm. on Mar 11, 2009

09600HB2664ham001

LRB096 11412 RLC 23435 a

1 AMENDMENT TO HOUSE BILL 2664

2 AMENDMENT NO. _____. Amend House Bill 2664 on page 1, line
3 4, by inserting "changing Section 8h and by" after "by"; and

4 on page 1, by inserting immediately below line 7 the following:

5 "(30 ILCS 105/8h)

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

7 (a) Except as otherwise provided in this Section and
8 Section 8n of this Act, and notwithstanding any other State law
9 to the contrary, the Governor may, through June 30, 2007, from
10 time to time direct the State Treasurer and Comptroller to
11 transfer a specified sum from any fund held by the State
12 Treasurer to the General Revenue Fund in order to help defray
13 the State's operating costs for the fiscal year. The total
14 transfer under this Section from any fund in any fiscal year
15 shall not exceed the lesser of (i) 8% of the revenues to be
16 deposited into the fund during that fiscal year or (ii) an

1 amount that leaves a remaining fund balance of 25% of the July
2 1 fund balance of that fiscal year. In fiscal year 2005 only,
3 prior to calculating the July 1, 2004 final balances, the
4 Governor may calculate and direct the State Treasurer with the
5 Comptroller to transfer additional amounts determined by
6 applying the formula authorized in Public Act 93-839 to the
7 funds balances on July 1, 2003. No transfer may be made from a
8 fund under this Section that would have the effect of reducing
9 the available balance in the fund to an amount less than the
10 amount remaining unexpended and unreserved from the total
11 appropriation from that fund estimated to be expended for that
12 fiscal year. This Section does not apply to any funds that are
13 restricted by federal law to a specific use, to any funds in
14 the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the
15 Hospital Provider Fund, the Medicaid Provider Relief Fund, the
16 Teacher Health Insurance Security Fund, the Reviewing Court
17 Alternative Dispute Resolution Fund, the Voters' Guide Fund,
18 the Foreign Language Interpreter Fund, the Lawyers' Assistance
19 Program Fund, the Supreme Court Federal Projects Fund, the
20 Supreme Court Special State Projects Fund, the Supplemental
21 Low-Income Energy Assistance Fund, the Good Samaritan Energy
22 Trust Fund, the Low-Level Radioactive Waste Facility
23 Development and Operation Fund, the Horse Racing Equity Trust
24 Fund, the Metabolic Screening and Treatment Fund, or the
25 Hospital Basic Services Preservation Fund, or to any funds to
26 which Section 70-50 of the Nurse Practice Act applies. No

1 transfers may be made under this Section from the Pet
2 Population Control Fund. Notwithstanding any other provision
3 of this Section, for fiscal year 2004, the total transfer under
4 this Section from the Road Fund or the State Construction
5 Account Fund shall not exceed the lesser of (i) 5% of the
6 revenues to be deposited into the fund during that fiscal year
7 or (ii) 25% of the beginning balance in the fund. For fiscal
8 year 2005 through fiscal year 2007, no amounts may be
9 transferred under this Section from the Road Fund, the State
10 Construction Account Fund, the Criminal Justice Information
11 Systems Trust Fund, the Wireless Service Emergency Fund, or the
12 Mandatory Arbitration Fund.

13 In determining the available balance in a fund, the
14 Governor may include receipts, transfers into the fund, and
15 other resources anticipated to be available in the fund in that
16 fiscal year.

17 The State Treasurer and Comptroller shall transfer the
18 amounts designated under this Section as soon as may be
19 practicable after receiving the direction to transfer from the
20 Governor.

21 (a-5) Transfers directed to be made under this Section on
22 or before February 28, 2006 that are still pending on May 19,
23 2006 (the effective date of Public Act 94-774) shall be
24 redirected as provided in Section 8n of this Act.

25 (b) This Section does not apply to: (i) the Ticket For The
26 Cure Fund; (ii) any fund established under the Community Senior

1 Services and Resources Act; or (iii) on or after January 1,
2 2006 (the effective date of Public Act 94-511), the Child Labor
3 and Day and Temporary Labor Enforcement Fund.

4 (c) This Section does not apply to the Demutualization
5 Trust Fund established under the Uniform Disposition of
6 Unclaimed Property Act.

7 (d) This Section does not apply to moneys set aside in the
8 Illinois State Podiatric Disciplinary Fund for podiatric
9 scholarships and residency programs under the Podiatric
10 Scholarship and Residency Act.

11 (e) Subsection (a) does not apply to, and no transfer may
12 be made under this Section from, the Pension Stabilization
13 Fund.

14 (f) Subsection (a) does not apply to, and no transfer may
15 be made under this Section from, the Illinois Power Agency
16 Operations Fund, the Illinois Power Agency Facilities Fund, the
17 Illinois Power Agency Debt Service Fund, and the Illinois Power
18 Agency Trust Fund.

19 (g) This Section does not apply to the Veterans Service
20 Organization Reimbursement Fund.

21 (h) This Section does not apply to the Supreme Court
22 Historic Preservation Fund.

23 (i) This Section does not apply to, and no transfer may be
24 made under this Section from, the Money Follows the Person
25 Budget Transfer Fund.

26 (j) This Section does not apply to the Trucking and

1 Environmental Education Fund.

2 (Source: P.A. 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511,
3 eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05;
4 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff.
5 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773,
6 eff. 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06;
7 94-839, eff. 6-6-06; 95-331, eff. 8-21-07; 95-410, eff.
8 8-24-07; 95-481, eff. 8-28-07; 95-629, eff. 9-25-07; 95-639,
9 eff. 10-5-07; 95-695, eff. 11-5-07; 95-744, eff. 7-18-08;
10 95-876, eff. 8-21-08.)"; and

11 on page 5, line 4, by replacing "\$250" with "\$90"; and

12 on page 5, line 12, by replacing "\$150" with "\$20"; and

13 on page 5, line 16, by replacing "\$50" with "\$20"; and

14 on page 6, line 3, by inserting after the period the following:
15 "Notwithstanding any other law to the contrary, the Fund is not
16 subject to sweeps, administrative charges or charge-backs, or
17 any other fiscal or budgetary maneuver that would in any way
18 transfer moneys from the Fund into any other fund of the
19 State.".