



Rep. Barbara Flynn Currie

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1 AMENDMENT TO SENATE BILL 335

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 335, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Article 1. SHORT TITLE; PURPOSE

6 Section 1. Short title. This Act may be cited as the FY2012  
7 Budget Implementation (Finance) Act.

8 Section 5. Purpose. It is the purpose of this Act to make  
9 changes in State programs that are necessary to implement the  
10 Fiscal Year 2012 budget recommendations concerning finance.

11 Article 5. AMENDATORY PROVISIONS

12 Section 5-5. The State Comptroller Act is amended by  
13 changing Section 21 as follows:

1 (15 ILCS 405/21) (from Ch. 15, par. 221)

2 Sec. 21. Rules and Regulations - Imprest accounts. The  
3 Comptroller shall promulgate rules and regulations to  
4 implement the exercise of his or her powers and performance of  
5 his or her duties under this Act and to guide and assist State  
6 agencies in complying with this Act. Any rule or regulation  
7 specifically requiring the approval of the State Treasurer  
8 under this Act for adoption by the Comptroller shall require  
9 the approval of the State Treasurer for modification or repeal.

10 The Comptroller may provide in his or her rules and  
11 regulations for periodic transfers, with the approval of the  
12 State Treasurer, for use in accordance with the imprest system,  
13 subject to the rules and regulations of the Comptroller as  
14 respects vouchers, controls and reports, as follows:

15 (a) To the University of Illinois, Southern Illinois  
16 University, Chicago State University, Eastern Illinois  
17 University, Governors State University, Illinois State  
18 University, Northeastern Illinois University, Northern  
19 Illinois University, Western Illinois University, and  
20 State Community College of East St. Louis under the  
21 jurisdiction of the Illinois Community College Board  
22 (abolished under Section 2-12.1 of the Public Community  
23 College Act), not to exceed \$200,000 for each campus.

24 (b) To the Department of Agriculture and the Department  
25 of Commerce and Economic Opportunity for the operation and

1        closing of overseas offices, not to exceed \$500,000  
2        ~~\$200,000~~ for each Department for each overseas office.

3            (c) To the Department of Agriculture for the purpose of  
4        making change for activities at each State Fair, not to  
5        exceed \$200,000, to be returned within 5 days of the  
6        termination of such activity.

7            (d) To the Department of Agriculture to pay (i) State  
8        Fair premiums and awards and State Fair entertainment  
9        contracts at each State Fair, and (ii) ticket refunds for  
10       cancelled events. The amount transferred from any fund  
11       shall not exceed the appropriation for each specific  
12       purpose. This authorization shall terminate each year  
13       within 60 days of the close of each State Fair. The  
14       Department shall be responsible for withholding State  
15       income tax, where necessary, as required by Section 709 of  
16       the Illinois Income Tax Act.

17           (e) To the State Treasurer to pay for securities'  
18       safekeeping charges assessed by the Board of Governors of  
19       the Federal Reserve System as a consequence of the  
20       Treasurer's use of the government securities' book-entry  
21       system. This account shall not exceed \$25,000.

22           (f) To the Illinois Mathematics and Science Academy,  
23       not to exceed \$100,000.

24           (g) To the Department of Natural Resources to pay out  
25       cash prizes associated with competitions held at the World  
26       Shooting and Recreational Complex, to purchase awards

1 associated with competitions held at the World Shooting and  
2 Recreational Complex, to pay State and national membership  
3 dues associated with competitions held at the World  
4 Shooting and Recreational Complex, and to pay State and  
5 national membership target fees associated with  
6 competitions held at the World Shooting and Recreational  
7 Complex. The amount of funds advanced to the account  
8 created by this subsection (g) must not exceed \$250,000 in  
9 any fiscal year.

10 (Source: P.A. 95-220, eff. 8-16-07; 96-785, eff. 8-28-09;  
11 96-1118, eff. 7-20-10; revised 9-16-10.)

12 Section 5-10. The State Finance Act is amended by changing  
13 Sections 5h, 6z-43, 6z-69, 6z-70, 8.3, and 8g, and by adding  
14 Section 5.786 as follows:

15 (30 ILCS 105/5.786 new)

16 Sec. 5.786. Attorney General Tobacco Fund. There is hereby  
17 created in the State Treasury the Attorney General Tobacco Fund  
18 to be used, subject to appropriation, exclusively by the  
19 Attorney General for enforcement of the tobacco Master  
20 Settlement Agreement and for law enforcement activities of the  
21 Attorney General.

22 (30 ILCS 105/5h)

23 Sec. 5h. Cash flow borrowing and general funds liquidity.

1 (a) In order to meet cash flow deficits and to maintain  
2 liquidity in the General Revenue Fund, the Hospital Relief  
3 Fund, and the Common School Fund, on and after July 1, 2010 and  
4 through June 30, 2011, the State Treasurer and the State  
5 Comptroller shall make transfers to the General Revenue Fund, the  
6 Hospital Relief Fund, or the Common School Fund, as  
7 directed by the Governor, out of special funds of the State, to  
8 the extent allowed by federal law. No transfer may be made from  
9 a fund under this Section that would have the effect of  
10 reducing the available balance in the fund to an amount less  
11 than the amount remaining unexpended and unreserved from the  
12 total appropriation from that fund estimated to be expended for  
13 that fiscal year. No such transfer may reduce the cumulative  
14 balance of all of the special funds of the State to an amount  
15 less than the total debt service payable during the 12 months  
16 immediately following the date of the transfer on any bonded  
17 indebtedness of the State and any certificates issued under the  
18 Short Term Borrowing Act. Notwithstanding any other provision  
19 of this Section, no such transfer may be made from any special  
20 fund that is exclusively collected by or appropriated to any  
21 other constitutional officer without the written approval of  
22 that constitutional officer.

23 (b) If moneys have been transferred to the General Revenue  
24 Fund, the Hospital Relief Fund, or the Common School Fund  
25 pursuant to subsection (a) of this Section, this amendatory Act  
26 of the 96th General Assembly shall constitute the irrevocable

1 and continuing authority for and direction to the State  
2 Treasurer and State Comptroller to reimburse the funds of  
3 origin from the General Revenue Fund, the Hospital Relief Fund,  
4 or the Common School Fund, as appropriate, by transferring to  
5 the funds of origin, at such times and in such amounts as  
6 directed by the Governor when necessary to support appropriated  
7 expenditures from the funds, an amount equal to that  
8 transferred from them plus any interest that would have accrued  
9 thereon had the transfer not occurred, except that any moneys  
10 transferred pursuant to subsection (a) of this Section shall be  
11 repaid to the fund of origin within 18 months after the date on  
12 which they were borrowed.

13 (c) On the first day of each quarterly period in each  
14 fiscal year, the Governor's Office of Management and Budget  
15 shall provide to the President and the Minority Leader of the  
16 Senate, the Speaker and the Minority Leader of the House of  
17 Representatives, and the Commission on Government Forecasting  
18 and Accountability a report on all transfers made pursuant to  
19 this Section in the prior quarterly period. The report must be  
20 provided in both written and electronic format. The report must  
21 include all of the following:

22 (1) The date each transfer was made.

23 (2) The amount of each transfer.

24 (3) In the case of a transfer from the General Revenue  
25 Fund, the Hospital Relief Fund, or the Common School Fund  
26 to a fund of origin pursuant to subsection (b) of this

1 Section, the amount of interest being paid to the fund of  
2 origin.

3 (4) The end of day balance of both the fund of origin  
4 and the General Revenue Fund, the Hospital Relief Fund, or  
5 the Common School Fund, whichever the case may be, on the  
6 date the transfer was made.

7 (Source: P.A. 96-958, eff. 7-1-10; 96-1500, eff. 1-18-11.)

8 (30 ILCS 105/6z-43)

9 Sec. 6z-43. Tobacco Settlement Recovery Fund.

10 (a) There is created in the State Treasury a special fund  
11 to be known as the Tobacco Settlement Recovery Fund, which  
12 shall contain 3 accounts: (i) the General Account, (ii) the  
13 Tobacco Settlement Bond Proceeds Account and (iii) the Tobacco  
14 Settlement Residual Account. There shall be deposited into the  
15 several accounts of the Tobacco Settlement Recovery Fund and  
16 the Attorney General Tobacco Fund all monies paid to the State  
17 pursuant to (1) the Master Settlement Agreement entered in the  
18 case of People of the State of Illinois v. Philip Morris, et  
19 al. (Circuit Court of Cook County, No. 96-L13146) and (2) any  
20 settlement with or judgment against any tobacco product  
21 manufacturer other than one participating in the Master  
22 Settlement Agreement in satisfaction of any released claim as  
23 defined in the Master Settlement Agreement, as well as any  
24 other monies as provided by law. Moneys shall be deposited into  
25 the Tobacco Settlement Bond Proceeds Account and the Tobacco

1 Settlement Residual Account as provided by the terms of the  
2 Railsplitter Tobacco Settlement Authority Act, provided that  
3 an annual amount not less than \$2,500,000, subject to  
4 appropriation, shall be deposited into the Attorney General  
5 Tobacco Fund ~~Tobacco Settlement Residual Account~~ for use only  
6 by the Attorney General's office. The scheduled \$2,500,000  
7 deposit into the Tobacco Settlement Residual Account for fiscal  
8 year 2011 should be transferred to the Attorney General Tobacco  
9 Fund in fiscal year 2012 as soon as this fund has been  
10 established ~~General for enforcement of the Master Settlement~~  
11 ~~Agreement~~. All other moneys available to be deposited into the  
12 Tobacco Settlement Recovery Fund shall be deposited into the  
13 General Account. An investment made from moneys credited to a  
14 specific account constitutes part of that account and such  
15 account shall be credited with all income from the investment  
16 of such moneys. The Treasurer may invest the moneys in the  
17 several accounts the Fund in the same manner, in the same types  
18 of investments, and subject to the same limitations provided in  
19 the Illinois Pension Code for the investment of pension funds  
20 other than those established under Article 3 or 4 of the Code.  
21 Notwithstanding the foregoing, to the extent necessary to  
22 preserve the tax-exempt status of any bonds issued pursuant to  
23 the Railsplitter Tobacco Settlement Authority Act, the  
24 interest on which is intended to be excludable from the gross  
25 income of the owners for federal income tax purposes, moneys on  
26 deposit in the Tobacco Settlement Bond Proceeds Account and the



1 Tobacco Settlement Residual Account may be invested in  
2 obligations the interest upon which is tax-exempt under the  
3 provisions of Section 103 of the Internal Revenue Code of 1986,  
4 as now or hereafter amended, or any successor code or  
5 provision.

6 (b) Moneys on deposit in the Tobacco Settlement Bond  
7 Proceeds Account and the Tobacco Settlement Residual Account  
8 may be expended, subject to appropriation, for the purposes  
9 authorized in Section 6(g) of the Railsplitter Tobacco  
10 Settlement Authority Act.

11 (c) As soon as may be practical after June 30, 2001, upon  
12 notification from and at the direction of the Governor, the  
13 State Comptroller shall direct and the State Treasurer shall  
14 transfer the unencumbered balance in the Tobacco Settlement  
15 Recovery Fund as of June 30, 2001, as determined by the  
16 Governor, into the Budget Stabilization Fund. The Treasurer may  
17 invest the moneys in the Budget Stabilization Fund in the same  
18 manner, in the same types of investments, and subject to the  
19 same limitations provided in the Illinois Pension Code for the  
20 investment of pension funds other than those established under  
21 Article 3 or 4 of the Code.

22 (d) All federal financial participation moneys received  
23 pursuant to expenditures from the Fund shall be deposited into  
24 the General Account.

25 (Source: P.A. 95-331, eff. 8-21-07; 96-958, eff. 7-1-10.)

1 (30 ILCS 105/6z-69)

2 Sec. 6z-69. Comprehensive Regional Planning Fund.

3 (a) As soon as possible after July 1, 2007, and on each  
4 July 1 thereafter until July 1, 2010, the State Treasurer shall  
5 transfer \$5,000,000 from the General Revenue Fund to the  
6 Comprehensive Regional Planning Fund.

7 (b) Subject to appropriation, the Illinois Department of  
8 Transportation shall make lump sum distributions from the  
9 Comprehensive Regional Planning Fund as soon as possible after  
10 each July 1 to the recipients and in the amounts specified in  
11 subsection (c). The recipients must use the moneys for  
12 comprehensive regional planning purposes.

13 (c) Each year's distribution under subsection (b) shall be  
14 as follows: (i) 70% to the Chicago Metropolitan Agency for  
15 Planning (CMAP); (ii) 25% to the State's other Metropolitan  
16 Planning Organizations (exclusive of CMAP), each Organization  
17 receiving a percentage equal to the percent its area population  
18 represents to the total population of the areas of all the  
19 State's Metropolitan Planning Organizations (exclusive of  
20 CMAP); and (iii) 5% to the State's Rural Planning Agencies,  
21 each Agency receiving a percentage equal to the percent its  
22 area population represents to the total population of the areas  
23 of all the State's Rural Planning Agencies.

24 (d) Notwithstanding any other provision of law, in addition  
25 to any other transfers that may be provided by law, on July 1,  
26 2011, or as soon thereafter as practical, the State Comptroller

1 shall direct and the State Treasurer shall transfer the  
2 remaining balance from the Comprehensive Regional Planning  
3 Fund into the General Revenue Fund. Upon completion of the  
4 transfers, the Comprehensive Regional Planning Fund is  
5 dissolved, and any future deposits due to that Fund and any  
6 outstanding obligations or liabilities of that Fund pass to the  
7 General Revenue Fund.

8 (Source: P.A. 95-677, eff. 10-11-07; 96-328, eff. 8-11-09.)

9 (30 ILCS 105/6z-70)

10 Sec. 6z-70. The Secretary of State Identification Security  
11 and Theft Prevention Fund.

12 (a) The Secretary of State Identification Security and  
13 Theft Prevention Fund is created as a special fund in the State  
14 treasury. The Fund shall consist of any fund transfers, grants,  
15 fees, or moneys from other sources received for the purpose of  
16 funding identification security and theft prevention measures.

17 (b) All moneys in the Secretary of State Identification  
18 Security and Theft Prevention Fund shall be used, subject to  
19 appropriation, for any costs related to implementing  
20 identification security and theft prevention measures.

21 (c) Notwithstanding any other provision of State law to the  
22 contrary, on or after July 1, 2007, and until June 30, 2008, in  
23 addition to any other transfers that may be provided for by  
24 law, at the direction of and upon notification of the Secretary  
25 of State, the State Comptroller shall direct and the State

1 Treasurer shall transfer amounts into the Secretary of State  
2 Identification Security and Theft Prevention Fund from the  
3 designated funds not exceeding the following totals:

- 4 Lobbyist Registration Administration Fund ..... \$100,000
- 5 Registered Limited Liability Partnership Fund .... \$75,000
- 6 Securities Investors Education Fund ..... \$500,000
- 7 Securities Audit and Enforcement Fund ..... \$5,725,000
- 8 Department of Business Services
- 9 Special Operations Fund ..... \$3,000,000
- 10 Corporate Franchise Tax Refund Fund ..... \$3,000,000.

11 (d) Notwithstanding any other provision of State law to the  
12 contrary, on or after July 1, 2008, and until June 30, 2009, in  
13 addition to any other transfers that may be provided for by  
14 law, at the direction of and upon notification of the Secretary  
15 of State, the State Comptroller shall direct and the State  
16 Treasurer shall transfer amounts into the Secretary of State  
17 Identification Security and Theft Prevention Fund from the  
18 designated funds not exceeding the following totals:

- 19 Lobbyist Registration Administration Fund ..... \$100,000
- 20 Registered Limited Liability Partnership Fund .... \$75,000
- 21 Securities Investors Education Fund ..... \$500,000
- 22 Securities Audit and Enforcement Fund ..... \$5,725,000
- 23 Department of Business Services
- 24 Special Operations Fund ..... \$3,000,000
- 25 Corporate Franchise Tax Refund Fund ..... \$3,000,000
- 26 State Parking Facility Maintenance Fund ..... \$100,000

1 (e) Notwithstanding any other provision of State law to the  
 2 contrary, on or after July 1, 2009, and until June 30, 2010, in  
 3 addition to any other transfers that may be provided for by  
 4 law, at the direction of and upon notification of the Secretary  
 5 of State, the State Comptroller shall direct and the State  
 6 Treasurer shall transfer amounts into the Secretary of State  
 7 Identification Security and Theft Prevention Fund from the  
 8 designated funds not exceeding the following totals:

- 9 Lobbyist Registration Administration Fund ..... \$100,000
- 10 Registered Limited Liability Partnership Fund .... \$175,000
- 11 Securities Investors Education Fund ..... \$750,000
- 12 Securities Audit and Enforcement Fund ..... \$750,000
- 13 Department of Business Services
- 14 Special Operations Fund ..... \$3,000,000
- 15 Corporate Franchise Tax Refund Fund ..... \$3,000,000
- 16 State Parking Facility Maintenance Fund ..... \$100,000

17 (f) Notwithstanding any other provision of State law to the  
 18 contrary, on or after July 1, 2010, and until June 30, 2011, in  
 19 addition to any other transfers that may be provided for by  
 20 law, at the direction of and upon notification of the Secretary  
 21 of State, the State Comptroller shall direct and the State  
 22 Treasurer shall transfer amounts into the Secretary of State  
 23 Identification Security and Theft Prevention Fund from the  
 24 designated funds not exceeding the following totals:

- 25 Registered Limited Liability Partnership Fund .... \$287,000
- 26 Securities Investors Education Board ..... \$750,000

1 Securities Audit and Enforcement Fund ..... \$750,000  
 2 Department of Business Services Special  
 3 Operations Fund ..... \$3,000,000  
 4 Corporate Franchise Tax Refund Fund ..... \$3,000,000

5 (g) Notwithstanding any other provision of State law to the  
 6 contrary, on or after July 1, 2011, and until June 30, 2012, in  
 7 addition to any other transfers that may be provided for by  
 8 law, at the direction of and upon notification of the Secretary  
 9 of State, the State Comptroller shall direct and the State  
 10 Treasurer shall transfer amounts into the Secretary of State  
 11 Identification Security and Theft Prevention Fund from the  
 12 designated funds not exceeding the following totals:

13 Division of Corporations Registered  
 14 Limited Liability Partnership Fund ..... \$287,000  
 15 Securities Investors Education Fund ..... \$750,000  
 16 Securities Audit and Enforcement Fund ..... \$3,500,000  
 17 Department of Business Services  
 18 Special Operations Fund ..... \$3,000,000  
 19 Corporate Franchise Tax Refund Fund ..... \$3,000,000

20 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;  
 21 96-45, eff. 7-15-09; 96-959, eff. 7-1-10.)

22 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)  
 23 Sec. 8.3. Money in the Road Fund shall, if and when the  
 24 State of Illinois incurs any bonded indebtedness for the  
 25 construction of permanent highways, be set aside and used for

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

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

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

1 estimates for and in the construction and maintenance of  
2 flight strips and of highways necessary to provide access  
3 to military and naval reservations, to defense industries  
4 and defense-industry sites, and to the sources of raw  
5 materials and for replacing existing highways and highway  
6 connections shut off from general public use at military  
7 and naval reservations and defense-industry sites, or for  
8 the purchase of right-of-way, except that the State shall  
9 be reimbursed in full for any expense incurred in building  
10 the flight strips; or for the operating and maintaining of  
11 highway garages; or for patrolling and policing the public  
12 highways and conserving the peace; or for the operating  
13 expenses of the Department relating to the administration  
14 of public transportation programs; or, during fiscal year  
15 2012 only, for the purposes of a grant not to exceed  
16 \$8,500,000 to the Regional Transportation Authority on  
17 behalf of PACE for the purpose of ADA/Para-transit  
18 expenses; or for any of those purposes or any other purpose  
19 that may be provided by law.

20 Appropriations for any of those purposes are payable from  
21 the Road Fund. Appropriations may also be made from the Road  
22 Fund for the administrative expenses of any State agency that  
23 are related to motor vehicles or arise from the use of motor  
24 vehicles.

25 Beginning with fiscal year 1980 and thereafter, no Road  
26 Fund monies shall be appropriated to the following Departments



1 or agencies of State government for administration, grants, or  
2 operations; but this limitation is not a restriction upon  
3 appropriating for those purposes any Road Fund monies that are  
4 eligible for federal reimbursement;

5 1. Department of Public Health;

6 2. Department of Transportation, only with respect to  
7 subsidies for one-half fare Student Transportation and  
8 Reduced Fare for Elderly, except during fiscal year 2012  
9 only when no more than \$40,000,000 may be expended;

10 3. Department of Central Management Services, except  
11 for expenditures incurred for group insurance premiums of  
12 appropriate personnel;

13 4. Judicial Systems and Agencies.

14 Beginning with fiscal year 1981 and thereafter, no Road  
15 Fund monies shall be appropriated to the following Departments  
16 or agencies of State government for administration, grants, or  
17 operations; but this limitation is not a restriction upon  
18 appropriating for those purposes any Road Fund monies that are  
19 eligible for federal reimbursement:

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

22 2. Department of Transportation, only with respect to  
23 Intercity Rail Subsidies, except during fiscal year 2012  
24 only when no more than \$40,000,000 may be expended, and  
25 Rail Freight Services.

26 Beginning with fiscal year 1982 and thereafter, no Road

1 Fund monies shall be appropriated to the following Departments  
2 or agencies of State government for administration, grants, or  
3 operations; but this limitation is not a restriction upon  
4 appropriating for those purposes any Road Fund monies that are  
5 eligible for federal reimbursement: Department of Central  
6 Management Services, except for awards made by the Illinois  
7 Workers' Compensation Commission under the terms of the  
8 Workers' Compensation Act or Workers' Occupational Diseases  
9 Act for injury or death of an employee of the Division of  
10 Highways in the Department of Transportation.

11 Beginning with fiscal year 1984 and thereafter, no Road  
12 Fund monies shall be appropriated to the following Departments  
13 or agencies of State government for administration, grants, or  
14 operations; but this limitation is not a restriction upon  
15 appropriating for those purposes any Road Fund monies that are  
16 eligible for federal reimbursement:

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

19 2. State Officers.

20 Beginning with fiscal year 1984 and thereafter, no Road  
21 Fund monies shall be appropriated to any Department or agency  
22 of State government for administration, grants, or operations  
23 except as provided hereafter; but this limitation is not a  
24 restriction upon appropriating for those purposes any Road Fund  
25 monies that are eligible for federal reimbursement. It shall  
26 not be lawful to circumvent the above appropriation limitations

1 by governmental reorganization or other methods.  
2 Appropriations shall be made from the Road Fund only in  
3 accordance with the provisions of this Section.

4 Money in the Road Fund shall, if and when the State of  
5 Illinois incurs any bonded indebtedness for the construction of  
6 permanent highways, be set aside and used for the purpose of  
7 paying and discharging during each fiscal year the principal  
8 and interest on that bonded indebtedness as it becomes due and  
9 payable as provided in the Transportation Bond Act, and for no  
10 other purpose. The surplus, if any, in the Road Fund after the  
11 payment of principal and interest on that bonded indebtedness  
12 then annually due shall be used as follows:

13 first -- to pay the cost of administration of Chapters  
14 2 through 10 of the Illinois Vehicle Code; and

15 secondly -- no Road Fund monies derived from fees,  
16 excises, or license taxes relating to registration,  
17 operation and use of vehicles on public highways or to  
18 fuels used for the propulsion of those vehicles, shall be  
19 appropriated or expended other than for costs of  
20 administering the laws imposing those fees, excises, and  
21 license taxes, statutory refunds and adjustments allowed  
22 thereunder, administrative costs of the Department of  
23 Transportation, including, but not limited to, the  
24 operating expenses of the Department relating to the  
25 administration of public transportation programs, payment  
26 of debts and liabilities incurred in construction and

1 reconstruction of public highways and bridges, acquisition  
2 of rights-of-way for and the cost of construction,  
3 reconstruction, maintenance, repair, and operation of  
4 public highways and bridges under the direction and  
5 supervision of the State, political subdivision, or  
6 municipality collecting those monies, or during fiscal  
7 year 2012 only for the purposes of a grant not to exceed  
8 \$8,500,000 to the Regional Transportation Authority on  
9 behalf of PACE for the purpose of ADA/Para-transit  
10 expenses, and the costs for patrolling and policing the  
11 public highways (by State, political subdivision, or  
12 municipality collecting that money) for enforcement of  
13 traffic laws. The separation of grades of such highways  
14 with railroads and costs associated with protection of  
15 at-grade highway and railroad crossing shall also be  
16 permissible.

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

20 Except as provided in this paragraph, beginning with fiscal  
21 year 1991 and thereafter, no Road Fund monies shall be  
22 appropriated to the Department of State Police for the purposes  
23 of this Section in excess of its total fiscal year 1990 Road  
24 Fund appropriations for those purposes unless otherwise  
25 provided in Section 5g of this Act. For fiscal years 2003,  
26 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be

1 appropriated to the Department of State Police for the purposes  
2 of this Section in excess of \$97,310,000. For fiscal year 2008  
3 only, no Road Fund monies shall be appropriated to the  
4 Department of State Police for the purposes of this Section in  
5 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund  
6 monies shall be appropriated to the Department of State Police  
7 for the purposes of this Section in excess of \$114,700,000.  
8 Beginning in fiscal year 2010, no road fund moneys shall be  
9 appropriated to the Department of State Police. It shall not be  
10 lawful to circumvent this limitation on appropriations by  
11 governmental reorganization or other methods unless otherwise  
12 provided in Section 5g of this Act.

13 In fiscal year 1994, no Road Fund monies shall be  
14 appropriated to the Secretary of State for the purposes of this  
15 Section in excess of the total fiscal year 1991 Road Fund  
16 appropriations to the Secretary of State for those purposes,  
17 plus \$9,800,000. It shall not be lawful to circumvent this  
18 limitation on appropriations by governmental reorganization or  
19 other method.

20 Beginning with fiscal year 1995 and thereafter, no Road  
21 Fund monies shall be appropriated to the Secretary of State for  
22 the purposes of this Section in excess of the total fiscal year  
23 1994 Road Fund appropriations to the Secretary of State for  
24 those purposes. It shall not be lawful to circumvent this  
25 limitation on appropriations by governmental reorganization or  
26 other methods.

1           Beginning with fiscal year 2000, total Road Fund  
2 appropriations to the Secretary of State for the purposes of  
3 this Section shall not exceed the amounts specified for the  
4 following fiscal years:

5           Fiscal Year 2000	\$80,500,000;
6           Fiscal Year 2001	\$80,500,000;
7           Fiscal Year 2002	\$80,500,000;
8           Fiscal Year 2003	\$130,500,000;
9           Fiscal Year 2004	\$130,500,000;
10          Fiscal Year 2005	\$130,500,000;
11          Fiscal Year 2006	\$130,500,000;
12          Fiscal Year 2007	\$130,500,000;
13          Fiscal Year 2008	\$130,500,000;
14          Fiscal Year 2009	\$130,500,000.

15          For fiscal year 2010, no road fund moneys shall be  
16 appropriated to the Secretary of State.

17          Beginning in fiscal year 2011, moneys in the Road Fund  
18 shall be appropriated to the Secretary of State for the  
19 exclusive purpose of paying refunds due to overpayment of fees  
20 related to Chapter 3 of the Illinois Vehicle Code unless  
21 otherwise provided for by law.

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

25          No new program may be initiated in fiscal year 1991 and  
26 thereafter that is not consistent with the limitations imposed

1 by this Section for fiscal year 1984 and thereafter, insofar as  
2 appropriation of Road Fund monies is concerned.

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

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

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

22 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;  
23 96-34, eff. 7-13-09; 96-959, eff. 7-1-10.)

24 (30 ILCS 105/8g)

25 Sec. 8g. Fund transfers.

1           (a) 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 91st General Assembly, the  
4 State Comptroller shall direct and the State Treasurer shall  
5 transfer the sum of \$10,000,000 from the General Revenue Fund  
6 to the Motor Vehicle License Plate Fund created by Senate Bill  
7 1028 of the 91st General Assembly.

8           (b) In addition to any other transfers that may be provided  
9 for by law, as soon as may be practical after the effective  
10 date of this amendatory Act of the 91st General Assembly, the  
11 State Comptroller shall direct and the State Treasurer shall  
12 transfer the sum of \$25,000,000 from the General Revenue Fund  
13 to the Fund for Illinois' Future created by Senate Bill 1066 of  
14 the 91st General Assembly.

15           (c) In addition to any other transfers that may be provided  
16 for by law, on August 30 of each fiscal year's license period,  
17 the Illinois Liquor Control Commission shall direct and the  
18 State Comptroller and State Treasurer shall transfer from the  
19 General Revenue Fund to the Youth Alcoholism and Substance  
20 Abuse Prevention Fund an amount equal to the number of retail  
21 liquor licenses issued for that fiscal year multiplied by \$50.

22           (d) The payments to programs required under subsection (d)  
23 of Section 28.1 of the Horse Racing Act of 1975 shall be made,  
24 pursuant to appropriation, from the special funds referred to  
25 in the statutes cited in that subsection, rather than directly  
26 from the General Revenue Fund.



1           Beginning January 1, 2000, on the first day of each month,  
2           or as soon as may be practical thereafter, the State  
3           Comptroller shall direct and the State Treasurer shall transfer  
4           from the General Revenue Fund to each of the special funds from  
5           which payments are to be made under Section 28.1(d) of the  
6           Horse Racing Act of 1975 an amount equal to 1/12 of the annual  
7           amount required for those payments from that special fund,  
8           which annual amount shall not exceed the annual amount for  
9           those payments from that special fund for the calendar year  
10          1998. The special funds to which transfers shall be made under  
11          this subsection (d) include, but are not necessarily limited  
12          to, the Agricultural Premium Fund; the Metropolitan Exposition  
13          Auditorium and Office Building Fund; the Fair and Exposition  
14          Fund; the Standardbred Breeders Fund; the Thoroughbred  
15          Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

16          (e) In addition to any other transfers that may be provided  
17          for by law, as soon as may be practical after the effective  
18          date of this amendatory Act of the 91st General Assembly, but  
19          in no event later than June 30, 2000, the State Comptroller  
20          shall direct and the State Treasurer shall transfer the sum of  
21          \$15,000,000 from the General Revenue Fund to the Fund for  
22          Illinois' Future.

23          (f) In addition to any other transfers that may be provided  
24          for by law, as soon as may be practical after the effective  
25          date of this amendatory Act of the 91st General Assembly, but  
26          in no event later than June 30, 2000, the State Comptroller

1 shall direct and the State Treasurer shall transfer the sum of  
2 \$70,000,000 from the General Revenue Fund to the Long-Term Care  
3 Provider Fund.

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

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

15 (h) In each of fiscal years 2002 through 2004, but not  
16 thereafter, in addition to any other transfers that may be  
17 provided for by law, the State Comptroller shall direct and the  
18 State Treasurer shall transfer \$5,000,000 from the General  
19 Revenue Fund to the Tourism Promotion Fund.

20 (i) On or after July 1, 2001 and until May 1, 2002, in  
21 addition to any other transfers that may be provided for by  
22 law, at the direction of and upon notification from the  
23 Governor, the State Comptroller shall direct and the State  
24 Treasurer shall transfer amounts not exceeding a total of  
25 \$80,000,000 from the General Revenue Fund to the Tobacco  
26 Settlement Recovery Fund. Any amounts so transferred shall be

1 re-transferred by the State Comptroller and the State Treasurer  
 2 from the Tobacco Settlement Recovery Fund to the General  
 3 Revenue Fund at the direction of and upon notification from the  
 4 Governor, but in any event on or before June 30, 2002.

5 (i-1) On or after July 1, 2002 and until May 1, 2003, in  
 6 addition to any other transfers that may be provided for by  
 7 law, 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 re-transferred 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, 2003.

16 (j) On or after July 1, 2001 and no later than June 30,  
 17 2002, in addition to any other transfers that may be provided  
 18 for by 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 to exceed the following  
 21 sums into the Statistical Services Revolving Fund:

22	From the General Revenue Fund .....	\$8,450,000
23	From the Public Utility Fund .....	1,700,000
24	From the Transportation Regulatory Fund .....	2,650,000
25	From the Title III Social Security and	
26	Employment Fund .....	3,700,000

1	From the Professions Indirect Cost Fund .....	4,050,000
2	From the Underground Storage Tank Fund .....	550,000
3	From the Agricultural Premium Fund .....	750,000
4	From the State Pensions Fund .....	200,000
5	From the Road Fund .....	2,000,000
6	From the Health Facilities	
7	Planning Fund .....	1,000,000
8	From the Savings and Residential Finance	
9	Regulatory Fund .....	130,800
10	From the Appraisal Administration Fund .....	28,600
11	From the Pawnbroker Regulation Fund .....	3,600
12	From the Auction Regulation	
13	Administration Fund .....	35,800
14	From the Bank and Trust Company Fund.....	634,800
15	From the Real Estate License	
16	Administration Fund .....	313,600

17       (k) 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 92nd General Assembly, the  
20 State Comptroller shall direct and the State Treasurer shall  
21 transfer the sum of \$2,000,000 from the General Revenue Fund to  
22 the Teachers Health Insurance Security Fund.

23       (k-1) In addition to any other transfers that may be  
24 provided for by law, on July 1, 2002, or as soon as may be  
25 practical thereafter, the State Comptroller shall direct and  
26 the State Treasurer shall transfer the sum of \$2,000,000 from

1 the General Revenue Fund to the Teachers Health Insurance  
2 Security Fund.

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

9 (k-3) On or after July 1, 2002 and no later than June 30,  
10 2003, in addition to any other transfers that may be provided  
11 for by law, at the direction of and upon notification from the  
12 Governor, the State Comptroller shall direct and the State  
13 Treasurer shall transfer amounts not to exceed the following  
14 sums into the Statistical Services Revolving Fund:

15	Appraisal Administration Fund .....	\$150,000
16	General Revenue Fund .....	10,440,000
17	Savings and Residential Finance	
18	Regulatory Fund .....	200,000
19	State Pensions Fund .....	100,000
20	Bank and Trust Company Fund .....	100,000
21	Professions Indirect Cost Fund .....	3,400,000
22	Public Utility Fund .....	2,081,200
23	Real Estate License Administration Fund .....	150,000
24	Title III Social Security and	
25	Employment Fund .....	1,000,000
26	Transportation Regulatory Fund .....	3,052,100

1           Underground Storage Tank Fund .....           50,000

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

8           (m) In addition to any other transfers that may be provided  
9 for by law, on July 1, 2002 and on the effective date of this  
10 amendatory Act of the 93rd General Assembly, or as soon  
11 thereafter as may be practical, the State Comptroller shall  
12 direct and the State Treasurer shall transfer the sum of  
13 \$1,200,000 from the General Revenue Fund to the Violence  
14 Prevention Fund.

15           (n) In addition to any other transfers that may be provided  
16 for by law, on July 1, 2003, or as soon thereafter as may be  
17 practical, the State Comptroller shall direct and the State  
18 Treasurer shall transfer the sum of \$6,800,000 from the General  
19 Revenue Fund to the DHS Recoveries Trust Fund.

20           (o) On or after July 1, 2003, and no later than June 30,  
21 2004, in addition to any other transfers that may be provided  
22 for by law, at the direction of and upon notification from the  
23 Governor, the State Comptroller shall direct and the State  
24 Treasurer shall transfer amounts not to exceed the following  
25 sums into the Vehicle Inspection Fund:

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

1           (p) On or after July 1, 2003 and until May 1, 2004, in  
2 addition to any other transfers that may be provided for by  
3 law, at the direction of and upon notification from the  
4 Governor, the State Comptroller shall direct and the State  
5 Treasurer shall transfer amounts not exceeding a total of  
6 \$80,000,000 from the General Revenue Fund to the Tobacco  
7 Settlement Recovery Fund. Any amounts so transferred shall be  
8 re-transferred from the Tobacco Settlement Recovery Fund to the  
9 General Revenue Fund at the direction of and upon notification  
10 from the Governor, but in any event on or before June 30, 2004.

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

16           (r) In addition to any other transfers that may be provided  
17 for by law, on July 1, 2003, or as soon as may be practical  
18 thereafter, the State Comptroller shall direct and the State  
19 Treasurer shall transfer the sum of \$1,922,000 from the General  
20 Revenue Fund to the Presidential Library and Museum Operating  
21 Fund.

22           (s) In addition to any other transfers that may be provided  
23 for by law, on or after July 1, 2003, the State Comptroller  
24 shall direct and the State Treasurer shall transfer the sum of  
25 \$4,800,000 from the Statewide Economic Development Fund to the  
26 General Revenue Fund.

1           (t) In addition to any other transfers that may be provided  
2 for by law, on or after July 1, 2003, the State Comptroller  
3 shall direct and the State Treasurer shall transfer the sum of  
4 \$50,000,000 from the General Revenue Fund to the Budget  
5 Stabilization Fund.

6           (u) On or after July 1, 2004 and until May 1, 2005, in  
7 addition to any other transfers that may be provided for by  
8 law, at the direction of and upon notification from the  
9 Governor, the State Comptroller shall direct and the State  
10 Treasurer shall transfer amounts not exceeding a total of  
11 \$80,000,000 from the General Revenue Fund to the Tobacco  
12 Settlement Recovery Fund. Any amounts so transferred shall be  
13 retransferred by the State Comptroller and the State Treasurer  
14 from the Tobacco Settlement Recovery Fund to the General  
15 Revenue Fund at the direction of and upon notification from the  
16 Governor, but in any event on or before June 30, 2005.

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

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



1 Fund.

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

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

8 From the State Police Wireless Service Emergency Fund,  
9 \$200,000;

10 From the State Offender DNA Identification System  
11 Fund, \$800,000; and

12 From the State Police Whistleblower Reward and  
13 Protection Fund, \$500,000.

14 (y) Notwithstanding any other provision of law to the  
15 contrary, in addition to any other transfers that may be  
16 provided for by law on June 30, 2005, or as soon as may be  
17 practical thereafter, the State Comptroller shall direct and  
18 the State Treasurer shall transfer the remaining balance from  
19 the designated funds into the General Revenue Fund and any  
20 future deposits that would otherwise be made into these funds  
21 must instead be made into the General Revenue Fund:

22 (1) the Keep Illinois Beautiful Fund;

23 (2) the Metropolitan Fair and Exposition Authority  
24 Reconstruction Fund;

25 (3) the New Technology Recovery Fund;

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

- 1 (5) the ISBE School Bus Driver Permit Fund;
- 2 (6) the Solid Waste Management Revolving Loan Fund;
- 3 (7) the State Postsecondary Review Program Fund;
- 4 (8) the Tourism Attraction Development Matching Grant
- 5 Fund;
- 6 (9) the Patent and Copyright Fund;
- 7 (10) the Credit Enhancement Development Fund;
- 8 (11) the Community Mental Health and Developmental
- 9 Disabilities Services Provider Participation Fee Trust
- 10 Fund;
- 11 (12) the Nursing Home Grant Assistance Fund;
- 12 (13) the By-product Material Safety Fund;
- 13 (14) the Illinois Student Assistance Commission Higher
- 14 EdNet Fund;
- 15 (15) the DORS State Project Fund;
- 16 (16) the School Technology Revolving Fund;
- 17 (17) the Energy Assistance Contribution Fund;
- 18 (18) the Illinois Building Commission Revolving Fund;
- 19 (19) the Illinois Aquaculture Development Fund;
- 20 (20) the Homelessness Prevention Fund;
- 21 (21) the DCFS Refugee Assistance Fund;
- 22 (22) the Illinois Century Network Special Purposes
- 23 Fund; and
- 24 (23) the Build Illinois Purposes Fund.
- 25 (z) In addition to any other transfers that may be provided
- 26 for by law, on July 1, 2005, or as soon as may be practical

1 thereafter, the State Comptroller shall direct and the State  
2 Treasurer shall transfer the sum of \$1,200,000 from the General  
3 Revenue Fund to the Violence Prevention Fund.

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

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

16 (cc) In addition to any other transfers that may be  
17 provided for by law, on or after July 1, 2005 and until May 1,  
18 2006, 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 re-transferred 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, 2006.

1           (dd) In addition to any other transfers that may be  
2 provided for by law, on April 1, 2005, or as soon thereafter as  
3 may be practical, at the direction of the Director of Public  
4 Aid (now Director of Healthcare and Family Services), the State  
5 Comptroller shall direct and the State Treasurer shall transfer  
6 from the Public Aid Recoveries Trust Fund amounts not to exceed  
7 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

8           (ee) Notwithstanding any other provision of law, on July 1,  
9 2006, or as soon thereafter as practical, the State Comptroller  
10 shall direct and the State Treasurer shall transfer the  
11 remaining balance from the Illinois Civic Center Bond Fund to  
12 the Illinois Civic Center Bond Retirement and Interest Fund.

13           (ff) In addition to any other transfers that may be  
14 provided for by law, on and after July 1, 2006 and until June  
15 30, 2007, at the direction of and upon notification from the  
16 Director of the Governor's Office of Management and Budget, the  
17 State Comptroller shall direct and the State Treasurer shall  
18 transfer amounts not exceeding a total of \$1,900,000 from the  
19 General Revenue Fund to the Illinois Capital Revolving Loan  
20 Fund.

21           (gg) In addition to any other transfers that may be  
22 provided for by law, on and after July 1, 2006 and until May 1,  
23 2007, at the direction of and upon notification from the  
24 Governor, the State Comptroller shall direct and the State  
25 Treasurer shall transfer amounts not exceeding a total of  
26 \$80,000,000 from the General Revenue Fund to the Tobacco

1 Settlement Recovery Fund. Any amounts so transferred shall be  
 2 retransferred by the State Comptroller and the State Treasurer  
 3 from the Tobacco Settlement Recovery Fund to the General  
 4 Revenue Fund at the direction of and upon notification from the  
 5 Governor, but in any event on or before June 30, 2007.

6 (hh) In addition to any other transfers that may be  
 7 provided for by law, on and after July 1, 2006 and until June  
 8 30, 2007, at the direction of and upon notification from the  
 9 Governor, the State Comptroller shall direct and the State  
 10 Treasurer shall transfer amounts from the Illinois Affordable  
 11 Housing Trust Fund to the designated funds not exceeding the  
 12 following amounts:

- 13 DCFS Children's Services Fund ..... \$2,200,000
- 14 Department of Corrections Reimbursement
- 15 and Education Fund ..... \$1,500,000
- 16 Supplemental Low-Income Energy
- 17 Assistance Fund ..... \$75,000

18 (ii) In addition to any other transfers that may be  
 19 provided for by law, on or before August 31, 2006, the Governor  
 20 and the State Comptroller may agree to transfer the surplus  
 21 cash balance from the General Revenue Fund to the Budget  
 22 Stabilization Fund and the Pension Stabilization Fund in equal  
 23 proportions. The determination of the amount of the surplus  
 24 cash balance shall be made by the Governor, with the  
 25 concurrence of the State Comptroller, after taking into account  
 26 the June 30, 2006 balances in the general funds and the actual

1 or estimated spending from the general funds during the lapse  
2 period. Notwithstanding the foregoing, the maximum amount that  
3 may be transferred under this subsection (ii) is \$50,000,000.

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

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

15 (ll) In addition to any other transfers that may be  
16 provided for by law, on the first day of each calendar quarter  
17 of the fiscal year beginning July 1, 2006, or as soon  
18 thereafter as practical, the State Comptroller shall direct and  
19 the State Treasurer shall transfer from the General Revenue  
20 Fund amounts equal to one-fourth of \$20,000,000 to the  
21 Renewable Energy Resources Trust Fund.

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

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

6           (oo) In addition to any other transfers that may be  
7 provided for by law, on and after July 1, 2006 and until June  
8 30, 2007, at the direction of and upon notification from the  
9 Governor, the State Comptroller shall direct and the State  
10 Treasurer shall transfer amounts identified as net receipts  
11 from the sale of all or part of the Illinois Student Assistance  
12 Commission loan portfolio from the Student Loan Operating Fund  
13 to the General Revenue Fund. The maximum amount that may be  
14 transferred pursuant to this Section is \$38,800,000. In  
15 addition, no transfer may be made pursuant to this Section that  
16 would have the effect of reducing the available balance in the  
17 Student Loan Operating Fund to an amount less than the amount  
18 remaining unexpended and unreserved from the total  
19 appropriations from the Fund estimated to be expended for the  
20 fiscal year. The State Treasurer and Comptroller shall transfer  
21 the amounts designated under this Section as soon as may be  
22 practical after receiving the direction to transfer from the  
23 Governor.

24           (pp) In addition to any other transfers that may be  
25 provided for by law, on July 1, 2006, or as soon thereafter as  
26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$2,000,000 from the General  
2 Revenue Fund to the Illinois Veterans Assistance Fund.

3 (qq) In addition to any other transfers that may be  
4 provided for by law, on and after July 1, 2007 and until May 1,  
5 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 not exceeding a total of  
8 \$80,000,000 from the General Revenue Fund to the Tobacco  
9 Settlement Recovery Fund. Any amounts so transferred shall be  
10 retransferred by the State Comptroller and the State Treasurer  
11 from the Tobacco Settlement Recovery Fund to the General  
12 Revenue Fund at the direction of and upon notification from the  
13 Governor, but in any event on or before June 30, 2008.

14 (rr) In addition to any other transfers that may be  
15 provided for by law, on and after July 1, 2007 and until June  
16 30, 2008, at the direction of and upon notification from the  
17 Governor, the State Comptroller shall direct and the State  
18 Treasurer shall transfer amounts from the Illinois Affordable  
19 Housing Trust Fund to the designated funds not exceeding the  
20 following amounts:

- 21 DCFS Children's Services Fund ..... \$2,200,000
- 22 Department of Corrections Reimbursement
- 23 and Education Fund ..... \$1,500,000
- 24 Supplemental Low-Income Energy
- 25 Assistance Fund ..... \$75,000

26 (ss) 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 \$8,250,000 from the General  
4 Revenue Fund to the Presidential Library and Museum Operating  
5 Fund.

6 (tt) In addition to any other transfers that may be  
7 provided for by law, on July 1, 2007, or as soon thereafter as  
8 practical, the State Comptroller shall direct and the State  
9 Treasurer shall transfer the sum of \$1,400,000 from the General  
10 Revenue Fund to the Violence Prevention Fund.

11 (uu) In addition to any other transfers that may be  
12 provided for by law, on July 1, 2007, or as soon thereafter as  
13 practical, the State Comptroller shall direct and the State  
14 Treasurer shall transfer the sum of \$1,320,000 from the General  
15 Revenue Fund to the I-FLY Fund.

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

21 (ww) 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 \$3,500,000 from the General  
25 Revenue Fund to the Predatory Lending Database Program Fund.

26 (xx) 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 \$5,000,000 from the General  
4 Revenue Fund to the Digital Divide Elimination Fund.

5 (yy) 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 \$4,000,000 from the General  
9 Revenue Fund to the Digital Divide Elimination Infrastructure  
10 Fund.

11 (zz) In addition to any other transfers that may be  
12 provided for by law, on July 1, 2008, or as soon thereafter as  
13 practical, the State Comptroller shall direct and the State  
14 Treasurer shall transfer the sum of \$5,000,000 from the General  
15 Revenue Fund to the Digital Divide Elimination Fund.

16 (aaa) In addition to any other transfers that may be  
17 provided for by law, on and after July 1, 2008 and until May 1,  
18 2009, 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, 2009.

1           (bbb) In addition to any other transfers that may be  
 2 provided for by law, on and after July 1, 2008 and until June  
 3 30, 2009, at the direction of and upon notification from the  
 4 Governor, the State Comptroller shall direct and the State  
 5 Treasurer shall transfer amounts from the Illinois Affordable  
 6 Housing Trust Fund to the designated funds not exceeding the  
 7 following amounts:

- 8           DCFS Children's Services Fund ..... \$2,200,000
- 9           Department of Corrections Reimbursement
- 10          and Education Fund ..... \$1,500,000
- 11          Supplemental Low-Income Energy
- 12          Assistance Fund..... \$75,000

13           (ccc) In addition to any other transfers that may be  
 14 provided for by law, on July 1, 2008, or as soon thereafter as  
 15 practical, the State Comptroller shall direct and the State  
 16 Treasurer shall transfer the sum of \$7,450,000 from the General  
 17 Revenue Fund to the Presidential Library and Museum Operating  
 18 Fund.

19           (ddd) In addition to any other transfers that may be  
 20 provided for by law, on July 1, 2008, or as soon thereafter as  
 21 practical, the State Comptroller shall direct and the State  
 22 Treasurer shall transfer the sum of \$1,400,000 from the General  
 23 Revenue Fund to the Violence Prevention Fund.

24           (eee) In addition to any other transfers that may be  
 25 provided for by law, on July 1, 2009, or as soon thereafter as  
 26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$5,000,000 from the General  
2 Revenue Fund to the Digital Divide Elimination Fund.

3 (fff) In addition to any other transfers that may be  
4 provided for by law, on and after July 1, 2009 and until May 1,  
5 2010, at the direction of and upon notification from the  
6 Governor, the State Comptroller shall direct and the State  
7 Treasurer shall transfer amounts not exceeding a total of  
8 \$80,000,000 from the General Revenue Fund to the Tobacco  
9 Settlement Recovery Fund. Any amounts so transferred shall be  
10 retransferred by the State Comptroller and the State Treasurer  
11 from the Tobacco Settlement Recovery Fund to the General  
12 Revenue Fund at the direction of and upon notification from the  
13 Governor, but in any event on or before June 30, 2010.

14 (ggg) In addition to any other transfers that may be  
15 provided for by law, on July 1, 2009, or as soon thereafter as  
16 practical, the State Comptroller shall direct and the State  
17 Treasurer shall transfer the sum of \$7,450,000 from the General  
18 Revenue Fund to the Presidential Library and Museum Operating  
19 Fund.

20 (hhh) In addition to any other transfers that may be  
21 provided for by law, on July 1, 2009, 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 (iii) In addition to any other transfers that may be  
26 provided for by law, on July 1, 2009, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State  
2 Treasurer shall transfer the sum of \$100,000 from the General  
3 Revenue Fund to the Heartsaver AED Fund.

4 (jjj) In addition to any other transfers that may be  
5 provided for by law, on and after July 1, 2009 and until June  
6 30, 2010, 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 \$17,000,000 from the General Revenue Fund to the DCFS  
10 Children's Services Fund.

11 (lll) In addition to any other transfers that may be  
12 provided for by law, on July 1, 2009, or as soon thereafter as  
13 practical, the State Comptroller shall direct and the State  
14 Treasurer shall transfer the sum of \$5,000,000 from the General  
15 Revenue Fund to the Communications Revolving Fund.

16 (mmm) In addition to any other transfers that may be  
17 provided for by law, on July 1, 2009, or as soon thereafter as  
18 practical, the State Comptroller shall direct and the State  
19 Treasurer shall transfer the sum of \$9,700,000 from the General  
20 Revenue Fund to the Senior Citizens Real Estate Deferred Tax  
21 Revolving Fund.

22 (nnn) In addition to any other transfers that may be  
23 provided for by law, on July 1, 2009, or as soon thereafter as  
24 practical, the State Comptroller shall direct and the State  
25 Treasurer shall transfer the sum of \$565,000 from the FY09  
26 Budget Relief Fund to the Horse Racing Fund.

1           (ooo) In addition to any other transfers that may be  
2 provided by law, on July 1, 2009, or as soon thereafter as  
3 practical, the State Comptroller shall direct and the State  
4 Treasurer shall transfer the sum of \$600,000 from the General  
5 Revenue Fund to the Temporary Relocation Expenses Revolving  
6 Fund.

7           (ppp) In addition to any other transfers that may be  
8 provided for by law, on July 1, 2010, or as soon thereafter as  
9 practical, the State Comptroller shall direct and the State  
10 Treasurer shall transfer the sum of \$5,000,000 from the General  
11 Revenue Fund to the Digital Divide Elimination Fund.

12           (qqq) In addition to any other transfers that may be  
13 provided for by law, on and after July 1, 2010 and until May 1,  
14 2011, at the direction of and upon notification from the  
15 Governor, the State Comptroller shall direct and the State  
16 Treasurer shall transfer amounts not exceeding a total of  
17 \$80,000,000 from the General Revenue Fund to the Tobacco  
18 Settlement Recovery Fund. Any amounts so transferred shall be  
19 retransferred by the State Comptroller and the State Treasurer  
20 from the Tobacco Settlement Recovery Fund to the General  
21 Revenue Fund at the direction of and upon notification from the  
22 Governor, but in any event on or before June 30, 2011.

23           (rrr) In addition to any other transfers that may be  
24 provided for by law, on July 1, 2010, or as soon thereafter as  
25 practical, the State Comptroller shall direct and the State  
26 Treasurer shall transfer the sum of \$6,675,000 from the General

1 Revenue Fund to the Presidential Library and Museum Operating  
2 Fund.

3 (sss) In addition to any other transfers that may be  
4 provided for by law, on July 1, 2010, or as soon thereafter as  
5 practical, the State Comptroller shall direct and the State  
6 Treasurer shall transfer the sum of \$1,400,000 from the General  
7 Revenue Fund to the Violence Prevention Fund.

8 (ttt) In addition to any other transfers that may be  
9 provided for by law, on July 1, 2010, or as soon thereafter as  
10 practical, the State Comptroller shall direct and the State  
11 Treasurer shall transfer the sum of \$100,000 from the General  
12 Revenue Fund to the Heartsaver AED Fund.

13 (uuu) In addition to any other transfers that may be  
14 provided for by law, on July 1, 2010, or as soon thereafter as  
15 practical, the State Comptroller shall direct and the State  
16 Treasurer shall transfer the sum of \$5,000,000 from the General  
17 Revenue Fund to the Communications Revolving Fund.

18 (vvv) In addition to any other transfers that may be  
19 provided for by law, on July 1, 2010, or as soon thereafter as  
20 practical, the State Comptroller shall direct and the State  
21 Treasurer shall transfer the sum of \$3,000,000 from the General  
22 Revenue Fund to the Illinois Capital Revolving Loan Fund.

23 (www) In addition to any other transfers that may be  
24 provided for by law, on July 1, 2010, or as soon thereafter as  
25 practical, the State Comptroller shall direct and the State  
26 Treasurer shall transfer the sum of \$17,000,000 from the

1 General Revenue Fund to the DCFS Children's Services Fund.

2 (xxx) In addition to any other transfers that may be  
3 provided for by law, on July 1, 2010, or as soon thereafter as  
4 practical, the State Comptroller shall direct and the State  
5 Treasurer shall transfer the sum of \$2,000,000 from the Digital  
6 Divide Elimination Infrastructure Fund, of which \$1,000,000  
7 shall go to the Workforce, Technology, and Economic Development  
8 Fund and \$1,000,000 to the Public Utility Fund.

9 (yyy) In addition to any other transfers that may be  
10 provided for by law, on and after July 1, 2011 and until May 1,  
11 2012, at the direction of and upon notification from the  
12 Governor, the State Comptroller shall direct and the State  
13 Treasurer shall transfer amounts not exceeding a total of  
14 \$80,000,000 from the General Revenue Fund to the Tobacco  
15 Settlement Recovery Fund. Any amounts so transferred shall be  
16 retransferred by the State Comptroller and the State Treasurer  
17 from the Tobacco Settlement Recovery Fund to the General  
18 Revenue Fund at the direction of and upon notification from the  
19 Governor, but in any event on or before June 30, 2012.

20 (zzz) In addition to any other transfers that may be  
21 provided for by law, on July 1, 2011, or as soon thereafter as  
22 practical, the State Comptroller shall direct and the State  
23 Treasurer shall transfer the sum of \$1,000,000 from the General  
24 Revenue Fund to the Illinois Veterans Assistance Fund.

25 (aaaa) In addition to any other transfers that may be  
26 provided for by law, on July 1, 2011, or as soon thereafter as



1 practical, the State Comptroller shall direct and the State  
2 Treasurer shall transfer the sum of \$8,000,000 from the General  
3 Revenue Fund to the Presidential Library and Museum Operating  
4 Fund.

5 (Source: P.A. 95-331, eff. 8-21-07; 95-707, eff. 1-11-08;  
6 95-744, eff. 7-18-08; 96-45, eff. 7-15-09; 96-820, eff.  
7 11-18-09; 96-959, eff. 7-1-10.)

8 (30 ILCS 105/5.86 rep.)

9 Section 5-12. The State Finance Act is amended by repealing  
10 Section 5.86.

11 Section 5-15. Downstate Public Transportation Act is  
12 amended by changing Section 2-15 as follows:

13 (30 ILCS 740/2-15) (from Ch. 111 2/3, par. 675.1)

14 Sec. 2-15. Residual fund balance.

15 (a) Except as otherwise provided in this Section, all funds  
16 which remain in the Downstate Public Transportation Fund or the  
17 Metro-East Public Transportation Fund after the payment of the  
18 fourth quarterly payment to participants other than Metro-East  
19 Transit District participants and the last monthly payment to  
20 Metro-East Transit participants in each fiscal year shall be  
21 transferred (i) to the General Revenue Fund through fiscal year  
22 2008 and (ii) to the Downstate Transit Improvement Fund for  
23 fiscal year 2009 and each fiscal year thereafter. Transfers

1 shall be made no later than 90 days following the end of such  
2 fiscal year. Beginning fiscal year 2010, all moneys each year  
3 in the Downstate Transit Improvement Fund, held solely for the  
4 benefit of the participants in the Downstate Public  
5 Transportation Fund and shall be appropriated to the Department  
6 to make competitive capital grants to the participants of the  
7 respective funds. However, such amount as the Department  
8 determines to be necessary for (1) allocation to participants  
9 for the purposes of Section 2-7 for the first quarter of the  
10 succeeding fiscal year and (2) an amount equal to 2% of the  
11 total allocations to participants in the fiscal year just ended  
12 to be used for the purpose of audit adjustments shall be  
13 retained in such Funds to be used by the Department for such  
14 purposes.

15 (b) Notwithstanding any other provision of law, in addition  
16 to any other transfers that may be provided by law, on July 1,  
17 2011, or as soon thereafter as practical, the State Comptroller  
18 shall direct and the State Treasurer shall transfer the  
19 remaining balance from the Metro East Public Transportation  
20 Fund into the General Revenue Fund. Upon completion of the  
21 transfers, the Metro East Public Transportation Fund is  
22 dissolved, and any future deposits due to that Fund and any  
23 outstanding obligations or liabilities of that Fund pass to the  
24 General Revenue Fund.

25 (Source: P.A. 95-708, eff. 1-18-08.)

1 Section 5-20. The Motor Fuel Tax Law is amended by changing  
2 Section 8 as follows:

3 (35 ILCS 505/8) (from Ch. 120, par. 424)

4 Sec. 8. Except as provided in Section 8a, subdivision  
5 (h) (1) of Section 12a, Section 13a.6, and items 13, 14, 15, and  
6 16 of Section 15, all money received by the Department under  
7 this Act, including payments made to the Department by member  
8 jurisdictions participating in the International Fuel Tax  
9 Agreement, shall be deposited in a special fund in the State  
10 treasury, to be known as the "Motor Fuel Tax Fund", and shall  
11 be used as follows:

12 (a) 2 1/2 cents per gallon of the tax collected on special  
13 fuel under paragraph (b) of Section 2 and Section 13a of this  
14 Act shall be transferred to the State Construction Account Fund  
15 in the State Treasury;

16 (b) \$420,000 shall be transferred each month to the State  
17 Boating Act Fund to be used by the Department of Natural  
18 Resources for the purposes specified in Article X of the Boat  
19 Registration and Safety Act;

20 (c) \$3,500,000 shall be transferred each month to the Grade  
21 Crossing Protection Fund to be used as follows: not less than  
22 \$12,000,000 each fiscal year shall be used for the construction  
23 or reconstruction of rail highway grade separation structures;  
24 \$2,250,000 in fiscal years 2004 through 2009 and \$3,000,000 in  
25 fiscal year 2010 and each fiscal year thereafter shall be

1 transferred to the Transportation Regulatory Fund and shall be  
2 accounted for as part of the rail carrier portion of such funds  
3 and shall be used to pay the cost of administration of the  
4 Illinois Commerce Commission's railroad safety program in  
5 connection with its duties under subsection (3) of Section  
6 18c-7401 of the Illinois Vehicle Code, with the remainder to be  
7 used by the Department of Transportation upon order of the  
8 Illinois Commerce Commission, to pay that part of the cost  
9 apportioned by such Commission to the State to cover the  
10 interest of the public in the use of highways, roads, streets,  
11 or pedestrian walkways in the county highway system, township  
12 and district road system, or municipal street system as defined  
13 in the Illinois Highway Code, as the same may from time to time  
14 be amended, for separation of grades, for installation,  
15 construction or reconstruction of crossing protection or  
16 reconstruction, alteration, relocation including construction  
17 or improvement of any existing highway necessary for access to  
18 property or improvement of any grade crossing and grade  
19 crossing surface including the necessary highway approaches  
20 thereto of any railroad across the highway or public road, or  
21 for the installation, construction, reconstruction, or  
22 maintenance of a pedestrian walkway over or under a railroad  
23 right-of-way, as provided for in and in accordance with Section  
24 18c-7401 of the Illinois Vehicle Code. The Commission may order  
25 up to \$2,000,000 per year in Grade Crossing Protection Fund  
26 moneys for the improvement of grade crossing surfaces and up to

1 \$300,000 per year for the maintenance and renewal of 4-quadrant  
2 gate vehicle detection systems located at non-high speed rail  
3 grade crossings. The Commission shall not order more than  
4 \$2,000,000 per year in Grade Crossing Protection Fund moneys  
5 for pedestrian walkways. In entering orders for projects for  
6 which payments from the Grade Crossing Protection Fund will be  
7 made, the Commission shall account for expenditures authorized  
8 by the orders on a cash rather than an accrual basis. For  
9 purposes of this requirement an "accrual basis" assumes that  
10 the total cost of the project is expended in the fiscal year in  
11 which the order is entered, while a "cash basis" allocates the  
12 cost of the project among fiscal years as expenditures are  
13 actually made. To meet the requirements of this subsection, the  
14 Illinois Commerce Commission shall develop annual and 5-year  
15 project plans of rail crossing capital improvements that will  
16 be paid for with moneys from the Grade Crossing Protection  
17 Fund. The annual project plan shall identify projects for the  
18 succeeding fiscal year and the 5-year project plan shall  
19 identify projects for the 5 directly succeeding fiscal years.  
20 The Commission shall submit the annual and 5-year project plans  
21 for this Fund to the Governor, the President of the Senate, the  
22 Senate Minority Leader, the Speaker of the House of  
23 Representatives, and the Minority Leader of the House of  
24 Representatives on the first Wednesday in April of each year;

25 (d) of the amount remaining after allocations provided for  
26 in subsections (a), (b) and (c), a sufficient amount shall be

1 reserved to pay all of the following:

2 (1) the costs of the Department of Revenue in  
3 administering this Act;

4 (2) the costs of the Department of Transportation in  
5 performing its duties imposed by the Illinois Highway Code  
6 for supervising the use of motor fuel tax funds apportioned  
7 to municipalities, counties and road districts;

8 (3) refunds provided for in Section 13, refunds for  
9 overpayment of decal fees paid under Section 13a.4 of this  
10 Act, and refunds provided for under the terms of the  
11 International Fuel Tax Agreement referenced in Section  
12 14a;

13 (4) from October 1, 1985 until June 30, 1994, the  
14 administration of the Vehicle Emissions Inspection Law,  
15 which amount shall be certified monthly by the  
16 Environmental Protection Agency to the State Comptroller  
17 and shall promptly be transferred by the State Comptroller  
18 and Treasurer from the Motor Fuel Tax Fund to the Vehicle  
19 Inspection Fund, and for the period July 1, 1994 through  
20 June 30, 2000, one-twelfth of \$25,000,000 each month, for  
21 the period July 1, 2000 through June 30, 2003, one-twelfth  
22 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,  
23 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each  
24 July 1 and October 1, or as soon thereafter as may be  
25 practical, during the period July 1, 2004 through June 30,  
26 2012 ~~2011~~, for the administration of the Vehicle Emissions

1 Inspection Law of 2005, to be transferred by the State  
2 Comptroller and Treasurer from the Motor Fuel Tax Fund into  
3 the Vehicle Inspection Fund;

4 (5) amounts ordered paid by the Court of Claims; and

5 (6) payment of motor fuel use taxes due to member  
6 jurisdictions under the terms of the International Fuel Tax  
7 Agreement. The Department shall certify these amounts to  
8 the Comptroller by the 15th day of each month; the  
9 Comptroller shall cause orders to be drawn for such  
10 amounts, and the Treasurer shall administer those amounts  
11 on or before the last day of each month;

12 (e) after allocations for the purposes set forth in  
13 subsections (a), (b), (c) and (d), the remaining amount shall  
14 be apportioned as follows:

15 (1) Until January 1, 2000, 58.4%, and beginning January  
16 1, 2000, 45.6% shall be deposited as follows:

17 (A) 37% into the State Construction Account Fund,  
18 and

19 (B) 63% into the Road Fund, \$1,250,000 of which  
20 shall be reserved each month for the Department of  
21 Transportation to be used in accordance with the  
22 provisions of Sections 6-901 through 6-906 of the  
23 Illinois Highway Code;

24 (2) Until January 1, 2000, 41.6%, and beginning January  
25 1, 2000, 54.4% shall be transferred to the Department of  
26 Transportation to be distributed as follows:

1 (A) 49.10% to the municipalities of the State,

2 (B) 16.74% to the counties of the State having  
3 1,000,000 or more inhabitants,

4 (C) 18.27% to the counties of the State having less  
5 than 1,000,000 inhabitants,

6 (D) 15.89% to the road districts of the State.

7 As soon as may be after the first day of each month the  
8 Department of Transportation shall allot to each municipality  
9 its share of the amount apportioned to the several  
10 municipalities which shall be in proportion to the population  
11 of such municipalities as determined by the last preceding  
12 municipal census if conducted by the Federal Government or  
13 Federal census. If territory is annexed to any municipality  
14 subsequent to the time of the last preceding census the  
15 corporate authorities of such municipality may cause a census  
16 to be taken of such annexed territory and the population so  
17 ascertained for such territory shall be added to the population  
18 of the municipality as determined by the last preceding census  
19 for the purpose of determining the allotment for that  
20 municipality. If the population of any municipality was not  
21 determined by the last Federal census preceding any  
22 apportionment, the apportionment to such municipality shall be  
23 in accordance with any census taken by such municipality. Any  
24 municipal census used in accordance with this Section shall be  
25 certified to the Department of Transportation by the clerk of  
26 such municipality, and the accuracy thereof shall be subject to



1 approval of the Department which may make such corrections as  
2 it ascertains to be necessary.

3 As soon as may be after the first day of each month the  
4 Department of Transportation shall allot to each county its  
5 share of the amount apportioned to the several counties of the  
6 State as herein provided. Each allotment to the several  
7 counties having less than 1,000,000 inhabitants shall be in  
8 proportion to the amount of motor vehicle license fees received  
9 from the residents of such counties, respectively, during the  
10 preceding calendar year. The Secretary of State shall, on or  
11 before April 15 of each year, transmit to the Department of  
12 Transportation a full and complete report showing the amount of  
13 motor vehicle license fees received from the residents of each  
14 county, respectively, during the preceding calendar year. The  
15 Department of Transportation shall, each month, use for  
16 allotment purposes the last such report received from the  
17 Secretary of State.

18 As soon as may be after the first day of each month, the  
19 Department of Transportation shall allot to the several  
20 counties their share of the amount apportioned for the use of  
21 road districts. The allotment shall be apportioned among the  
22 several counties in the State in the proportion which the total  
23 mileage of township or district roads in the respective  
24 counties bears to the total mileage of all township and  
25 district roads in the State. Funds allotted to the respective  
26 counties for the use of road districts therein shall be

1 allocated to the several road districts in the county in the  
2 proportion which the total mileage of such township or district  
3 roads in the respective road districts bears to the total  
4 mileage of all such township or district roads in the county.  
5 After July 1 of any year prior to 2011, no allocation shall be  
6 made for any road district unless it levied a tax for road and  
7 bridge purposes in an amount which will require the extension  
8 of such tax against the taxable property in any such road  
9 district at a rate of not less than either .08% of the value  
10 thereof, based upon the assessment for the year immediately  
11 prior to the year in which such tax was levied and as equalized  
12 by the Department of Revenue or, in DuPage County, an amount  
13 equal to or greater than \$12,000 per mile of road under the  
14 jurisdiction of the road district, whichever is less. Beginning  
15 July 1, 2011 and each July 1 thereafter, an allocation shall be  
16 made for any road district if it levied a tax for road and  
17 bridge purposes. In counties other than DuPage County, if the  
18 amount of the tax levy requires the extension of the tax  
19 against the taxable property in the road district at a rate  
20 that is less than 0.08% of the value thereof, based upon the  
21 assessment for the year immediately prior to the year in which  
22 the tax was levied and as equalized by the Department of  
23 Revenue, then the amount of the allocation for that road  
24 district shall be a percentage of the maximum allocation equal  
25 to the percentage obtained by dividing the rate extended by the  
26 district by 0.08%. In DuPage County, if the amount of the tax

1 levy requires the extension of the tax against the taxable  
2 property in the road district at a rate that is less than the  
3 lesser of (i) 0.08% of the value of the taxable property in the  
4 road district, based upon the assessment for the year  
5 immediately prior to the year in which such tax was levied and  
6 as equalized by the Department of Revenue, or (ii) a rate that  
7 will yield an amount equal to \$12,000 per mile of road under  
8 the jurisdiction of the road district, then the amount of the  
9 allocation for the road district shall be a percentage of the  
10 maximum allocation equal to the percentage obtained by dividing  
11 the rate extended by the district by the lesser of (i) 0.08% or  
12 (ii) the rate that will yield an amount equal to \$12,000 per  
13 mile of road under the jurisdiction of the road district.

14 Prior to 2011, if any road district has levied a special  
15 tax for road purposes pursuant to Sections 6-601, 6-602 and  
16 6-603 of the Illinois Highway Code, and such tax was levied in  
17 an amount which would require extension at a rate of not less  
18 than .08% of the value of the taxable property thereof, as  
19 equalized or assessed by the Department of Revenue, or, in  
20 DuPage County, an amount equal to or greater than \$12,000 per  
21 mile of road under the jurisdiction of the road district,  
22 whichever is less, such levy shall, however, be deemed a proper  
23 compliance with this Section and shall qualify such road  
24 district for an allotment under this Section. Beginning in 2011  
25 and thereafter, if any road district has levied a special tax  
26 for road purposes under Sections 6-601, 6-602, and 6-603 of the

1 Illinois Highway Code, and the tax was levied in an amount that  
2 would require extension at a rate of not less than 0.08% of the  
3 value of the taxable property of that road district, as  
4 equalized or assessed by the Department of Revenue or, in  
5 DuPage County, an amount equal to or greater than \$12,000 per  
6 mile of road under the jurisdiction of the road district,  
7 whichever is less, that levy shall be deemed a proper  
8 compliance with this Section and shall qualify such road  
9 district for a full, rather than proportionate, allotment under  
10 this Section. If the levy for the special tax is less than  
11 0.08% of the value of the taxable property, or, in DuPage  
12 County if the levy for the special tax is less than the lesser  
13 of (i) 0.08% or (ii) \$12,000 per mile of road under the  
14 jurisdiction of the road district, and if the levy for the  
15 special tax is more than any other levy for road and bridge  
16 purposes, then the levy for the special tax qualifies the road  
17 district for a proportionate, rather than full, allotment under  
18 this Section. If the levy for the special tax is equal to or  
19 less than any other levy for road and bridge purposes, then any  
20 allotment under this Section shall be determined by the other  
21 levy for road and bridge purposes.

22 Prior to 2011, if a township has transferred to the road  
23 and bridge fund money which, when added to the amount of any  
24 tax levy of the road district would be the equivalent of a tax  
25 levy requiring extension at a rate of at least .08%, or, in  
26 DuPage County, an amount equal to or greater than \$12,000 per

1 mile of road under the jurisdiction of the road district,  
2 whichever is less, such transfer, together with any such tax  
3 levy, shall be deemed a proper compliance with this Section and  
4 shall qualify the road district for an allotment under this  
5 Section.

6 In counties in which a property tax extension limitation is  
7 imposed under the Property Tax Extension Limitation Law, road  
8 districts may retain their entitlement to a motor fuel tax  
9 allotment or, beginning in 2011, their entitlement to a full  
10 allotment if, at the time the property tax extension limitation  
11 was imposed, the road district was levying a road and bridge  
12 tax at a rate sufficient to entitle it to a motor fuel tax  
13 allotment and continues to levy the maximum allowable amount  
14 after the imposition of the property tax extension limitation.  
15 Any road district may in all circumstances retain its  
16 entitlement to a motor fuel tax allotment or, beginning in  
17 2011, its entitlement to a full allotment if it levied a road  
18 and bridge tax in an amount that will require the extension of  
19 the tax against the taxable property in the road district at a  
20 rate of not less than 0.08% of the assessed value of the  
21 property, based upon the assessment for the year immediately  
22 preceding the year in which the tax was levied and as equalized  
23 by the Department of Revenue or, in DuPage County, an amount  
24 equal to or greater than \$12,000 per mile of road under the  
25 jurisdiction of the road district, whichever is less.

26 As used in this Section the term "road district" means any

1 road district, including a county unit road district, provided  
2 for by the Illinois Highway Code; and the term "township or  
3 district road" means any road in the township and district road  
4 system as defined in the Illinois Highway Code. For the  
5 purposes of this Section, "township or district road" also  
6 includes such roads as are maintained by park districts, forest  
7 preserve districts and conservation districts. The Department  
8 of Transportation shall determine the mileage of all township  
9 and district roads for the purposes of making allotments and  
10 allocations of motor fuel tax funds for use in road districts.

11 Payment of motor fuel tax moneys to municipalities and  
12 counties shall be made as soon as possible after the allotment  
13 is made. The treasurer of the municipality or county may invest  
14 these funds until their use is required and the interest earned  
15 by these investments shall be limited to the same uses as the  
16 principal funds.

17 (Source: P.A. 95-744, eff. 7-18-08; 96-34, eff. 7-13-09; 96-45,  
18 eff. 7-15-09; 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10;  
19 96-1024, eff. 7-12-10; 96-1384, eff. 7-29-10; revised 9-2-10.)

20 Section 5-25. The School Code is amended by adding Section  
21 2-3.153 as follows:

22 (105 ILCS 5/2-3.153 new)

23 Sec. 2-3.153. Low Performing Schools Intervention Program.  
24 From any funds appropriated to the State Board of Education for

1 the purposes of intervening in low performing schools, the  
2 State Superintendent may, in his or her discretion, select  
3 school districts and schools in which to directly or indirectly  
4 intervene; provided however that such school districts and  
5 schools are within the lowest 5% in terms of performance in the  
6 State as determined by the State Superintendent. Intervention  
7 may take the form of a needs assessment or additional, more  
8 intensive intervention, as determined by the State  
9 Superintendent. Expenditures from funds appropriated for this  
10 purpose may include, without limitation, contracts, grants and  
11 travel to support the intervention.

12 Article 10. PENSION CONTRIBUTIONS

13 Section 10-5. The State Finance Act is amended by changing  
14 Section 8.12 as follows:

15 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

16 Sec. 8.12. State Pensions Fund.

17 (a) The moneys in the State Pensions Fund shall be used  
18 exclusively for the administration of the Uniform Disposition  
19 of Unclaimed Property Act and for the funding of the unfunded  
20 liabilities of the designated retirement systems. Payments to  
21 the designated retirement systems under this Section shall be  
22 in addition to, and not in lieu of, any State contributions  
23 required under the Illinois Pension Code.

1 "Designated retirement systems" means:

2 (1) the State Employees' Retirement System of  
3 Illinois;

4 (2) the Teachers' Retirement System of the State of  
5 Illinois;

6 (3) the State Universities Retirement System;

7 (4) the Judges Retirement System of Illinois; and

8 (5) the General Assembly Retirement System.

9 (b) Each year the General Assembly may make appropriations  
10 from the State Pensions Fund for the administration of the  
11 Uniform Disposition of Unclaimed Property Act.

12 Each month, the Commissioner of the Office of Banks and  
13 Real Estate shall certify to the State Treasurer the actual  
14 expenditures that the Office of Banks and Real Estate incurred  
15 conducting unclaimed property examinations under the Uniform  
16 Disposition of Unclaimed Property Act during the immediately  
17 preceding month. Within a reasonable time following the  
18 acceptance of such certification by the State Treasurer, the  
19 State Treasurer shall pay from its appropriation from the State  
20 Pensions Fund to the Bank and Trust Company Fund and the  
21 Savings and Residential Finance Regulatory Fund an amount equal  
22 to the expenditures incurred by each Fund for that month.

23 Each month, the Director of Financial Institutions shall  
24 certify to the State Treasurer the actual expenditures that the  
25 Department of Financial Institutions incurred conducting  
26 unclaimed property examinations under the Uniform Disposition



1 of Unclaimed Property Act during the immediately preceding  
2 month. Within a reasonable time following the acceptance of  
3 such certification by the State Treasurer, the State Treasurer  
4 shall pay from its appropriation from the State Pensions Fund  
5 to the Financial Institutions Fund and the Credit Union Fund an  
6 amount equal to the expenditures incurred by each Fund for that  
7 month.

8 (c) As soon as possible after the effective date of this  
9 amendatory Act of the 93rd General Assembly, the General  
10 Assembly shall appropriate from the State Pensions Fund (1) to  
11 the State Universities Retirement System the amount certified  
12 under Section 15-165 during the prior year, (2) to the Judges  
13 Retirement System of Illinois the amount certified under  
14 Section 18-140 during the prior year, and (3) to the General  
15 Assembly Retirement System the amount certified under Section  
16 2-134 during the prior year as part of the required State  
17 contributions to each of those designated retirement systems;  
18 except that amounts appropriated under this subsection (c) in  
19 State fiscal year 2005 shall not reduce the amount in the State  
20 Pensions Fund below \$5,000,000. If the amount in the State  
21 Pensions Fund does not exceed the sum of the amounts certified  
22 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,  
23 the amount paid to each designated retirement system under this  
24 subsection shall be reduced in proportion to the amount  
25 certified by each of those designated retirement systems.

26 (c-5) For fiscal years 2006 through 2012 ~~, 2007, 2008,~~

1 ~~2009, 2010, and 2011~~ the General Assembly shall appropriate  
2 from the State Pensions Fund to the State Universities  
3 Retirement System the amount estimated to be available during  
4 the fiscal year in the State Pensions Fund; provided, however,  
5 that the amounts appropriated under this subsection (c-5) shall  
6 not reduce the amount in the State Pensions Fund below  
7 \$5,000,000.

8 (c-6) For fiscal year 2013 ~~2012~~ and each fiscal year  
9 thereafter, as soon as may be practical after any money is  
10 deposited into the State Pensions Fund from the Unclaimed  
11 Property Trust Fund, the State Treasurer shall apportion the  
12 deposited amount among the designated retirement systems as  
13 defined in subsection (a) to reduce their actuarial reserve  
14 deficiencies. The State Comptroller and State Treasurer shall  
15 pay the apportioned amounts to the designated retirement  
16 systems to fund the unfunded liabilities of the designated  
17 retirement systems. The amount apportioned to each designated  
18 retirement system shall constitute a portion of the amount  
19 estimated to be available for appropriation from the State  
20 Pensions Fund that is the same as that retirement system's  
21 portion of the total actual reserve deficiency of the systems,  
22 as determined annually by the Governor's Office of Management  
23 and Budget at the request of the State Treasurer. The amounts  
24 apportioned under this subsection shall not reduce the amount  
25 in the State Pensions Fund below \$5,000,000.

26 (d) The Governor's Office of Management and Budget shall

1 determine the individual and total reserve deficiencies of the  
2 designated retirement systems. For this purpose, the  
3 Governor's Office of Management and Budget shall utilize the  
4 latest available audit and actuarial reports of each of the  
5 retirement systems and the relevant reports and statistics of  
6 the Public Employee Pension Fund Division of the Department of  
7 Insurance.

8 (d-1) As soon as practicable after the effective date of  
9 this amendatory Act of the 93rd General Assembly, the  
10 Comptroller shall direct and the Treasurer shall transfer from  
11 the State Pensions Fund to the General Revenue Fund, as funds  
12 become available, a sum equal to the amounts that would have  
13 been paid from the State Pensions Fund to the Teachers'  
14 Retirement System of the State of Illinois, the State  
15 Universities Retirement System, the Judges Retirement System  
16 of Illinois, the General Assembly Retirement System, and the  
17 State Employees' Retirement System of Illinois after the  
18 effective date of this amendatory Act during the remainder of  
19 fiscal year 2004 to the designated retirement systems from the  
20 appropriations provided for in this Section if the transfers  
21 provided in Section 6z-61 had not occurred. The transfers  
22 described in this subsection (d-1) are to partially repay the  
23 General Revenue Fund for the costs associated with the bonds  
24 used to fund the moneys transferred to the designated  
25 retirement systems under Section 6z-61.

26 (e) The changes to this Section made by this amendatory Act

1 of 1994 shall first apply to distributions from the Fund for  
2 State fiscal year 1996.

3 (Source: P.A. 95-950, eff. 8-29-08; 96-959, eff. 7-1-10.)

4 Article 15. ADDITIONAL AMENDATORY PROVISIONS

5 Section 15-5. The Renewable Energy, Energy Efficiency, and  
6 Coal Resources Development Law of 1997 is amended by changing  
7 Section 6-5.5 as follows:

8 (20 ILCS 687/6-5.5)

9 (Section scheduled to be repealed on December 12, 2015)

10 Sec. 6-5.5. Renewable energy grants.

11 (a) Subject to appropriation, the Department shall ~~may~~  
12 establish and operate a renewable energy grant program to  
13 assist public schools and community colleges with engineering  
14 studies and feasibility studies and in training green economy  
15 technology and in the installation, acquisition, construction,  
16 and improvement of renewable energy resources, including  
17 without limitation smart grid technology, solar energy (such as  
18 solar panels), geothermal energy, and wind energy.

19 (b) Application for a grant under this Section must be in  
20 the form and manner established by the Department. The schools  
21 and community colleges may accept private funds for their  
22 portion of the cost.

23 (c) The Department may adopt any rules that are necessary

1 to carry out its responsibilities under this Section.

2 (Source: P.A. 95-46, eff. 8-10-07; 96-725, eff. 8-25-09.)

3 Section 15-25. The State Finance Act is amended by changing  
4 Section 14.1 as follows:

5 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

6 Sec. 14.1. Appropriations for State contributions to the  
7 State Employees' Retirement System; payroll requirements.

8 (a) Appropriations for State contributions to the State  
9 Employees' Retirement System of Illinois shall be expended in  
10 the manner provided in this Section. Except as otherwise  
11 provided in subsections (a-1), ~~and~~ (a-2), (a-3), and (a-4) at  
12 the time of each payment of salary to an employee under the  
13 personal services line item, payment shall be made to the State  
14 Employees' Retirement System, from the amount appropriated for  
15 State contributions to the State Employees' Retirement System,  
16 of an amount calculated at the rate certified for the  
17 applicable fiscal year by the Board of Trustees of the State  
18 Employees' Retirement System under Section 14-135.08 of the  
19 Illinois Pension Code. If a line item appropriation to an  
20 employer for this purpose is exhausted or is unavailable due to  
21 any limitation on appropriations that may apply, (including,  
22 but not limited to, limitations on appropriations from the Road  
23 Fund under Section 8.3 of the State Finance Act), the amounts  
24 shall be paid under the continuing appropriation for this

1 purpose contained in the State Pension Funds Continuing  
2 Appropriation Act.

3 (a-1) Beginning on the effective date of this amendatory  
4 Act of the 93rd General Assembly through the payment of the  
5 final payroll from fiscal year 2004 appropriations,  
6 appropriations for State contributions to the State Employees'  
7 Retirement System of Illinois shall be expended in the manner  
8 provided in this subsection (a-1). At the time of each payment  
9 of salary to an employee under the personal services line item  
10 from a fund other than the General Revenue Fund, payment shall  
11 be made for deposit into the General Revenue Fund from the  
12 amount appropriated for State contributions to the State  
13 Employees' Retirement System of an amount calculated at the  
14 rate certified for fiscal year 2004 by the Board of Trustees of  
15 the State Employees' Retirement System under Section 14-135.08  
16 of the Illinois Pension Code. This payment shall be made to the  
17 extent that a line item appropriation to an employer for this  
18 purpose is available or unexhausted. No payment from  
19 appropriations for State contributions shall be made in  
20 conjunction with payment of salary to an employee under the  
21 personal services line item from the General Revenue Fund.

22 (a-2) For fiscal year 2010 only, at the time of each  
23 payment of salary to an employee under the personal services  
24 line item from a fund other than the General Revenue Fund,  
25 payment shall be made for deposit into the State Employees'  
26 Retirement System of Illinois from the amount appropriated for

1 State contributions to the State Employees' Retirement System  
2 of Illinois of an amount calculated at the rate certified for  
3 fiscal year 2010 by the Board of Trustees of the State  
4 Employees' Retirement System of Illinois under Section  
5 14-135.08 of the Illinois Pension Code. This payment shall be  
6 made to the extent that a line item appropriation to an  
7 employer for this purpose is available or unexhausted. For  
8 fiscal year 2010 only, no payment from appropriations for State  
9 contributions shall be made in conjunction with payment of  
10 salary to an employee under the personal services line item  
11 from the General Revenue Fund.

12 (a-3) For fiscal year 2011 only, at the time of each  
13 payment of salary to an employee under the personal services  
14 line item from a fund other than the General Revenue Fund,  
15 payment shall be made for deposit into the State Employees'  
16 Retirement System of Illinois from the amount appropriated for  
17 State contributions to the State Employees' Retirement System  
18 of Illinois of an amount calculated at the rate certified for  
19 fiscal year 2011 by the Board of Trustees of the State  
20 Employees' Retirement System of Illinois under Section  
21 14-135.08 of the Illinois Pension Code. This payment shall be  
22 made to the extent that a line item appropriation to an  
23 employer for this purpose is available or unexhausted. For  
24 fiscal year 2011 only, no payment from appropriations for State  
25 contributions shall be made in conjunction with payment of  
26 salary to an employee under the personal services line item

1 from the General Revenue Fund.

2 (a-4) In fiscal year 2012 only, at the time of each payment  
3 of salary to an employee under the personal services line item  
4 from a fund other than the General Revenue Fund, payment shall  
5 be made for deposit into the State Employees' Retirement System  
6 of Illinois from the amount appropriated for State  
7 contributions to the State Employees' Retirement System of  
8 Illinois of an amount calculated at the rate certified for the  
9 applicable fiscal year by the Board of Trustees of the State  
10 Employees' Retirement System of Illinois under Section  
11 14-135.08 of the Illinois Pension Code. In fiscal year 2012  
12 only, no payment from appropriations for State contributions  
13 shall be made in conjunction with payment of salary to an  
14 employee under the personal services line item from the General  
15 Revenue Fund.

16 (b) Except during the period beginning on the effective  
17 date of this amendatory Act of the 93rd General Assembly and  
18 ending at the time of the payment of the final payroll from  
19 fiscal year 2004 appropriations, the State Comptroller shall  
20 not approve for payment any payroll voucher that (1) includes  
21 payments of salary to eligible employees in the State  
22 Employees' Retirement System of Illinois and (2) does not  
23 include the corresponding payment of State contributions to  
24 that retirement system at the full rate certified under Section  
25 14-135.08 for that fiscal year for eligible employees, unless  
26 the balance in the fund on which the payroll voucher is drawn



1 is insufficient to pay the total payroll voucher, or  
2 unavailable due to any limitation on appropriations that may  
3 apply, including, but not limited to, limitations on  
4 appropriations from the Road Fund under Section 8.3 of the  
5 State Finance Act. If the State Comptroller approves a payroll  
6 voucher under this Section for which the fund balance is  
7 insufficient to pay the full amount of the required State  
8 contribution to the State Employees' Retirement System, the  
9 Comptroller shall promptly so notify the Retirement System.

10 (b-1) For fiscal year 2010 and fiscal year 2011 only, the  
11 State Comptroller shall not approve for payment any non-General  
12 Revenue Fund payroll voucher that (1) includes payments of  
13 salary to eligible employees in the State Employees' Retirement  
14 System of Illinois and (2) does not include the corresponding  
15 payment of State contributions to that retirement system at the  
16 full rate certified under Section 14-135.08 for that fiscal  
17 year for eligible employees, unless the balance in the fund on  
18 which the payroll voucher is drawn is insufficient to pay the  
19 total payroll voucher, or unavailable due to any limitation on  
20 appropriations that may apply, including, but not limited to,  
21 limitations on appropriations from the Road Fund under Section  
22 8.3 of the State Finance Act. If the State Comptroller approves  
23 a payroll voucher under this Section for which the fund balance  
24 is insufficient to pay the full amount of the required State  
25 contribution to the State Employees' Retirement System of  
26 Illinois, the Comptroller shall promptly so notify the

1 retirement system.

2 (c) Notwithstanding any other provisions of law, beginning  
3 July 1, 2007, required State and employee contributions to the  
4 State Employees' Retirement System of Illinois relating to  
5 affected legislative staff employees shall be paid out of  
6 moneys appropriated for that purpose to the Commission on  
7 Government Forecasting and Accountability, rather than out of  
8 the lump-sum appropriations otherwise made for the payroll and  
9 other costs of those employees.

10 These payments must be made pursuant to payroll vouchers  
11 submitted by the employing entity as part of the regular  
12 payroll voucher process.

13 For the purpose of this subsection, "affected legislative  
14 staff employees" means legislative staff employees paid out of  
15 lump-sum appropriations made to the General Assembly, an  
16 Officer of the General Assembly, or the Senate Operations  
17 Commission, but does not include district-office staff or  
18 employees of legislative support services agencies.

19 (Source: P.A. 95-707, eff. 1-11-08; 96-45, eff. 7-15-09;  
20 96-958, eff. 7-1-10; 96-1497, eff. 1-14-11.)

21 Section 15-30. The State Prompt Payment Act is amended by  
22 changing Section 3-2 as follows:

23 (30 ILCS 540/3-2)

24 Sec. 3-2. Beginning July 1, 1993, in any instance where a

1 State official or agency is late in payment of a vendor's bill  
2 or invoice for goods or services furnished to the State, as  
3 defined in Section 1, properly approved in accordance with  
4 rules promulgated under Section 3-3, the State official or  
5 agency shall pay interest to the vendor in accordance with the  
6 following:

7 (1) Any bill, except a bill submitted under Article V  
8 of the Illinois Public Aid Code and except as provided  
9 under paragraph (1.05), approved for payment under this  
10 Section must be paid or the payment issued to the payee  
11 within 60 days of receipt of a proper bill or invoice. If  
12 payment is not issued to the payee within this 60-day ~~60~~  
13 ~~day~~ period, an interest penalty of 1.0% of any amount  
14 approved and unpaid shall be added for each month or  
15 fraction thereof after the end of this 60-day ~~60-day~~  
16 period, until final payment is made. Any bill, except a  
17 bill for pharmacy or nursing facility services or goods,  
18 and except as provided under paragraph 1.05 of this  
19 Section, submitted under Article V of the Illinois Public  
20 Aid Code approved for payment under this Section must be  
21 paid or the payment issued to the payee within 60 days  
22 after receipt of a proper bill or invoice, and, if payment  
23 is not issued to the payee within this 60-day period, an  
24 interest penalty of 2.0% of any amount approved and unpaid  
25 shall be added for each month or fraction thereof after the  
26 end of this 60-day period, until final payment is made. Any

1 bill for pharmacy or nursing facility services or goods  
2 submitted under Article V of the Illinois Public Aid Code,  
3 except as provided under paragraph (1.05) of this Section,  
4 approved for payment under this Section must be paid or the  
5 payment issued to the payee within 60 days of receipt of a  
6 proper bill or invoice. If payment is not issued to the  
7 payee within this 60-day ~~60-day~~ period, an interest penalty  
8 of 1.0% of any amount approved and unpaid shall be added  
9 for each month or fraction thereof after the end of this  
10 60-day ~~60-day~~ period, until final payment is made.

11 (1.05) For State fiscal year 2012 and future fiscal  
12 years, any bill approved for payment under this Section  
13 must be paid or the payment issued to the payee within 90  
14 days of receipt of a proper bill or invoice. If payment is  
15 not issued to the payee within this 90-day period, an  
16 interest penalty of 1.0% of any amount approved and unpaid  
17 shall be added for each month or fraction thereof after the  
18 end of this 90-day period, until final payment is made.

19 (1.1) A State agency shall review in a timely manner  
20 each bill or invoice after its receipt. If the State agency  
21 determines that the bill or invoice contains a defect  
22 making it unable to process the payment request, the agency  
23 shall notify the vendor requesting payment as soon as  
24 possible after discovering the defect pursuant to rules  
25 promulgated under Section 3-3; provided, however, that the  
26 notice for construction related bills or invoices must be

1 given not later than 30 days after the bill or invoice was  
2 first submitted. The notice shall identify the defect and  
3 any additional information necessary to correct the  
4 defect. If one or more items on a construction related bill  
5 or invoice are disapproved, but not the entire bill or  
6 invoice, then the portion that is not disapproved shall be  
7 paid.

8 (2) Where a State official or agency is late in payment  
9 of a vendor's bill or invoice properly approved in  
10 accordance with this Act, and different late payment terms  
11 are not reduced to writing as a contractual agreement, the  
12 State official or agency shall automatically pay interest  
13 penalties required by this Section amounting to \$50 or more  
14 to the appropriate vendor. Each agency shall be responsible  
15 for determining whether an interest penalty is owed and for  
16 paying the interest to the vendor. Interest due to a vendor  
17 that amounts to less than \$50 shall not be paid but shall  
18 be accrued until all interest due the vendor for all  
19 similar warrants exceeds \$50, at which time the accrued  
20 interest shall be payable and interest will begin accruing  
21 again, except that interest accrued as of the end of the  
22 fiscal year that does not exceed \$50 shall be payable at  
23 that time. In the event an individual has paid a vendor for  
24 services in advance, the provisions of this Section shall  
25 apply until payment is made to that individual.

26 (3) The provisions of Public Act 96-1501 ~~this~~

1 ~~amendatory Act of the 96th General Assembly~~ reducing the  
2 interest rate on pharmacy claims under Article V of the  
3 Illinois Public Aid Code to 1.0% per month shall apply to  
4 any pharmacy bills for services and goods under Article V  
5 of the Illinois Public Aid Code received on or after the  
6 date 60 days before January 25, 2011 (the effective date of  
7 Public Act 96-1501) except as provided under paragraph  
8 (1.05) of this Section ~~this amendatory Act of the 96th~~  
9 ~~General Assembly.~~

10 (Source: P.A. 96-555, eff. 8-18-09; 96-802, eff. 1-1-10;  
11 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1501, eff.  
12 1-25-11; 96-1530, eff. 2-16-11; revised 2-22-11.)"; and

13 Section 15-35. The Illinois Income Tax Act is amended by  
14 changing Section 901 as follows:

15 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

16 Sec. 901. Collection Authority.

17 (a) In general.

18 The Department shall collect the taxes imposed by this Act.  
19 The Department shall collect certified past due child support  
20 amounts under Section 2505-650 of the Department of Revenue Law  
21 (20 ILCS 2505/2505-650). Except as provided in subsections (c),  
22 (e), (f), and (g) of this Section, money collected pursuant to  
23 subsections (a) and (b) of Section 201 of this Act shall be  
24 paid into the General Revenue Fund in the State treasury; money

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

11 (b) Local Government Distributive Fund.

12 Beginning August 1, 1969, and continuing through June 30,  
13 1994, the Treasurer shall transfer each month from the General  
14 Revenue Fund to a special fund in the State treasury, to be  
15 known as the "Local Government Distributive Fund", an amount  
16 equal to 1/12 of the net revenue realized from the tax imposed  
17 by subsections (a) and (b) of Section 201 of this Act during  
18 the preceding month. Beginning July 1, 1994, and continuing  
19 through June 30, 1995, the Treasurer shall transfer each month  
20 from the General Revenue Fund to the Local Government  
21 Distributive Fund an amount equal to 1/11 of the net revenue  
22 realized from the tax imposed by subsections (a) and (b) of  
23 Section 201 of this Act during the preceding month. Beginning  
24 July 1, 1995 and continuing through January 31, 2011, the  
25 Treasurer shall transfer each month from the General Revenue  
26 Fund to the Local Government Distributive Fund an amount equal

1 to the net of (i) 1/10 of the net revenue realized from the tax  
2 imposed by subsections (a) and (b) of Section 201 of the  
3 Illinois Income Tax Act during the preceding month (ii) minus,  
4 beginning July 1, 2003 and ending June 30, 2004, \$6,666,666,  
5 and beginning July 1, 2004, zero. Beginning February 1, 2011,  
6 and continuing through January 31, 2015, the Treasurer shall  
7 transfer each month from the General Revenue Fund to the Local  
8 Government Distributive Fund an amount equal to the sum of (i)  
9 6% (10% of the ratio of the 3% individual income tax rate prior  
10 to 2011 to the 5% individual income tax rate after 2010) of the  
11 net revenue realized from the tax imposed by subsections (a)  
12 and (b) of Section 201 of this Act upon individuals, trusts,  
13 and estates during the preceding month and (ii) 6.86% (10% of  
14 the ratio of the 4.8% corporate income tax rate prior to 2011  
15 to the 7% corporate income tax rate after 2010) of the net  
16 revenue realized from the tax imposed by subsections (a) and  
17 (b) of Section 201 of this Act upon corporations during the  
18 preceding month. Beginning February 1, 2015 and continuing  
19 through January 31, 2025, the Treasurer shall transfer each  
20 month from the General Revenue Fund to the Local Government  
21 Distributive Fund an amount equal to the sum of (i) 8% (10% of  
22 the ratio of the 3% individual income tax rate prior to 2011 to  
23 the 3.75% individual income tax rate after 2014) of the net  
24 revenue realized from the tax imposed by subsections (a) and  
25 (b) of Section 201 of this Act upon individuals, trusts, and  
26 estates during the preceding month and (ii) 9.14% (10% of the



1 ratio of the 4.8% corporate income tax rate prior to 2011 to  
2 the 5.25% corporate income tax rate after 2014) of the net  
3 revenue realized from the tax imposed by subsections (a) and  
4 (b) of Section 201 of this Act upon corporations during the  
5 preceding month. Beginning February 1, 2025, the Treasurer  
6 shall transfer each month from the General Revenue Fund to the  
7 Local Government Distributive Fund an amount equal to the sum  
8 of (i) 9.23% (10% of the ratio of the 3% individual income tax  
9 rate prior to 2011 to the 3.25% individual income tax rate  
10 after 2024) of the net revenue realized from the tax imposed by  
11 subsections (a) and (b) of Section 201 of this Act upon  
12 individuals, trusts, and estates during the preceding month and  
13 (ii) 10% of the net revenue realized from the tax imposed by  
14 subsections (a) and (b) of Section 201 of this Act upon  
15 corporations during the preceding month. Net revenue realized  
16 for a month shall be defined as the revenue from the tax  
17 imposed by subsections (a) and (b) of Section 201 of this Act  
18 which is deposited in the General Revenue Fund, the Education  
19 Assistance Fund, the Income Tax Surcharge Local Government  
20 Distributive Fund, the Fund for the Advancement of Education,  
21 and the Commitment to Human Services Fund during the month  
22 minus the amount paid out of the General Revenue Fund in State  
23 warrants during that same month as refunds to taxpayers for  
24 overpayment of liability under the tax imposed by subsections  
25 (a) and (b) of Section 201 of this Act.

26 (c) Deposits Into Income Tax Refund Fund.

1           (1) Beginning on January 1, 1989 and thereafter, the  
2 Department shall deposit a percentage of the amounts  
3 collected pursuant to subsections (a) and (b) (1), (2), and  
4 (3), of Section 201 of this Act into a fund in the State  
5 treasury known as the Income Tax Refund Fund. The  
6 Department shall deposit 6% of such amounts during the  
7 period beginning January 1, 1989 and ending on June 30,  
8 1989. Beginning with State fiscal year 1990 and for each  
9 fiscal year thereafter, the percentage deposited into the  
10 Income Tax Refund Fund during a fiscal year shall be the  
11 Annual Percentage. For fiscal years 1999 through 2001, the  
12 Annual Percentage shall be 7.1%. For fiscal year 2003, the  
13 Annual Percentage shall be 8%. For fiscal year 2004, the  
14 Annual Percentage shall be 11.7%. Upon the effective date  
15 of this amendatory Act of the 93rd General Assembly, the  
16 Annual Percentage shall be 10% for fiscal year 2005. For  
17 fiscal year 2006, the Annual Percentage shall be 9.75%. For  
18 fiscal year 2007, the Annual Percentage shall be 9.75%. For  
19 fiscal year 2008, the Annual Percentage shall be 7.75%. For  
20 fiscal year 2009, the Annual Percentage shall be 9.75%. For  
21 fiscal year 2010, the Annual Percentage shall be 9.75%. For  
22 fiscal year 2011, the Annual Percentage shall be 8.75%. For  
23 fiscal year 2012, the Annual Percentage shall be 8.75%. For  
24 all other fiscal years, the Annual Percentage shall be  
25 calculated as a fraction, the numerator of which shall be  
26 the amount of refunds approved for payment by the

1 Department during the preceding fiscal year as a result of  
2 overpayment of tax liability under subsections (a) and  
3 (b) (1), (2), and (3) of Section 201 of this Act plus the  
4 amount of such refunds remaining approved but unpaid at the  
5 end of the preceding fiscal year, minus the amounts  
6 transferred into the Income Tax Refund Fund from the  
7 Tobacco Settlement Recovery Fund, and the denominator of  
8 which shall be the amounts which will be collected pursuant  
9 to subsections (a) and (b) (1), (2), and (3) of Section 201  
10 of this Act during the preceding fiscal year; except that  
11 in State fiscal year 2002, the Annual Percentage shall in  
12 no event exceed 7.6%. The Director of Revenue shall certify  
13 the Annual Percentage to the Comptroller on the last  
14 business day of the fiscal year immediately preceding the  
15 fiscal year for which it is to be effective.

16 (2) Beginning on January 1, 1989 and thereafter, the  
17 Department shall deposit a percentage of the amounts  
18 collected pursuant to subsections (a) and (b) (6), (7), and  
19 (8), (c) and (d) of Section 201 of this Act into a fund in  
20 the State treasury known as the Income Tax Refund Fund. The  
21 Department shall deposit 18% of such amounts during the  
22 period beginning January 1, 1989 and ending on June 30,  
23 1989. Beginning with State fiscal year 1990 and for each  
24 fiscal year thereafter, the percentage deposited into the  
25 Income Tax Refund Fund during a fiscal year shall be the  
26 Annual Percentage. For fiscal years 1999, 2000, and 2001,

1 the Annual Percentage shall be 19%. For fiscal year 2003,  
2 the Annual Percentage shall be 27%. For fiscal year 2004,  
3 the Annual Percentage shall be 32%. Upon the effective date  
4 of this amendatory Act of the 93rd General Assembly, the  
5 Annual Percentage shall be 24% for fiscal year 2005. For  
6 fiscal year 2006, the Annual Percentage shall be 20%. For  
7 fiscal year 2007, the Annual Percentage shall be 17.5%. For  
8 fiscal year 2008, the Annual Percentage shall be 15.5%. For  
9 fiscal year 2009, the Annual Percentage shall be 17.5%. For  
10 fiscal year 2010, the Annual Percentage shall be 17.5%. For  
11 fiscal year 2011, the Annual Percentage shall be 17.5%. For  
12 fiscal year 2012, the Annual Percentage shall be 17.5%. For  
13 all other fiscal years, the Annual Percentage shall be  
14 calculated as a fraction, the numerator of which shall be  
15 the amount of refunds approved for payment by the  
16 Department during the preceding fiscal year as a result of  
17 overpayment of tax liability under subsections (a) and  
18 (b) (6), (7), and (8), (c) and (d) of Section 201 of this  
19 Act plus the amount of such refunds remaining approved but  
20 unpaid at the end of the preceding fiscal year, and the  
21 denominator of which shall be the amounts which will be  
22 collected pursuant to subsections (a) and (b) (6), (7), and  
23 (8), (c) and (d) of Section 201 of this Act during the  
24 preceding fiscal year; except that in State fiscal year  
25 2002, the Annual Percentage shall in no event exceed 23%.  
26 The Director of Revenue shall certify the Annual Percentage

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

4 (3) The Comptroller shall order transferred and the  
5 Treasurer shall transfer from the Tobacco Settlement  
6 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000  
7 in January, 2001, (ii) \$35,000,000 in January, 2002, and  
8 (iii) \$35,000,000 in January, 2003.

9 (d) Expenditures from Income Tax Refund Fund.

10 (1) Beginning January 1, 1989, money in the Income Tax  
11 Refund Fund shall be expended exclusively for the purpose  
12 of paying refunds resulting from overpayment of tax  
13 liability under Section 201 of this Act, for paying rebates  
14 under Section 208.1 in the event that the amounts in the  
15 Homeowners' Tax Relief Fund are insufficient for that  
16 purpose, and for making transfers pursuant to this  
17 subsection (d).

18 (2) The Director shall order payment of refunds  
19 resulting from overpayment of tax liability under Section  
20 201 of this Act from the Income Tax Refund Fund only to the  
21 extent that amounts collected pursuant to Section 201 of  
22 this Act and transfers pursuant to this subsection (d) and  
23 item (3) of subsection (c) have been deposited and retained  
24 in the Fund.

25 (3) As soon as possible after the end of each fiscal  
26 year, the Director shall order transferred and the State

1           Treasurer and State Comptroller shall transfer from the  
2           Income Tax Refund Fund to the Personal Property Tax  
3           Replacement Fund an amount, certified by the Director to  
4           the Comptroller, equal to the excess of the amount  
5           collected pursuant to subsections (c) and (d) of Section  
6           201 of this Act deposited into the Income Tax Refund Fund  
7           during the fiscal year over the amount of refunds resulting  
8           from overpayment of tax liability under subsections (c) and  
9           (d) of Section 201 of this Act paid from the Income Tax  
10          Refund Fund during the fiscal year.

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

23           (4.5) As soon as possible after the end of fiscal year  
24          1999 and of each fiscal year thereafter, the Director shall  
25          order transferred and the State Treasurer and State  
26          Comptroller shall transfer from the Income Tax Refund Fund

1 to the General Revenue Fund any surplus remaining in the  
2 Income Tax Refund Fund as of the end of such fiscal year;  
3 excluding for fiscal years 2000, 2001, and 2002 amounts  
4 attributable to transfers under item (3) of subsection (c)  
5 less refunds resulting from the earned income tax credit.

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

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

12 On July 1, 1991, and thereafter, of the amounts collected  
13 pursuant to subsections (a) and (b) of Section 201 of this Act,  
14 minus deposits into the Income Tax Refund Fund, the Department  
15 shall deposit 7.3% into the Education Assistance Fund in the  
16 State Treasury. Beginning July 1, 1991, and continuing through  
17 January 31, 1993, of the amounts collected pursuant to  
18 subsections (a) and (b) of Section 201 of the Illinois Income  
19 Tax Act, minus deposits into the Income Tax Refund Fund, the  
20 Department shall deposit 3.0% into the Income Tax Surcharge  
21 Local Government Distributive Fund in the State Treasury.  
22 Beginning February 1, 1993 and continuing through June 30,  
23 1993, of the amounts collected pursuant to subsections (a) and  
24 (b) of Section 201 of the Illinois Income Tax Act, minus  
25 deposits into the Income Tax Refund Fund, the Department shall  
26 deposit 4.4% into the Income Tax Surcharge Local Government

1 Distributive Fund in the State Treasury. Beginning July 1,  
2 1993, and continuing through June 30, 1994, of the amounts  
3 collected under subsections (a) and (b) of Section 201 of this  
4 Act, minus deposits into the Income Tax Refund Fund, the  
5 Department shall deposit 1.475% into the Income Tax Surcharge  
6 Local Government Distributive Fund in the State Treasury.

7 (f) Deposits into the Fund for the Advancement of  
8 Education. Beginning February 1, 2015, the Department shall  
9 deposit the following portions of the revenue realized from the  
10 tax imposed upon individuals, trusts, and estates by  
11 subsections (a) and (b) of Section 201 of this Act during the  
12 preceding month, minus deposits into the Income Tax Refund  
13 Fund, into the Fund for the Advancement of Education:

14 (1) beginning February 1, 2015, and prior to February  
15 1, 2025, 1/30; and

16 (2) beginning February 1, 2025, 1/26.

17 If the rate of tax imposed by subsection (a) and (b) of  
18 Section 201 is reduced pursuant to Section 201.5 of this Act,  
19 the Department shall not make the deposits required by this  
20 subsection (f) on or after the effective date of the reduction.

21 (g) Deposits into the Commitment to Human Services Fund.  
22 Beginning February 1, 2015, the Department shall deposit the  
23 following portions of the revenue realized from the tax imposed  
24 upon individuals, trusts, and estates by subsections (a) and  
25 (b) of Section 201 of this Act during the preceding month,  
26 minus deposits into the Income Tax Refund Fund, into the



1 Commitment to Human Services Fund:

2 (1) beginning February 1, 2015, and prior to February  
3 1, 2025, 1/30; and

4 (2) beginning February 1, 2025, 1/26.

5 If the rate of tax imposed by subsection (a) and (b) of  
6 Section 201 is reduced pursuant to Section 201.5 of this Act,  
7 the Department shall not make the deposits required by this  
8 subsection (g) on or after the effective date of the reduction.  
9 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;  
10 96-45, eff. 7-15-09; 96-328, eff. 8-11-09; 96-959, eff. 7-1-10;  
11 96-1496, eff. 1-13-11.)

12 Section 15-40. The Illinois Pension Code is amended by  
13 changing Section 14-131 as follows:

14 (40 ILCS 5/14-131)

15 Sec. 14-131. Contributions by State.

16 (a) The State shall make contributions to the System by  
17 appropriations of amounts which, together with other employer  
18 contributions from trust, federal, and other funds, employee  
19 contributions, investment income, and other income, will be  
20 sufficient to meet the cost of maintaining and administering  
21 the System on a 90% funded basis in accordance with actuarial  
22 recommendations.

23 For the purposes of this Section and Section 14-135.08,  
24 references to State contributions refer only to employer

1 contributions and do not include employee contributions that  
2 are picked up or otherwise paid by the State or a department on  
3 behalf of the employee.

4 (b) The Board shall determine the total amount of State  
5 contributions required for each fiscal year on the basis of the  
6 actuarial tables and other assumptions adopted by the Board,  
7 using the formula in subsection (e).

8 The Board shall also determine a State contribution rate  
9 for each fiscal year, expressed as a percentage of payroll,  
10 based on the total required State contribution for that fiscal  
11 year (less the amount received by the System from  
12 appropriations under Section 8.12 of the State Finance Act and  
13 Section 1 of the State Pension Funds Continuing Appropriation  
14 Act, if any, for the fiscal year ending on the June 30  
15 immediately preceding the applicable November 15 certification  
16 deadline), the estimated payroll (including all forms of  
17 compensation) for personal services rendered by eligible  
18 employees, and the recommendations of the actuary.

19 For the purposes of this Section and Section 14.1 of the  
20 State Finance Act, the term "eligible employees" includes  
21 employees who participate in the System, persons who may elect  
22 to participate in the System but have not so elected, persons  
23 who are serving a qualifying period that is required for  
24 participation, and annuitants employed by a department as  
25 described in subdivision (a) (1) or (a) (2) of Section 14-111.

26 (c) Contributions shall be made by the several departments

1 for each pay period by warrants drawn by the State Comptroller  
2 against their respective funds or appropriations based upon  
3 vouchers stating the amount to be so contributed. These amounts  
4 shall be based on the full rate certified by the Board under  
5 Section 14-135.08 for that fiscal year. From the effective date  
6 of this amendatory Act of the 93rd General Assembly through the  
7 payment of the final payroll from fiscal year 2004  
8 appropriations, the several departments shall not make  
9 contributions for the remainder of fiscal year 2004 but shall  
10 instead make payments as required under subsection (a-1) of  
11 Section 14.1 of the State Finance Act. The several departments  
12 shall resume those contributions at the commencement of fiscal  
13 year 2005.

14 (c-1) Notwithstanding subsection (c) of this Section, for  
15 fiscal years ~~year~~ 2010 and 2012 only, contributions by the  
16 several departments are not required to be made for General  
17 Revenue Funds payrolls processed by the Comptroller. Payrolls  
18 paid by the several departments from all other State funds must  
19 continue to be processed pursuant to subsection (c) of this  
20 Section.

21 (c-2) For State fiscal years ~~year~~ 2010 and 2012 only, on or  
22 as soon as possible after the 15th day of each month, the Board  
23 shall submit vouchers for payment of State contributions to the  
24 System, in a total monthly amount of one-twelfth of the fiscal  
25 year ~~2010~~ General Revenue Fund contribution as certified by  
26 ~~appropriation to~~ the System pursuant to Section 14-135.08 of

1 the Illinois Pension Code.

2 (d) If an employee is paid from trust funds or federal  
3 funds, the department or other employer shall pay employer  
4 contributions from those funds to the System at the certified  
5 rate, unless the terms of the trust or the federal-State  
6 agreement preclude the use of the funds for that purpose, in  
7 which case the required employer contributions shall be paid by  
8 the State. From the effective date of this amendatory Act of  
9 the 93rd General Assembly through the payment of the final  
10 payroll from fiscal year 2004 appropriations, the department or  
11 other employer shall not pay contributions for the remainder of  
12 fiscal year 2004 but shall instead make payments as required  
13 under subsection (a-1) of Section 14.1 of the State Finance  
14 Act. The department or other employer shall resume payment of  
15 contributions at the commencement of fiscal year 2005.

16 (e) For State fiscal years 2012 through 2045, the minimum  
17 contribution to the System to be made by the State for each  
18 fiscal year shall be an amount determined by the System to be  
19 sufficient to bring the total assets of the System up to 90% of  
20 the total actuarial liabilities of the System by the end of  
21 State fiscal year 2045. In making these determinations, the  
22 required State contribution shall be calculated each year as a  
23 level percentage of payroll over the years remaining to and  
24 including fiscal year 2045 and shall be determined under the  
25 projected unit credit actuarial cost method.

26 For State fiscal years 1996 through 2005, the State

1 contribution to the System, as a percentage of the applicable  
2 employee payroll, shall be increased in equal annual increments  
3 so that by State fiscal year 2011, the State is contributing at  
4 the rate required under this Section; except that (i) for State  
5 fiscal year 1998, for all purposes of this Code and any other  
6 law of this State, the certified percentage of the applicable  
7 employee payroll shall be 5.052% for employees earning eligible  
8 creditable service under Section 14-110 and 6.500% for all  
9 other employees, notwithstanding any contrary certification  
10 made under Section 14-135.08 before the effective date of this  
11 amendatory Act of 1997, and (ii) in the following specified  
12 State fiscal years, the State contribution to the System shall  
13 not be less than the following indicated percentages of the  
14 applicable employee payroll, even if the indicated percentage  
15 will produce a State contribution in excess of the amount  
16 otherwise required under this subsection and subsection (a):  
17 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY  
18 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

19 Notwithstanding any other provision of this Article, the  
20 total required State contribution to the System for State  
21 fiscal year 2006 is \$203,783,900.

22 Notwithstanding any other provision of this Article, the  
23 total required State contribution to the System for State  
24 fiscal year 2007 is \$344,164,400.

25 For each of State fiscal years 2008 through 2009, the State  
26 contribution to the System, as a percentage of the applicable

1 employee payroll, shall be increased in equal annual increments  
2 from the required State contribution for State fiscal year  
3 2007, so that by State fiscal year 2011, the State is  
4 contributing at the rate otherwise required under this Section.

5 Notwithstanding any other provision of this Article, the  
6 total required State General Revenue Fund contribution for  
7 State fiscal year 2010 is \$723,703,100 and shall be made from  
8 the proceeds of bonds sold in fiscal year 2010 pursuant to  
9 Section 7.2 of the General Obligation Bond Act, less (i) the  
10 pro rata share of bond sale expenses determined by the System's  
11 share of total bond proceeds, (ii) any amounts received from  
12 the General Revenue Fund in fiscal year 2010, and (iii) any  
13 reduction in bond proceeds due to the issuance of discounted  
14 bonds, if applicable.

15 Notwithstanding any other provision of this Article, the  
16 total required State General Revenue Fund contribution for  
17 State fiscal year 2011 is the amount recertified by the System  
18 on or before April 1, 2011 pursuant to Section 14-135.08 and  
19 shall be made from the proceeds of bonds sold in fiscal year  
20 2011 pursuant to Section 7.2 of the General Obligation Bond  
21 Act, less (i) the pro rata share of bond sale expenses  
22 determined by the System's share of total bond proceeds, (ii)  
23 any amounts received from the General Revenue Fund in fiscal  
24 year 2011, and (iii) any reduction in bond proceeds due to the  
25 issuance of discounted bonds, if applicable.

26 Beginning in State fiscal year 2046, the minimum State

1 contribution for each fiscal year shall be the amount needed to  
2 maintain the total assets of the System at 90% of the total  
3 actuarial liabilities of the System.

4 Amounts received by the System pursuant to Section 25 of  
5 the Budget Stabilization Act or Section 8.12 of the State  
6 Finance Act in any fiscal year do not reduce and do not  
7 constitute payment of any portion of the minimum State  
8 contribution required under this Article in that fiscal year.  
9 Such amounts shall not reduce, and shall not be included in the  
10 calculation of, the required State contributions under this  
11 Article in any future year until the System has reached a  
12 funding ratio of at least 90%. A reference in this Article to  
13 the "required State contribution" or any substantially similar  
14 term does not include or apply to any amounts payable to the  
15 System under Section 25 of the Budget Stabilization Act.

16 Notwithstanding any other provision of this Section, the  
17 required State contribution for State fiscal year 2005 and for  
18 fiscal year 2008 and each fiscal year thereafter, as calculated  
19 under this Section and certified under Section 14-135.08, shall  
20 not exceed an amount equal to (i) the amount of the required  
21 State contribution that would have been calculated under this  
22 Section for that fiscal year if the System had not received any  
23 payments under subsection (d) of Section 7.2 of the General  
24 Obligation Bond Act, minus (ii) the portion of the State's  
25 total debt service payments for that fiscal year on the bonds  
26 issued in fiscal year 2003 for the purposes of that Section

1 7.2, as determined and certified by the Comptroller, that is  
2 the same as the System's portion of the total moneys  
3 distributed under subsection (d) of Section 7.2 of the General  
4 Obligation Bond Act. In determining this maximum for State  
5 fiscal years 2008 through 2010, however, the amount referred to  
6 in item (i) shall be increased, as a percentage of the  
7 applicable employee payroll, in equal increments calculated  
8 from the sum of the required State contribution for State  
9 fiscal year 2007 plus the applicable portion of the State's  
10 total debt service payments for fiscal year 2007 on the bonds  
11 issued in fiscal year 2003 for the purposes of Section 7.2 of  
12 the General Obligation Bond Act, so that, by State fiscal year  
13 2011, the State is contributing at the rate otherwise required  
14 under this Section.

15 (f) After the submission of all payments for eligible  
16 employees from personal services line items in fiscal year 2004  
17 have been made, the Comptroller shall provide to the System a  
18 certification of the sum of all fiscal year 2004 expenditures  
19 for personal services that would have been covered by payments  
20 to the System under this Section if the provisions of this  
21 amendatory Act of the 93rd General Assembly had not been  
22 enacted. Upon receipt of the certification, the System shall  
23 determine the amount due to the System based on the full rate  
24 certified by the Board under Section 14-135.08 for fiscal year  
25 2004 in order to meet the State's obligation under this  
26 Section. The System shall compare this amount due to the amount



1 received by the System in fiscal year 2004 through payments  
2 under this Section and under Section 6z-61 of the State Finance  
3 Act. If the amount due is more than the amount received, the  
4 difference shall be termed the "Fiscal Year 2004 Shortfall" for  
5 purposes of this Section, and the Fiscal Year 2004 Shortfall  
6 shall be satisfied under Section 1.2 of the State Pension Funds  
7 Continuing Appropriation Act. If the amount due is less than  
8 the amount received, the difference shall be termed the "Fiscal  
9 Year 2004 Overpayment" for purposes of this Section, and the  
10 Fiscal Year 2004 Overpayment shall be repaid by the System to  
11 the Pension Contribution Fund as soon as practicable after the  
12 certification.

13 (g) For purposes of determining the required State  
14 contribution to the System, the value of the System's assets  
15 shall be equal to the actuarial value of the System's assets,  
16 which shall be calculated as follows:

17 As of June 30, 2008, the actuarial value of the System's  
18 assets shall be equal to the market value of the assets as of  
19 that date. In determining the actuarial value of the System's  
20 assets for fiscal years after June 30, 2008, any actuarial  
21 gains or losses from investment return incurred in a fiscal  
22 year shall be recognized in equal annual amounts over the  
23 5-year period following that fiscal year.

24 (h) For purposes of determining the required State  
25 contribution to the System for a particular year, the actuarial  
26 value of assets shall be assumed to earn a rate of return equal

1 to the System's actuarially assumed rate of return.

2 (i) After the submission of all payments for eligible  
3 employees from personal services line items paid from the  
4 General Revenue Fund in fiscal year 2010 have been made, the  
5 Comptroller shall provide to the System a certification of the  
6 sum of all fiscal year 2010 expenditures for personal services  
7 that would have been covered by payments to the System under  
8 this Section if the provisions of this amendatory Act of the  
9 96th General Assembly had not been enacted. Upon receipt of the  
10 certification, the System shall determine the amount due to the  
11 System based on the full rate certified by the Board under  
12 Section 14-135.08 for fiscal year 2010 in order to meet the  
13 State's obligation under this Section. The System shall compare  
14 this amount due to the amount received by the System in fiscal  
15 year 2010 through payments under this Section. If the amount  
16 due is more than the amount received, the difference shall be  
17 termed the "Fiscal Year 2010 Shortfall" for purposes of this  
18 Section, and the Fiscal Year 2010 Shortfall shall be satisfied  
19 under Section 1.2 of the State Pension Funds Continuing  
20 Appropriation Act. If the amount due is less than the amount  
21 received, the difference shall be termed the "Fiscal Year 2010  
22 Overpayment" for purposes of this Section, and the Fiscal Year  
23 2010 Overpayment shall be repaid by the System to the General  
24 Revenue Fund as soon as practicable after the certification.

25 (j) After the submission of all payments for eligible  
26 employees from personal services line items paid from the

1 General Revenue Fund in fiscal year 2011 have been made, the  
2 Comptroller shall provide to the System a certification of the  
3 sum of all fiscal year 2011 expenditures for personal services  
4 that would have been covered by payments to the System under  
5 this Section if the provisions of this amendatory Act of the  
6 96th General Assembly had not been enacted. Upon receipt of the  
7 certification, the System shall determine the amount due to the  
8 System based on the full rate certified by the Board under  
9 Section 14-135.08 for fiscal year 2011 in order to meet the  
10 State's obligation under this Section. The System shall compare  
11 this amount due to the amount received by the System in fiscal  
12 year 2011 through payments under this Section. If the amount  
13 due is more than the amount received, the difference shall be  
14 termed the "Fiscal Year 2011 Shortfall" for purposes of this  
15 Section, and the Fiscal Year 2011 Shortfall shall be satisfied  
16 under Section 1.2 of the State Pension Funds Continuing  
17 Appropriation Act. If the amount due is less than the amount  
18 received, the difference shall be termed the "Fiscal Year 2011  
19 Overpayment" for purposes of this Section, and the Fiscal Year  
20 2011 Overpayment shall be repaid by the System to the General  
21 Revenue Fund as soon as practicable after the certification.

22 (k) For fiscal year 2012 only, after the submission of all  
23 payments for eligible employees from personal services line  
24 items paid from the General Revenue Fund in the fiscal year  
25 have been made, the Comptroller shall provide to the System a  
26 certification of the sum of all expenditures in the fiscal year

1 for personal services. Upon receipt of the certification, the  
2 System shall determine the amount due to the System based on  
3 the full rate certified by the Board under Section 14-135.08  
4 for the fiscal year in order to meet the State's obligation  
5 under this Section. The System shall compare this amount due to  
6 the amount received by the System for the fiscal year. If the  
7 amount due is more than the amount received, the difference  
8 shall be termed the "Fiscal Year Shortfall" for purposes of  
9 this Section, and the Fiscal Year Shortfall shall be satisfied  
10 under Section 1.2 of the State Pension Funds Continuing  
11 Appropriation Act. If the amount due is less than the amount  
12 received, the difference shall be termed the "Fiscal Year  
13 Overpayment" for purposes of this Section, and the Fiscal Year  
14 Overpayment shall be repaid by the System to the General  
15 Revenue Fund as soon as practicable after the certification.

16 (Source: P.A. 95-950, eff. 8-29-08; 96-43, eff. 7-15-09; 96-45,  
17 eff. 7-15-09; 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11;  
18 96-1511, eff. 1-27-11; 96-1554, eff. 3-18-11; revised 4-6-11.)

19 Section 15-50. The Public Community College Act is amended  
20 by changing Section 2-16.02 as follows:

21 (110 ILCS 805/2-16.02) (from Ch. 122, par. 102-16.02)

22 Sec. 2-16.02. Grants. Any community college district that  
23 maintains a community college recognized by the State Board  
24 shall receive, when eligible, grants enumerated in this

1 Section. Funded semester credit hours or other measures or both  
2 as specified by the State Board shall be used to distribute  
3 grants to community colleges. Funded semester credit hours  
4 shall be defined, for purposes of this Section, as the greater  
5 of (1) the number of semester credit hours, or equivalent, in  
6 all funded instructional categories of students who have been  
7 certified as being in attendance at midterm during the  
8 respective terms of the base fiscal year or (2) the average of  
9 semester credit hours, or equivalent, in all funded  
10 instructional categories of students who have been certified as  
11 being in attendance at midterm during the respective terms of  
12 the base fiscal year and the 2 prior fiscal years. For purposes  
13 of this Section, "base fiscal year" means the fiscal year 2  
14 years prior to the fiscal year for which the grants are  
15 appropriated. Such students shall have been residents of  
16 Illinois and shall have been enrolled in courses that are part  
17 of instructional program categories approved by the State Board  
18 and that are applicable toward an associate degree or  
19 certificate. Courses that are eligible for reimbursement are  
20 those courses for which the district pays 50% or more of the  
21 program costs from unrestricted revenue sources, with the  
22 exception of courses offered by contract with the Department of  
23 Corrections in correctional institutions. For the purposes of  
24 this Section, "unrestricted revenue sources" means those  
25 revenues in which the provider of the revenue imposes no  
26 financial limitations upon the district as it relates to the

1 expenditure of the funds. Except for Fiscal Year 2012, base  
2 ~~Base~~ operating grants shall be paid based on rates per funded  
3 semester credit hour or equivalent calculated by the State  
4 Board for funded instructional categories using cost of  
5 instruction, enrollment, inflation, and other relevant  
6 factors. For Fiscal Year 2012, the allocations for base  
7 operating grants to community college districts shall be the  
8 same as they were in Fiscal Year 2011, reduced or increased  
9 proportionately according to the appropriation for base  
10 operating grants for Fiscal Year 2012. A portion of the base  
11 operating grant shall be allocated on the basis of  
12 non-residential gross square footage of space maintained by the  
13 district.

14 Equalization grants shall be calculated by the State Board  
15 by determining a local revenue factor for each district by: (A)  
16 adding (1) each district's Corporate Personal Property  
17 Replacement Fund allocations from the base fiscal year or the  
18 average of the base fiscal year and prior year, whichever is  
19 less, divided by the applicable statewide average tax rate to  
20 (2) the district's most recently audited year's equalized  
21 assessed valuation or the average of the most recently audited  
22 year and prior year, whichever is less, (B) then dividing by  
23 the district's audited full-time equivalent resident students  
24 for the base fiscal year or the average for the base fiscal  
25 year and the 2 prior fiscal years, whichever is greater, and  
26 (C) then multiplying by the applicable statewide average tax

1 rate. The State Board shall calculate a statewide weighted  
2 average threshold by applying the same methodology to the  
3 totals of all districts' Corporate Personal Property Tax  
4 Replacement Fund allocations, equalized assessed valuations,  
5 and audited full-time equivalent district resident students  
6 and multiplying by the applicable statewide average tax rate.  
7 The difference between the statewide weighted average  
8 threshold and the local revenue factor, multiplied by the  
9 number of full-time equivalent resident students, shall  
10 determine the amount of equalization funding that each district  
11 is eligible to receive. A percentage factor, as determined by  
12 the State Board, may be applied to the statewide threshold as a  
13 method for allocating equalization funding. A minimum  
14 equalization grant of an amount per district as determined by  
15 the State Board shall be established for any community college  
16 district which qualifies for an equalization grant based upon  
17 the preceding criteria, but becomes ineligible for  
18 equalization funding, or would have received a grant of less  
19 than the minimum equalization grant, due to threshold  
20 prorations applied to reduce equalization funding. As of July  
21 1, 2004, a community college district must maintain a minimum  
22 required combined in-district tuition and universal fee rate  
23 per semester credit hour equal to 85% of the State-average  
24 combined rate, as determined by the State Board, for  
25 equalization funding. As of July 1, 2004, a community college  
26 district must maintain a minimum required operating tax rate

1 equal to at least 95% of its maximum authorized tax rate to  
2 qualify for equalization funding. This 95% minimum tax rate  
3 requirement shall be based upon the maximum operating tax rate  
4 as limited by the Property Tax Extension Limitation Law.

5 The State Board shall distribute such other grants as may  
6 be authorized or appropriated by the General Assembly.

7 Each community college district entitled to State grants  
8 under this Section must submit a report of its enrollment to  
9 the State Board not later than 30 days following the end of  
10 each semester, quarter, or term in a format prescribed by the  
11 State Board. These semester credit hours, or equivalent, shall  
12 be certified by each district on forms provided by the State  
13 Board. Each district's certified semester credit hours, or  
14 equivalent, are subject to audit pursuant to Section 3-22.1.

15 The State Board shall certify, prepare, and submit monthly  
16 vouchers to the State Comptroller setting forth an amount equal  
17 to one-twelfth of the grants approved by the State Board for  
18 base operating grants and equalization grants. The State Board  
19 shall prepare and submit to the State Comptroller vouchers for  
20 payments of other grants as appropriated by the General  
21 Assembly. If the amount appropriated for grants is different  
22 from the amount provided for such grants under this Act, the  
23 grants shall be proportionately reduced or increased  
24 accordingly.

25 For the purposes of this Section, "resident student" means  
26 a student in a community college district who maintains



1 residency in that district or meets other residency definitions  
2 established by the State Board, and who was enrolled either in  
3 one of the approved instructional program categories in that  
4 district, or in another community college district to which the  
5 resident's district is paying tuition under Section 6-2 or with  
6 which the resident's district has entered into a cooperative  
7 agreement in lieu of such tuition.

8 For the purposes of this Section, a "full-time equivalent"  
9 student is equal to 30 semester credit hours.

10 The Illinois Community College Board Contracts and Grants  
11 Fund is hereby created in the State Treasury. Items of income  
12 to this fund shall include any grants, awards, endowments, or  
13 like proceeds, and where appropriate, other funds made  
14 available through contracts with governmental, public, and  
15 private agencies or persons. The General Assembly shall from  
16 time to time make appropriations payable from such fund for the  
17 support, improvement, and expenses of the State Board and  
18 Illinois community college districts.

19 (Source: P.A. 96-911, eff. 7-1-10.)

20 Section 15-60. The Illinois Public Aid Code is amended by  
21 changing Section 5A-10 as follows:

22 (305 ILCS 5/5A-10) (from Ch. 23, par. 5A-10)

23 Sec. 5A-10. Applicability.

24 (a) The assessment imposed by Section 5A-2 shall not take

1 effect or shall cease to be imposed, and any moneys remaining  
2 in the Fund shall be refunded to hospital providers in  
3 proportion to the amounts paid by them, if:

4 (1) The sum of the appropriations for State fiscal  
5 years 2004 and 2005 from the General Revenue Fund for  
6 hospital payments under the medical assistance program is  
7 less than \$4,500,000,000 or the appropriation for each of  
8 State fiscal years 2006, 2007 and 2008 from the General  
9 Revenue Fund for hospital payments under the medical  
10 assistance program is less than \$2,500,000,000 increased  
11 annually to reflect any increase in the number of  
12 recipients, or the annual appropriation for State fiscal  
13 years 2009, 2010, 2011, 2013, and 2014 ~~through 2014~~, from  
14 the General Revenue Fund combined with the Hospital  
15 Provider Fund as authorized in Section 5A-8 for hospital  
16 payments under the medical assistance program, is less than  
17 the amount appropriated for State fiscal year 2009,  
18 adjusted annually to reflect any change in the number of  
19 recipients, excluding State fiscal year 2009 supplemental  
20 appropriations made necessary by the enactment of the  
21 American Recovery and Reinvestment Act of 2009; or

22 (2) For State fiscal years prior to State fiscal year  
23 2009, the Department of Healthcare and Family Services  
24 (formerly Department of Public Aid) makes changes in its  
25 rules that reduce the hospital inpatient or outpatient  
26 payment rates, including adjustment payment rates, in

1 effect on October 1, 2004, except for hospitals described  
2 in subsection (b) of Section 5A-3 and except for changes in  
3 the methodology for calculating outlier payments to  
4 hospitals for exceptionally costly stays, so long as those  
5 changes do not reduce aggregate expenditures below the  
6 amount expended in State fiscal year 2005 for such  
7 services; or

8 (2.1) For State fiscal years 2009 through 2014, the  
9 Department of Healthcare and Family Services adopts any  
10 administrative rule change to reduce payment rates or  
11 alters any payment methodology that reduces any payment  
12 rates made to operating hospitals under the approved Title  
13 XIX or Title XXI State plan in effect January 1, 2008  
14 except for:

15 (A) any changes for hospitals described in  
16 subsection (b) of Section 5A-3; or

17 (B) any rates for payments made under this Article  
18 V-A; or

19 (C) any changes proposed in State plan amendment  
20 transmittal numbers 08-01, 08-02, 08-04, 08-06, and  
21 08-07; or

22 (D) in relation to any admissions on or after  
23 January 1, 2011, a modification in the methodology for  
24 calculating outlier payments to hospitals for  
25 exceptionally costly stays, for hospitals reimbursed  
26 under the diagnosis-related grouping methodology;

1 provided that the Department shall be limited to one  
2 such modification during the 36-month period after the  
3 effective date of this amendatory Act of the 96th  
4 General Assembly; or

5 (3) The payments to hospitals required under Section  
6 5A-12 or Section 5A-12.2 are changed or are not eligible  
7 for federal matching funds under Title XIX or XXI of the  
8 Social Security Act.

9 (b) The assessment imposed by Section 5A-2 shall not take  
10 effect or shall cease to be imposed if the assessment is  
11 determined to be an impermissible tax under Title XIX of the  
12 Social Security Act. Moneys in the Hospital Provider Fund  
13 derived from assessments imposed prior thereto shall be  
14 disbursed in accordance with Section 5A-8 to the extent federal  
15 financial participation is not reduced due to the  
16 impermissibility of the assessments, and any remaining moneys  
17 shall be refunded to hospital providers in proportion to the  
18 amounts paid by them.

19 (Source: P.A. 95-331, eff. 8-21-07; 95-859, eff. 8-19-08; 96-8,  
20 eff. 4-28-09; 96-1530, eff. 2-16-11.)

## 21 Article 20. LOCAL GOVERNMENT STIPENDS

22 Section 20-2. The State Revenue Sharing Act is amended by  
23 changing Section 12 as follows:

1 (30 ILCS 115/12) (from Ch. 85, par. 616)

2 Sec. 12. Personal Property Tax Replacement Fund. There is  
3 hereby created the Personal Property Tax Replacement Fund, a  
4 special fund in the State Treasury into which shall be paid all  
5 revenue realized:

6 (a) all amounts realized from the additional personal  
7 property tax replacement income tax imposed by subsections (c)  
8 and (d) of Section 201 of the Illinois Income Tax Act, except  
9 for those amounts deposited into the Income Tax Refund Fund  
10 pursuant to subsection (c) of Section 901 of the Illinois  
11 Income Tax Act; and

12 (b) all amounts realized from the additional personal  
13 property replacement invested capital taxes imposed by Section  
14 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue  
15 Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and  
16 Section 3 of the Water Company Invested Capital Tax Act, and  
17 amounts payable to the Department of Revenue under the  
18 Telecommunications Infrastructure Maintenance Fee Act.

19 As soon as may be after the end of each month, the  
20 Department of Revenue shall certify to the Treasurer and the  
21 Comptroller the amount of all refunds paid out of the General  
22 Revenue Fund through the preceding month on account of  
23 overpayment of liability on taxes paid into the Personal  
24 Property Tax Replacement Fund. Upon receipt of such  
25 certification, the Treasurer and the Comptroller shall  
26 transfer the amount so certified from the Personal Property Tax

1 Replacement Fund into the General Revenue Fund.

2 The payments of revenue into the Personal Property Tax  
3 Replacement Fund shall be used exclusively for distribution to  
4 taxing districts as provided in this Section, payment of the  
5 ordinary and contingent expenses of the Property Tax Appeal  
6 Board, payment of the expenses of the Department of Revenue  
7 incurred in administering the collection and distribution of  
8 monies paid into the Personal Property Tax Replacement Fund and  
9 transfers due to refunds to taxpayers for overpayment of  
10 liability for taxes paid into the Personal Property Tax  
11 Replacement Fund.

12 As soon as may be after the effective date of this  
13 amendatory Act of 1980, the Department of Revenue shall certify  
14 to the Treasurer the amount of net replacement revenue paid  
15 into the General Revenue Fund prior to that effective date from  
16 the additional tax imposed by Section 2a.1 of the Messages Tax  
17 Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of  
18 the Public Utilities Revenue Act; Section 3 of the Water  
19 Company Invested Capital Tax Act; amounts collected by the  
20 Department of Revenue under the Telecommunications  
21 Infrastructure Maintenance Fee Act; and the additional  
22 personal property tax replacement income tax imposed by the  
23 Illinois Income Tax Act, as amended by Public Act 81-1st  
24 Special Session-1. Net replacement revenue shall be defined as  
25 the total amount paid into and remaining in the General Revenue  
26 Fund as a result of those Acts minus the amount outstanding and

1 obligated from the General Revenue Fund in state vouchers or  
2 warrants prior to the effective date of this amendatory Act of  
3 1980 as refunds to taxpayers for overpayment of liability under  
4 those Acts.

5 All interest earned by monies accumulated in the Personal  
6 Property Tax Replacement Fund shall be deposited in such Fund.  
7 All amounts allocated pursuant to this Section are appropriated  
8 on a continuing basis.

9 Prior to December 31, 1980, as soon as may be after the end  
10 of each quarter beginning with the quarter ending December 31,  
11 1979, and on and after December 31, 1980, as soon as may be  
12 after January 1, March 1, April 1, May 1, July 1, August 1,  
13 October 1 and December 1 of each year, the Department of  
14 Revenue shall allocate to each taxing district as defined in  
15 Section 1-150 of the Property Tax Code, in accordance with the  
16 provisions of paragraph (2) of this Section the portion of the  
17 funds held in the Personal Property Tax Replacement Fund which  
18 is required to be distributed, as provided in paragraph (1),  
19 for each quarter. Provided, however, under no circumstances  
20 shall any taxing district during each of the first two years of  
21 distribution of the taxes imposed by this amendatory Act of  
22 1979 be entitled to an annual allocation which is less than the  
23 funds such taxing district collected from the 1978 personal  
24 property tax. Provided further that under no circumstances  
25 shall any taxing district during the third year of distribution  
26 of the taxes imposed by this amendatory Act of 1979 receive

1 less than 60% of the funds such taxing district collected from  
2 the 1978 personal property tax. In the event that the total of  
3 the allocations made as above provided for all taxing  
4 districts, during either of such 3 years, exceeds the amount  
5 available for distribution the allocation of each taxing  
6 district shall be proportionately reduced. Except as provided  
7 in Section 13 of this Act, the Department shall then certify,  
8 pursuant to appropriation, such allocations to the State  
9 Comptroller who shall pay over to the several taxing districts  
10 the respective amounts allocated to them.

11 Any township which receives an allocation based in whole or  
12 in part upon personal property taxes which it levied pursuant  
13 to Section 6-507 or 6-512 of the Illinois Highway Code and  
14 which was previously required to be paid over to a municipality  
15 shall immediately pay over to that municipality a proportionate  
16 share of the personal property replacement funds which such  
17 township receives.

18 Any municipality or township, other than a municipality  
19 with a population in excess of 500,000, which receives an  
20 allocation based in whole or in part on personal property taxes  
21 which it levied pursuant to Sections 3-1, 3-4 and 3-6 of the  
22 Illinois Local Library Act and which was previously required to  
23 be paid over to a public library shall immediately pay over to  
24 that library a proportionate share of the personal property tax  
25 replacement funds which such municipality or township  
26 receives; provided that if such a public library has converted



1 to a library organized under The Illinois Public Library  
2 District Act, regardless of whether such conversion has  
3 occurred on, after or before January 1, 1988, such  
4 proportionate share shall be immediately paid over to the  
5 library district which maintains and operates the library.  
6 However, any library that has converted prior to January 1,  
7 1988, and which hitherto has not received the personal property  
8 tax replacement funds, shall receive such funds commencing on  
9 January 1, 1988.

10 Any township which receives an allocation based in whole or  
11 in part on personal property taxes which it levied pursuant to  
12 Section 1c of the Public Graveyards Act and which taxes were  
13 previously required to be paid over to or used for such public  
14 cemetery or cemeteries shall immediately pay over to or use for  
15 such public cemetery or cemeteries a proportionate share of the  
16 personal property tax replacement funds which the township  
17 receives.

18 Any taxing district which receives an allocation based in  
19 whole or in part upon personal property taxes which it levied  
20 for another governmental body or school district in Cook County  
21 in 1976 or for another governmental body or school district in  
22 the remainder of the State in 1977 shall immediately pay over  
23 to that governmental body or school district the amount of  
24 personal property replacement funds which such governmental  
25 body or school district would receive directly under the  
26 provisions of paragraph (2) of this Section, had it levied its

1 own taxes.

2 (1) The portion of the Personal Property Tax  
3 Replacement Fund required to be distributed as of the time  
4 allocation is required to be made shall be the amount  
5 available in such Fund as of the time allocation is  
6 required to be made.

7 The amount available for distribution shall be the  
8 total amount in the fund at such time minus the necessary  
9 administrative expenses as limited by the appropriation  
10 and the amount determined by: (a) \$2.8 million for fiscal  
11 year 1981; (b) for fiscal year 1982, .54% of the funds  
12 distributed from the fund during the preceding fiscal year;  
13 (c) for fiscal year 1983 through fiscal year 1988, .54% of  
14 the funds distributed from the fund during the preceding  
15 fiscal year less .02% of such fund for fiscal year 1983 and  
16 less .02% of such funds for each fiscal year thereafter; ~~7~~  
17 ~~or~~ (d) for fiscal year 1989 through fiscal year 2011 and  
18 ~~beyond~~ no more than 105% of the actual administrative  
19 expenses of the prior fiscal year; or (e) for fiscal year  
20 2012 and beyond, a sufficient amount to pay (i) stipends,  
21 additional compensation, salary reimbursements, and other  
22 amounts directed to be paid out of this Fund for local  
23 government officials as authorized or required by statute  
24 and (ii) no more than 105% of the actual administrative  
25 expenses of the prior fiscal year, including payment of the  
26 ordinary and contingent expenses of the Property Tax Appeal

1       Board and payment of the expenses of the Department of  
2       Revenue incurred in administering the collection and  
3       distribution of moneys paid into the Fund. Such portion of  
4       the fund shall be determined after the transfer into the  
5       General Revenue Fund due to refunds, if any, paid from the  
6       General Revenue Fund during the preceding quarter. If at  
7       any time, for any reason, there is insufficient amount in  
8       the Personal Property Tax Replacement Fund for payment of  
9       costs of administration or for transfers due to refunds at  
10      the end of any particular month, the amount of such  
11      insufficiency shall be carried over for the purposes of  
12      transfers into the General Revenue Fund and for purposes of  
13      costs of administration to the following month or months.  
14      Net replacement revenue held, and defined above, shall be  
15      transferred by the Treasurer and Comptroller to the  
16      Personal Property Tax Replacement Fund within 10 days of  
17      such certification.

18           (2) Each quarterly allocation shall first be  
19      apportioned in the following manner: 51.65% for taxing  
20      districts in Cook County and 48.35% for taxing districts in  
21      the remainder of the State.

22      The Personal Property Replacement Ratio of each taxing  
23      district outside Cook County shall be the ratio which the Tax  
24      Base of that taxing district bears to the Downstate Tax Base.  
25      The Tax Base of each taxing district outside of Cook County is  
26      the personal property tax collections for that taxing district

1 for the 1977 tax year. The Downstate Tax Base is the personal  
2 property tax collections for all taxing districts in the State  
3 outside of Cook County for the 1977 tax year. The Department of  
4 Revenue shall have authority to review for accuracy and  
5 completeness the personal property tax collections for each  
6 taxing district outside Cook County for the 1977 tax year.

7 The Personal Property Replacement Ratio of each Cook County  
8 taxing district shall be the ratio which the Tax Base of that  
9 taxing district bears to the Cook County Tax Base. The Tax Base  
10 of each Cook County taxing district is the personal property  
11 tax collections for that taxing district for the 1976 tax year.  
12 The Cook County Tax Base is the personal property tax  
13 collections for all taxing districts in Cook County for the  
14 1976 tax year. The Department of Revenue shall have authority  
15 to review for accuracy and completeness the personal property  
16 tax collections for each taxing district within Cook County for  
17 the 1976 tax year.

18 For all purposes of this Section 12, amounts paid to a  
19 taxing district for such tax years as may be applicable by a  
20 foreign corporation under the provisions of Section 7-202 of  
21 the Public Utilities Act, as amended, shall be deemed to be  
22 personal property taxes collected by such taxing district for  
23 such tax years as may be applicable. The Director shall  
24 determine from the Illinois Commerce Commission, for any tax  
25 year as may be applicable, the amounts so paid by any such  
26 foreign corporation to any and all taxing districts. The

1 Illinois Commerce Commission shall furnish such information to  
2 the Director. For all purposes of this Section 12, the Director  
3 shall deem such amounts to be collected personal property taxes  
4 of each such taxing district for the applicable tax year or  
5 years.

6 Taxing districts located both in Cook County and in one or  
7 more other counties shall receive both a Cook County allocation  
8 and a Downstate allocation determined in the same way as all  
9 other taxing districts.

10 If any taxing district in existence on July 1, 1979 ceases  
11 to exist, or discontinues its operations, its Tax Base shall  
12 thereafter be deemed to be zero. If the powers, duties and  
13 obligations of the discontinued taxing district are assumed by  
14 another taxing district, the Tax Base of the discontinued  
15 taxing district shall be added to the Tax Base of the taxing  
16 district assuming such powers, duties and obligations.

17 If two or more taxing districts in existence on July 1,  
18 1979, or a successor or successors thereto shall consolidate  
19 into one taxing district, the Tax Base of such consolidated  
20 taxing district shall be the sum of the Tax Bases of each of  
21 the taxing districts which have consolidated.

22 If a single taxing district in existence on July 1, 1979,  
23 or a successor or successors thereto shall be divided into two  
24 or more separate taxing districts, the tax base of the taxing  
25 district so divided shall be allocated to each of the resulting  
26 taxing districts in proportion to the then current equalized

1 assessed value of each resulting taxing district.

2 If a portion of the territory of a taxing district is  
3 disconnected and annexed to another taxing district of the same  
4 type, the Tax Base of the taxing district from which  
5 disconnection was made shall be reduced in proportion to the  
6 then current equalized assessed value of the disconnected  
7 territory as compared with the then current equalized assessed  
8 value within the entire territory of the taxing district prior  
9 to disconnection, and the amount of such reduction shall be  
10 added to the Tax Base of the taxing district to which  
11 annexation is made.

12 If a community college district is created after July 1,  
13 1979, beginning on the effective date of this amendatory Act of  
14 1995, its Tax Base shall be 3.5% of the sum of the personal  
15 property tax collected for the 1977 tax year within the  
16 territorial jurisdiction of the district.

17 The amounts allocated and paid to taxing districts pursuant  
18 to the provisions of this amendatory Act of 1979 shall be  
19 deemed to be substitute revenues for the revenues derived from  
20 taxes imposed on personal property pursuant to the provisions  
21 of the "Revenue Act of 1939" or "An Act for the assessment and  
22 taxation of private car line companies", approved July 22,  
23 1943, as amended, or Section 414 of the Illinois Insurance  
24 Code, prior to the abolition of such taxes and shall be used  
25 for the same purposes as the revenues derived from ad valorem  
26 taxes on real estate.

1           Monies received by any taxing districts from the Personal  
2           Property Tax Replacement Fund shall be first applied toward  
3           payment of the proportionate amount of debt service which was  
4           previously levied and collected from extensions against  
5           personal property on bonds outstanding as of December 31, 1978  
6           and next applied toward payment of the proportionate share of  
7           the pension or retirement obligations of the taxing district  
8           which were previously levied and collected from extensions  
9           against personal property. For each such outstanding bond  
10          issue, the County Clerk shall determine the percentage of the  
11          debt service which was collected from extensions against real  
12          estate in the taxing district for 1978 taxes payable in 1979,  
13          as related to the total amount of such levies and collections  
14          from extensions against both real and personal property. For  
15          1979 and subsequent years' taxes, the County Clerk shall levy  
16          and extend taxes against the real estate of each taxing  
17          district which will yield the said percentage or percentages of  
18          the debt service on such outstanding bonds. The balance of the  
19          amount necessary to fully pay such debt service shall  
20          constitute a first and prior lien upon the monies received by  
21          each such taxing district through the Personal Property Tax  
22          Replacement Fund and shall be first applied or set aside for  
23          such purpose. In counties having fewer than 3,000,000  
24          inhabitants, the amendments to this paragraph as made by this  
25          amendatory Act of 1980 shall be first applicable to 1980 taxes  
26          to be collected in 1981.

1 (Source: P.A. 96-45, eff. 7-15-09.)

2 Section 20-5. The Property Tax Code is amended by changing  
3 Sections 3-20, 3-40, 4-10, 4-15, and 4-20 as follows:

4 (35 ILCS 200/3-20)

5 Sec. 3-20. Reimbursement when serving more than 1 county.  
6 When 2 or more counties have, with Department approval, elected  
7 or appointed the same person as county supervisor of  
8 assessments, subject to appropriation, the Department shall  
9 pay out of the Personal Property Tax Replacement Fund to the  
10 counties a total of \$5,000 per year to be applied toward the  
11 person's salary. The Department shall apportion the \$5,000  
12 among such counties in proportion to each county's share of the  
13 salary.

14 The amount payable under this Section is in addition to the  
15 50% reimbursement provided for in Section 3-40, but in no event  
16 shall the total paid under this Section and the reimbursement  
17 under Section 3-40 exceed the compensation of the supervisor of  
18 assessments.

19 (Source: P.A. 80-366; 88-455.)

20 (35 ILCS 200/3-40)

21 Sec. 3-40. Compensation of supervisors of assessments.

22 (a) A supervisor of assessments shall receive annual  
23 compensation in an amount fixed by the county board subject to



1 the following minimum amounts:

2 In counties with less than 14,000 inhabitants, not less  
3 than \$7,500;

4 In counties with 14,000 or more but less than 30,000  
5 inhabitants, not less than \$8,000;

6 In counties with 30,000 or more but less than 60,000  
7 inhabitants, not less than \$9,000;

8 In counties with 60,000 or more but less than 100,000  
9 inhabitants, not less than \$10,000;

10 In counties with 100,000 or more but less than 200,000  
11 inhabitants, not less than \$11,500;

12 In counties with 200,000 or more but less than 300,000  
13 inhabitants, not less than \$13,000;

14 In counties with 300,000 or more but less than  
15 1,000,000 inhabitants, not less than \$15,000.

16 For purposes of this subsection, the number of inhabitants  
17 shall be determined by the latest Federal decennial or special  
18 census of the county.

19 (b) Elected supervisors of assessments who began a term of  
20 office before December 1, 1990 shall be compensated at the rate  
21 of their base salary. "Base salary" is the compensation paid  
22 for their position before July 1, 1989.

23 (c) Elected supervisors of assessments beginning a term of  
24 office on or after December 1, 1990 shall, beginning December  
25 1, 1993, receive their base salary plus at least 12% of base  
26 salary.

1 Any supervisor of assessments who has been presented a  
2 Certified Assessing Evaluator Certificate by the International  
3 Association of Assessing Officers shall receive an additional  
4 compensation of \$500 per year to be paid out of funds  
5 appropriated to the Department from the Personal Property Tax  
6 Replacement Fund.

7 The salary set by the county board shall be paid in equal  
8 monthly installments out of the treasury of the county in which  
9 he or she is appointed or elected. If the Department has  
10 determined that the total assessed value of property in a  
11 county, as equalized by the supervisor of assessments under  
12 Section 9-210, is between 31 1/3% and 35 1/3% of the total fair  
13 cash value of property in the county, subject to appropriation,  
14 the Department ~~State of Illinois~~ shall reimburse the county  
15 monthly from the Personal Property Tax Replacement Fund ~~State~~  
16 ~~treasury~~ 50% of the amount of salary the county paid to the  
17 officer for the preceding month.

18 The county board shall provide necessary office space for  
19 the officer and pay all necessary expenses of the office out of  
20 the county treasury.

21 Each supervisor of assessments may, with the advice and  
22 consent of the county board, appoint necessary deputies and  
23 clerks, their compensation to be fixed by the county board and  
24 paid by the county.

25 (Source: P.A. 86-482; 86-1475; 88-455.)

1 (35 ILCS 200/4-10)

2 Sec. 4-10. Compensation for Certified Illinois Assessing  
3 Officers. Subject to the requirements for continued training,  
4 any supervisor of assessments, assessor, deputy assessor or  
5 member of a board of review in any county who has earned a  
6 Certified Illinois Assessing Officers Certificate from the  
7 Illinois Property Assessment Institute shall receive from the  
8 State, out of funds appropriated to the Department from the  
9 Personal Property Tax Replacement Fund, additional  
10 compensation of \$500 per year.

11 To receive a Certified Illinois Assessing Officer  
12 certificate, a person shall complete successfully and pass  
13 examinations on a basic course in assessment practice approved  
14 by the Department and conducted by the Institute and additional  
15 courses totaling not less than 60 class hours that are  
16 designated and approved by the Department, on the cost, market  
17 and income approaches to value, mass appraisal techniques, and  
18 property tax administration.

19 To continue to be eligible for the additional compensation,  
20 a Certified Illinois Assessing Officer must complete  
21 successfully a minimum of 15 class hours requiring a written  
22 examination, and the equivalent of one seminar course of 15  
23 class hours which does not require a written examination, in  
24 each year for which additional compensation is sought after  
25 receipt of the certificate. The Department shall designate and  
26 approve courses acceptable for additional training, including

1 courses in business and computer techniques, and class hours  
2 applicable to each course. The Department shall specify  
3 procedures for certifying the completion of the additional  
4 training.

5 The courses and training shall be conducted annually at  
6 various convenient locations throughout the State. At least one  
7 course shall be conducted annually in each county with more  
8 than 400,000 inhabitants.

9 (Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff.  
10 8-14-96.)

11 (35 ILCS 200/4-15)

12 Sec. 4-15. Compensation of local assessment officers  
13 holding other designations. Any assessor, deputy assessor or  
14 member of a board of review who has been awarded a Certified  
15 Assessment Evaluator certificate by the International  
16 Association of Assessing Officers shall receive an additional  
17 compensation of \$500 per year from funds appropriated to the  
18 Department from the Personal Property Tax Replacement Fund.

19 Any assessor, deputy assessor or member of a board of  
20 review who has been awarded a Residential Evaluation  
21 Specialist, Assessment Administration Specialist, or Cadastral  
22 Mapping Specialist certificate by the International  
23 Association of Assessing Officers, but who has not been awarded  
24 a Certified Assessment Evaluator certificate, shall receive  
25 additional compensation of \$250 per year from funds

1 appropriated to the Department from the Personal Property Tax  
2 Replacement Fund. If any assessor, deputy assessor, or member  
3 of a board of review has been awarded more than one  
4 certificate, but has not been awarded a Certified Assessment  
5 Evaluator certificate, the maximum additional compensation  
6 shall be \$250.

7 To continue to qualify for the additional compensation  
8 after receipt of a certificate, any assessor, deputy assessor  
9 or member of a board of review must, each year that additional  
10 compensation is sought, complete successfully a minimum of 15  
11 class hours requiring a written examination, and the equivalent  
12 of one seminar course of 15 class hours which does not require  
13 a written examination.

14 (Source: P.A. 91-436, eff. 8-6-99.)

15 (35 ILCS 200/4-20)

16 Sec. 4-20. Additional compensation based on performance.  
17 Any assessor in counties with less than 3,000,000 but more than  
18 50,000 inhabitants each year may petition the Department to  
19 receive additional compensation based on performance. To  
20 receive additional compensation, the official's assessment  
21 jurisdiction must meet the following criteria:

22 (1) the median level of assessment must be no more than  
23 35 1/3% and no less than 31 1/3% of fair cash value of  
24 property in his or her assessment jurisdiction; and

25 (2) the coefficient of dispersion must not be greater

1           than 15%.

2           For purposes of this Section, "coefficient of dispersion" means  
3           the average deviation of all assessments from the median level.  
4           For purposes of this Section, the number of inhabitants shall  
5           be determined by the latest federal decennial census. When the  
6           most recent census shows an increase in inhabitants to over  
7           50,000 or a decrease to 50,000 or fewer, then the assessment  
8           year used to compute the coefficient of dispersion and the most  
9           recent year of the 3-year average level of assessments is the  
10          year that determines qualification for additional  
11          compensation. The Department will promulgate rules and  
12          regulations to determine whether an assessor meets these  
13          criteria.

14          Any assessor in a county of 50,000 or fewer inhabitants may  
15          petition the Department for consideration to receive  
16          additional compensation each year based on performance. In  
17          order to receive the additional compensation, the assessments  
18          in the official's assessment jurisdiction must meet the  
19          following criteria: (i) the median level of assessments must be  
20          no more than 35 1/3% and no less than 31 1/3% of fair cash value  
21          of property in his or her assessment jurisdiction; and (ii) the  
22          coefficient of dispersion must not be greater than 40% in 1994,  
23          38% in 1995, 36% in 1996, 34% in 1997, 32% in 1998, and 30% in  
24          1999 and every year thereafter.

25          Real estate transfer declarations used by the Department in  
26          annual sales-assessment ratio studies will be used to evaluate

1 applications for additional compensation. The Department will  
2 audit other property to determine if the sales-assessment ratio  
3 study data is representative of the assessment jurisdiction. If  
4 the ratio study is found not representative, appraisals and  
5 other information may be utilized. If the ratio study is  
6 representative, upon certification by the Department, the  
7 assessor shall receive additional compensation of \$3,000 for  
8 that year, to be paid out of funds appropriated to the  
9 Department from the Personal Property Tax Replacement Fund.

10 As used in this Section, "assessor" means any township or  
11 multi-township assessor, or supervisor of assessments.

12 (Source: P.A. 93-643, eff. 6-1-04.)

13 Section 20-10. The Counties Code is amended by changing  
14 Sections 3-4007, 3-10007, 4-2001, 4-3001, 4-6001, 4-6002,  
15 4-6003, and 4-8002 as follows:

16 (55 ILCS 5/3-4007) (from Ch. 34, par. 3-4007)

17 Sec. 3-4007. Compensation.

18 (a) The public defender shall be paid out of the county  
19 treasury, and, subject to appropriation, shall be paid by the  
20 Department of Revenue out of the Personal Property Tax  
21 Replacement Fund or the General Revenue Fund ~~State treasury~~ as  
22 provided in subsection (b), as the sole compensation for his or  
23 her services a salary in an amount fixed by the County Board.  
24 When a Public Defender in a county of 30,000 or more population

1 is receiving not less than 90% of the compensation of the  
2 State's Attorney of such county, that Public Defender shall not  
3 engage in the private practice of law.

4 (b) The State ~~treasury~~ must pay 66 2/3% of the public  
5 defender's annual salary. If the public defender is employed  
6 full-time in that capacity, his or her salary must be at least  
7 90% of that county's State's attorney's annual compensation.  
8 Subject to appropriation, these ~~These~~ amounts furnished by the  
9 State shall be payable monthly by ~~from~~ the Department of  
10 Revenue out of the Personal Property Tax Replacement Fund or  
11 the General Revenue Fund ~~State treasury~~ to the county in which  
12 each Public Defender is employed.

13 (c) In cases where 2 or more adjoining counties have joined  
14 to form a common office of Public Defender, the salary of the  
15 Public Defender shall be set and paid as provided by a joint  
16 resolution of the various county boards involved.

17 (Source: P.A. 92-508, eff. 7-1-02.)

18 (55 ILCS 5/3-10007) (from Ch. 34, par. 3-10007)

19 Sec. 3-10007. Annual stipend. In addition to all other  
20 compensation provided by law, every elected county treasurer,  
21 for additional duties mandated by State law, shall receive an  
22 annual stipend of (i) \$5,000 if his or her term begins before  
23 December 1, 1998, (ii) \$5,500 after December 1, 1998 and \$6,500  
24 after December 1, 1999 if his or her term begins on or after  
25 December 1, 1998 but before December 1, 2000, and (iii) \$6,500



1 if his or her term begins December 1, 2000 or thereafter, to be  
2 annually appropriated from the Personal Property Tax  
3 Replacement General Revenue Fund by the General Assembly to the  
4 Department of Revenue which shall distribute the awards in  
5 annual lump sum payments to every elected county treasurer.  
6 This annual stipend shall not affect any other compensation  
7 provided by law to be paid to elected county treasurers. No  
8 county board may reduce or otherwise impair the compensation  
9 payable from county funds to an elected county treasurer if  
10 such reduction or impairment is the result of his receiving an  
11 annual stipend under this Section.

12 (Source: P.A. 90-713, eff. 12-1-98.)

13 (55 ILCS 5/4-2001) (from Ch. 34, par. 4-2001)

14 Sec. 4-2001. State's attorney salaries.

15 (a) There shall be allowed to the several state's attorneys  
16 in this State, except the state's attorney of Cook County, the  
17 following annual salary:

18 (1) Subject to paragraph (5), to each state's attorney  
19 in counties containing less than 10,000 inhabitants,  
20 \$40,500 until December 31, 1988, \$45,500 until June 30,  
21 1994, and \$55,500 thereafter or as set by the Compensation  
22 Review Board, whichever is greater.

23 (2) Subject to paragraph (5), to each state's attorney  
24 in counties containing 10,000 or more inhabitants but less  
25 than 20,000 inhabitants, \$46,500 until December 31, 1988,

1           \$61,500 until June 30, 1994, and \$71,500 thereafter or as  
2           set by the Compensation Review Board, whichever is greater.

3           (3) Subject to paragraph (5), to each state's attorney  
4           in counties containing 20,000 or more but less than 30,000  
5           inhabitants, \$51,000 until December 31, 1988, \$65,000  
6           until June 30, 1994, and \$75,000 thereafter or as set by  
7           the Compensation Review Board, whichever is greater.

8           (4) To each state's attorney in counties of 30,000 or  
9           more inhabitants, \$65,500 until December 31, 1988, \$80,000  
10          until June 30, 1994, and \$96,837 thereafter or as set by  
11          the Compensation Review Board, whichever is greater.

12          (5) Effective December 1, 2000, to each state's  
13          attorney in counties containing fewer than 30,000  
14          inhabitants, the same salary plus any cost of living  
15          adjustments as authorized by the Compensation Review Board  
16          to take effect after January 1, 1999, for state's attorneys  
17          in counties containing 20,000 or more but fewer than 30,000  
18          inhabitants, or as set by the Compensation Review Board  
19          whichever is greater.

20          The State shall furnish 66 2/3% of the total annual  
21          compensation to be paid to each state's attorney in Illinois  
22          based on the salary in effect on December 31, 1988, and 100% of  
23          the increases in salary taking effect after December 31, 1988.

24          Subject to appropriation, said ~~said~~ amounts furnished by  
25          the State shall be payable monthly by ~~from~~ the Department of  
26          Revenue out of the Personal Property Tax Replacement Fund or

1 the General Revenue Fund ~~state treasury~~ to the county in which  
2 each state's attorney is elected.

3 Each county shall be required to furnish 33 1/3% of the  
4 total annual compensation to be paid to each state's attorney  
5 in Illinois based on the salary in effect on December 31, 1988.

6 Within 90 days after the effective date of this amendatory  
7 Act of the 96th General Assembly, the county board of any  
8 county with a population between 15,000 and 50,000 by  
9 resolution or ordinance may increase the amount of compensation  
10 to be paid to each eligible state's attorney in their county in  
11 the form of a longevity stipend which shall be added to and  
12 become part of the salary of the state's attorney for that  
13 year. To be eligible, the state's attorney must have served in  
14 the elected position for at least 20 continuous years and elect  
15 to participate in a program for an alternative annuity for  
16 county officers and make the required additional optional  
17 contributions as authorized by P.A. 90-32.

18 (b) Effective December 1, 2000, no state's attorney may  
19 engage in the private practice of law. However, until November  
20 30, 2000, (i) the state's attorneys in counties containing  
21 fewer than 10,000 inhabitants may engage in the practice of  
22 law, and (ii) in any county between 10,000 and 30,000  
23 inhabitants or in any county containing 30,000 or more  
24 inhabitants which reached that population between 1970 and  
25 December 31, 1981, the state's attorney may declare his or her  
26 intention to engage in the private practice of law, and may do

1 so through no later than November 30, 2000, by filing a written  
2 declaration of intent to engage in the private practice of law  
3 with the county clerk. The declaration of intention shall be  
4 irrevocable during the remainder of the term of office. The  
5 declaration shall be filed with the county clerk within 30 days  
6 of certification of election or appointment, or within 60 days  
7 of March 15, 1989, whichever is later. In that event the annual  
8 salary of such state's attorney shall be as follows:

9 (1) In counties containing 10,000 or more inhabitants  
10 but less than 20,000 inhabitants, \$46,500 until December  
11 31, 1988, \$51,500 until June 30, 1994, and \$61,500  
12 thereafter or as set by the Compensation Review Board,  
13 whichever is greater. The State shall furnish 100% of the  
14 increases taking effect after December 31, 1988.

15 (2) In counties containing 20,000 or more inhabitants  
16 but less than 30,000 inhabitants, and in counties  
17 containing 30,000 or more inhabitants which reached said  
18 population between 1970 and December 31, 1981, \$51,500  
19 until December 31, 1988, \$56,000 until June 30, 1994, and  
20 \$65,000 thereafter or as set by the Compensation Review  
21 Board, whichever is greater. The State shall furnish 100%  
22 of the increases taking effect after December 31, 1988.

23 (c) In counties where a state mental health institution, as  
24 hereinafter defined, is located, one assistant state's  
25 attorney shall, subject to appropriation, receive for his  
26 services, payable monthly by from the Department of Revenue out

1 of the Personal Property Tax Replacement Fund or the General  
2 Revenue Fund ~~state treasury~~ to the county in which he is  
3 appointed, the following:

4 (1) To each assistant state's attorney in counties  
5 containing less than 10,000 inhabitants, the sum of \$2,500  
6 per annum;

7 (2) To each assistant state's attorney in counties  
8 containing not less than 10,000 inhabitants and not more  
9 than 20,000 inhabitants, the sum of \$3,500 per annum;

10 (3) To each assistant state's attorney in counties  
11 containing not less than 20,000 inhabitants and not more  
12 than 30,000 inhabitants, the sum of \$4,000 per annum;

13 (4) To each assistant state's attorney in counties  
14 containing not less than 30,000 inhabitants and not more  
15 than 40,000 inhabitants, the sum of \$4,500 per annum;

16 (5) To each assistant state's attorney in counties  
17 containing not less than 40,000 inhabitants and not more  
18 than 70,000 inhabitants, the sum of \$5,000 per annum;

19 (6) To each assistant state's attorney in counties  
20 containing not less than 70,000 inhabitants and not more  
21 than 1,000,000 inhabitants, the sum of \$6,000 per annum.

22 (d) The population of all counties for the purpose of  
23 fixing salaries as herein provided shall be based upon the last  
24 Federal census immediately previous to the appointment of an  
25 assistant state's attorney in each county.

26 (e) At the request of the county governing authority, in

1 counties where one or more state correctional institutions, as  
2 hereinafter defined, are located, one or more assistant state's  
3 attorneys shall, subject to appropriation, receive for their  
4 services, provided that such services are performed in  
5 connection with the state correctional institution, payable  
6 monthly by ~~from~~ the Department of Revenue out of the Personal  
7 Property Tax Replacement Fund or the General Revenue Fund ~~state~~  
8 ~~treasury~~ to the county in which they are appointed, the  
9 following:

10 (1) \$22,000 for each assistant state's attorney in  
11 counties with one or more State correctional institutions  
12 with a total average daily inmate population in excess of  
13 2,000, on the basis of 2 assistant state's attorneys when  
14 the total average daily inmate population exceeds 2,000 but  
15 is less than 4,000; and 3 assistant state's attorneys when  
16 such population exceeds 4,000; with reimbursement to be  
17 based on actual services rendered.

18 (2) \$15,000 per year for one assistant state's attorney  
19 in counties having one or more correctional institutions  
20 with a total average daily inmate population of between 750  
21 and 2,000 inmates, with reimbursement to be based on actual  
22 services rendered.

23 (3) A maximum of \$12,000 per year for one assistant  
24 state's attorney in counties having less than 750 inmates,  
25 with reimbursement to be based on actual services rendered.

26 Upon application of the county governing authority and

1 certification of the State's Attorney, the Director of  
2 Corrections may, in his discretion and subject to  
3 appropriation, increase the amount of salary reimbursement  
4 to a county in the event special circumstances require the  
5 county to incur extraordinary salary expenditures as a  
6 result of services performed in connection with State  
7 correctional institutions in that county.

8 In determining whether or not to increase the amount of  
9 salary reimbursement, the Director shall consider, among other  
10 matters:

11 (1) the nature of the services rendered;

12 (2) the results or dispositions obtained;

13 (3) whether or not the county was required to employ  
14 additional attorney personnel as a direct result of the  
15 services actually rendered in connection with a particular  
16 service to a State correctional institution.

17 (f) In counties where a State senior institution of higher  
18 education is located, the assistant state's attorneys  
19 specified by this Section shall, subject to appropriation,  
20 receive for their services, payable monthly by ~~from~~ the  
21 Department of Revenue out of the Personal Property Tax  
22 Replacement Fund or the General Revenue Fund ~~State treasury~~ to  
23 the county in which appointed, the following:

24 (1) \$14,000 per year each for employment on a full time  
25 basis for 2 assistant state's attorneys in counties having  
26 a State university or State universities with combined full

1 time enrollment of more than 15,000 students.

2 (2) \$7,200 per year for one assistant state's attorney  
3 with no limitation on other practice in counties having a  
4 State university or State universities with combined full  
5 time enrollment of 10,000 to 15,000 students.

6 (3) \$4,000 per year for one assistant state's attorney  
7 with no limitation on other practice in counties having a  
8 State university or State universities with combined full  
9 time enrollment of less than 10,000 students.

10 Such salaries shall be paid to the state's attorney and the  
11 assistant state's attorney in equal monthly installments by  
12 such county out of the county treasury provided that, subject  
13 to appropriation, the Department of Revenue State of Illinois  
14 shall reimburse each county monthly, out of the Personal  
15 Property Tax Replacement Fund or the General Revenue Fund, from  
16 the state treasury the amount of such salary. This Section  
17 shall not prevent the payment of such additional compensation  
18 to the state's attorney or assistant state's attorney of any  
19 county, out of the treasury of that county as may be provided  
20 by law.

21 (g) For purposes of this Section, "State mental health  
22 institution" means any institution under the jurisdiction of  
23 the Department of Human Services that is listed in Section 4 of  
24 the Mental Health and Developmental Disabilities  
25 Administrative Act.

26 For purposes of this Section, "State correctional



1 institution" means any facility of the Department of  
2 Corrections including adult facilities, juvenile facilities,  
3 pre-release centers, community correction centers, and work  
4 camps.

5 For purposes of this Section, "State university" means the  
6 University of Illinois, Southern Illinois University, Chicago  
7 State University, Eastern Illinois University, Governors State  
8 University, Illinois State University, Northeastern Illinois  
9 University, Northern Illinois University, Western Illinois  
10 University, and any public community college which has  
11 established a program of interinstitutional cooperation with  
12 one of the foregoing institutions whereby a student, after  
13 earning an associate degree from the community college, pursues  
14 a course of study at the community college campus leading to a  
15 baccalaureate degree from the foregoing institution (also  
16 known as a "2 Plus 2" degree program).

17 (h) A number of assistant state's attorneys shall be  
18 appointed in each county that chooses to participate, as  
19 provided in this subsection, for the prosecution of  
20 alcohol-related traffic offenses. Each county shall receive  
21 monthly a subsidy for payment of the salaries and benefits of  
22 these assistant state's attorneys from State funds  
23 appropriated to the Department of Revenue out of the Personal  
24 Property Tax Replacement Fund or the General Revenue Fund  
25 ~~county~~ for that purpose. The amounts of subsidies provided by  
26 this subsection shall be adjusted for inflation each July 1

1 using the Consumer Price Index of the Bureau of Labor  
2 Statistics of the U.S. Department of Labor.

3 When a county chooses to participate in the subsidy program  
4 described in this subsection (h), the number of assistant  
5 state's attorneys who are prosecuting alcohol-related traffic  
6 offenses must increase according to the subsidy provided in  
7 this subsection. These appointed assistant state's attorneys  
8 shall be in addition to any other assistant state's attorneys  
9 assigned to those cases on the effective date of this  
10 amendatory Act of the 91st General Assembly, and may not  
11 replace those assistant state's attorneys. In counties where  
12 the state's attorney is the sole prosecutor, this subsidy shall  
13 be used to provide an assistant state's attorney to prosecute  
14 alcohol-related traffic offenses along with the state's  
15 attorney. In counties where the state's attorney is the sole  
16 prosecutor, and in counties where a judge presides over cases  
17 involving a variety of misdemeanors, including alcohol-related  
18 traffic matters, assistant state's attorneys appointed and  
19 subsidized by this subsection (h) may also prosecute the  
20 different misdemeanor cases at the direction of the state's  
21 attorney.

22 Assistant state's attorneys shall be appointed under this  
23 subsection in the following number and counties shall receive  
24 the following annual subsidies:

- 25 (1) In counties with fewer than 30,000 inhabitants, one  
26 at \$35,000.

1           (2) In counties with 30,000 or more but fewer than  
2           100,000 inhabitants, one at \$45,000.

3           (3) In counties with 100,000 or more but fewer than  
4           300,000 inhabitants, 2 at \$45,000 each.

5           (4) In counties, other than Cook County, with 300,000  
6           or more inhabitants, 4 at \$50,000 each.

7           The amounts appropriated under this Section must be  
8           segregated by population classification and disbursed monthly.

9           If in any year the amount appropriated for the purposes of  
10          this subsection (h) is insufficient to pay all of the subsidies  
11          specified in this subsection, the amount appropriated shall  
12          first be prorated by the population classifications of this  
13          subsection (h) and then among the counties choosing to  
14          participate within each of those classifications. If any of the  
15          appropriated moneys for each population classification remain  
16          at the end of a fiscal year, the remainder of the moneys may be  
17          allocated to participating counties that were not fully funded  
18          during the course of the year. Nothing in this subsection  
19          prohibits 2 or more State's attorneys from combining their  
20          subsidies to appoint a joint assistant State's attorney to  
21          prosecute alcohol-related traffic offenses in multiple  
22          counties. Nothing in this subsection prohibits a State's  
23          attorney from appointing an assistant State's attorney by  
24          contract or otherwise.

25          (Source: P.A. 96-259, eff. 8-11-09.)

1 (55 ILCS 5/4-3001) (from Ch. 34, par. 4-3001)

2 Sec. 4-3001. State's attorney; assistants.

3 (a) The State's Attorney of Cook County shall be paid an  
4 annual salary of \$75,000 until December 31, 1988, \$90,000 until  
5 November 30, 1990, \$100,000 until June 30, 1994, and \$112,124  
6 thereafter or as set by the Compensation Review Board,  
7 whichever is greater.

8 Such sums shall be in full payment for all services  
9 rendered by him. Until July 1, 2011, the ~~The~~ State shall  
10 furnish from the State treasury 66 2/3% of such salary in  
11 effect on December 31, 1988, and 100% of the increases in  
12 salary taking effect after December 31, 1988. Beginning on July  
13 1, 2011, the Department of Revenue shall furnish from State  
14 funds appropriated to it out of the Personal Property Tax  
15 Replacement Fund or the General Revenue Fund for that purpose  
16 66 2/3% of such salary in effect on December 31, 1988 and 100%  
17 of the increases in salary taking effect after December 31,  
18 1988. ~~and~~ Cook County shall furnish 33 1/3% of such salary in  
19 effect on December 31, 1988. The State's Attorney of Cook  
20 County may not engage in the private practice of law.

21 (b) If Cook County chooses to participate in the subsidy  
22 program described in this subsection (b), 24 assistant state's  
23 attorneys shall be appointed for the prosecution of  
24 alcohol-related traffic offenses. Cook County shall annually  
25 receive a subsidy for the payment of the salaries and benefits  
26 of these assistant state's attorneys from State funds

1     appropriated to the Department of Revenue out of the Personal  
2     Property Tax Replacement Fund or the General Revenue Fund for  
3     distribution to Cook County for that purpose. The amount of the  
4     subsidy shall equal \$50,000 per assistant state's attorney  
5     appointed under this subsection, adjusted for inflation each  
6     July 1 using the Consumer Price Index of the Bureau of Labor  
7     Statistics of the U.S. Department of Labor. If in any year the  
8     amount appropriated for the purposes of this subsection (b) is  
9     insufficient, the annual subsidy shall be reduced accordingly.

10     When and if Cook County chooses to participate in the  
11     subsidy program described in this subsection (b), the number of  
12     assistant state's attorneys who are prosecuting  
13     alcohol-related traffic offenses must increase by 24. These  
14     appointed assistant state's attorneys shall be in addition to  
15     any other assistant state's attorneys assigned to those cases  
16     on the effective date of this amendatory Act of the 91st  
17     General Assembly, and may not replace those assistant state's  
18     attorneys. Cook County assistant state's attorneys appointed  
19     and subsidized by this subsection (b) may also prosecute other  
20     types of misdemeanor cases at the direction of the Cook County  
21     State's Attorney.

22     (Source: P.A. 90-375, eff. 8-14-97; 91-273, eff. 1-1-00;  
23     91-704, eff. 7-1-00.)

24             (55 ILCS 5/4-6001) (from Ch. 34, par. 4-6001)

25             Sec. 4-6001. Officers in counties of less than 2,000,000.

1           (a) In all counties of less than 2,000,000 inhabitants, the  
2           compensation of Coroners, County Treasurers, County Clerks,  
3           Recorders and Auditors shall be determined under this Section.  
4           The County Board in those counties shall fix the amount of the  
5           necessary clerk hire, stationery, fuel and other expenses of  
6           those officers. The compensation of those officers shall be  
7           separate from the necessary clerk hire, stationery, fuel and  
8           other expenses, and such compensation (except for coroners in  
9           those counties with less than 2,000,000 population in which the  
10          coroner's compensation is set in accordance with Section  
11          4-6002) shall be fixed within the following limits:

12           To each such officer in counties containing less than  
13          14,000 inhabitants, not less than \$13,500 per annum.

14           To each such officer in counties containing 14,000 or more  
15          inhabitants, but less than 30,000 inhabitants, not less than  
16          \$14,500 per annum.

17           To each such officer in counties containing 30,000 or more  
18          inhabitants but less than 60,000 inhabitants, not less than  
19          \$15,000 per annum.

20           To each such officer in counties containing 60,000 or more  
21          inhabitants but less than 100,000 inhabitants, not less than  
22          \$15,000 per annum.

23           To each such officer in counties containing 100,000 or more  
24          inhabitants but less than 200,000 inhabitants, not less than  
25          \$16,500 per annum.

26           To each such officer in counties containing 200,000 or more

1 inhabitants but less than 300,000 inhabitants, not less than  
2 \$18,000 per annum.

3 To each such officer in counties containing 300,000 or more  
4 inhabitants but less than 2,000,000 inhabitants, not less than  
5 \$20,000 per annum.

6 (b) Those officers beginning a term of office before  
7 December 1, 1990 shall be compensated at the rate of their base  
8 salary. "Base salary" is the compensation paid for each of  
9 those offices, respectively, before July 1, 1989.

10 (c) Those officers beginning a term of office on or after  
11 December 1, 1990 shall be compensated as follows:

12 (1) Beginning December 1, 1990, base salary plus at  
13 least 3% of base salary.

14 (2) Beginning December 1, 1991, base salary plus at  
15 least 6% of base salary.

16 (3) Beginning December 1, 1992, base salary plus at  
17 least 9% of base salary.

18 (4) Beginning December 1, 1993, base salary plus at  
19 least 12% of base salary.

20 (d) In addition to but separate and apart from the  
21 compensation provided in this Section, the county clerk of each  
22 county, the recorder of each county, and the chief clerk of  
23 each county board of election commissioners shall receive an  
24 award as follows:

25 (1) \$4,500 per year after January 1, 1998;

26 (2) \$5,500 per year after January 1, 1999; and

1           (3) \$6,500 per year after January 1, 2000.

2           The total amount required for such awards each year shall be  
3           appropriated by the General Assembly to the State Board of  
4           Elections which shall distribute the awards in annual lump sum  
5           payments to the several county clerks, recorders, and chief  
6           election clerks. Beginning December 1, 1990, this annual award,  
7           and any other award or stipend paid out of State funds to  
8           county officers, shall not affect any other compensation  
9           provided by law to be paid to county officers.

10           (e) Beginning December 1, 1990, no county board may reduce  
11           or otherwise impair the compensation payable from county funds  
12           to a county officer if the reduction or impairment is the  
13           result of the county officer receiving an award or stipend  
14           payable from State funds.

15           (f) The compensation, necessary clerk hire, stationery,  
16           fuel and other expenses of the county auditor, as fixed by the  
17           county board, shall be paid by the county.

18           (g) The population of all counties for the purpose of  
19           fixing compensation, as herein provided, shall be based upon  
20           the last Federal census immediately previous to the election of  
21           the officer in question in each county.

22           (h) With respect to an auditor who takes office on or after  
23           the effective date of this amendatory Act of the 95th General  
24           Assembly, the auditor shall receive an annual stipend of \$6,500  
25           per year. The General Assembly shall appropriate the total  
26           amount required for the stipend each year from the Personal



1 Property Tax Replacement Fund to the Department of Revenue, and  
2 the Department of Revenue shall distribute the awards in an  
3 annual lump sum payment to each county auditor. The stipend  
4 shall be in addition to, but separate and apart from, the  
5 compensation provided in this Section. No county board may  
6 reduce or otherwise impair the compensation payable from county  
7 funds to the auditor if the reduction or impairment is the  
8 result of the auditor receiving an award or stipend pursuant to  
9 this subsection.

10 (Source: P.A. 95-782, eff. 8-5-08.)

11 (55 ILCS 5/4-6002) (from Ch. 34, par. 4-6002)

12 Sec. 4-6002. Coroners in counties of less than 2,000,000.

13 (a) The County Board, in all counties of less than  
14 2,000,000 inhabitants, shall fix the compensation of Coroners  
15 within the limitations fixed by this Division, and shall  
16 appropriate for their necessary clerk hire, stationery, fuel,  
17 supplies, and other expenses. The compensation of the Coroner  
18 shall be fixed separately from his necessary clerk hire,  
19 stationery, fuel and other expenses, and such compensation  
20 shall be fixed within the following limits:

21 To each Coroner in counties containing less than 5,000  
22 inhabitants, not less than \$4,500 per annum.

23 To each Coroner in counties containing 5,000 or more  
24 inhabitants but less than 14,000 inhabitants, not less than  
25 \$6,000 per annum.

1           To each Coroner in counties containing 14,000 or more  
2 inhabitants, but less than 30,000 inhabitants, not less than  
3 \$9,000 per annum.

4           To each Coroner in counties containing 30,000 or more  
5 inhabitants, but less than 60,000 inhabitants, not less than  
6 \$14,000 per annum.

7           To each Coroner in counties containing 60,000 or more  
8 inhabitants, but less than 100,000 inhabitants, not less than  
9 \$15,000 per annum.

10          To each Coroner in counties containing 100,000 or more  
11 inhabitants, but less than 200,000 inhabitants, not less than  
12 \$16,500 per annum.

13          To each Coroner in counties containing 200,000 or more  
14 inhabitants, but less than 300,000 inhabitants, not less than  
15 \$18,000 per annum.

16          To each Coroner in counties containing 300,000 or more  
17 inhabitants, but less than 2,000,000 inhabitants, not less than  
18 \$20,000 per annum.

19          The population of all counties for the purpose of fixing  
20 compensation, as herein provided, shall be based upon the last  
21 Federal census immediately previous to the election of the  
22 Coroner in question in each county. This Section does not apply  
23 to a county which has abolished the elective office of coroner.

24          (b) Those coroners beginning a term of office on or after  
25 December 1, 1990 shall be compensated as follows:

26           (1) Beginning December 1, 1990, base salary plus at

1 least 3% of base salary.

2 (2) Beginning December 1, 1991, base salary plus at  
3 least 6% of base salary.

4 (3) Beginning December 1, 1992, base salary plus at  
5 least 9% of base salary.

6 (4) Beginning December 1, 1993, base salary plus at  
7 least 12% of base salary.

8 "Base salary", as used in this subsection (b), means the  
9 salary in effect before July 1, 1989.

10 (c) In addition to, but separate and apart from, the  
11 compensation provided in this Section, subject to  
12 appropriation, the coroner of each county shall receive an  
13 annual stipend of \$6,500 to be paid by the Illinois Department  
14 of Revenue out of the Personal Property Tax Replacement Fund  
15 ~~State~~ if his or her term begins on or after December 1, 2000.

16 (Source: P.A. 91-908, eff. 7-7-00.)

17 (55 ILCS 5/4-6003) (from Ch. 34, par. 4-6003)

18 Sec. 4-6003. Compensation of sheriffs for certain expenses  
19 in counties of less than 2,000,000.

20 (a) The County Board, in all counties of less than  
21 2,000,000 inhabitants, shall fix the compensation of sheriffs,  
22 with the amount of their necessary clerk hire, stationery, fuel  
23 and other expenses. The county shall supply the sheriff with  
24 all necessary uniforms, guns and ammunition. The compensation  
25 of each such officer shall be fixed separately from his

1 necessary clerk hire, stationery, fuel and other expenses.  
2 Beginning immediately, no county with a population under  
3 2,000,000 may reduce the rate of compensation of its sheriff  
4 below the rate of compensation that it was actually paying to  
5 its sheriff on January 1, 2002 or the effective date of this  
6 amendatory Act of the 92nd General Assembly, whichever is  
7 greater.

8 (b) In addition to the requirement of subsection (a), the  
9 rate of compensation payable to the sheriff by the county shall  
10 not be less than the following:

11 To each such sheriff in counties containing less than  
12 10,000 inhabitants, not less than \$27,000 per annum.

13 To each such sheriff in counties containing 10,000 or more  
14 inhabitants but less than 20,000 inhabitants, not less than  
15 \$31,000 per annum.

16 To each such sheriff in counties containing 20,000 or more  
17 inhabitants but less than 30,000 inhabitants, not less than  
18 \$34,000 per annum.

19 To each such sheriff in counties containing 30,000 or more  
20 inhabitants but less than 60,000 inhabitants, not less than  
21 \$37,000 per annum.

22 To each such sheriff in counties containing 60,000 or more  
23 inhabitants but less than 100,000 inhabitants, not less than  
24 \$40,000 per annum.

25 To each such sheriff in counties containing 100,000 or more  
26 inhabitants but less than 2,000,000 inhabitants, not less than

1 \$43,000 per annum.

2 The population of each county for the purpose of fixing  
3 compensation as herein provided, shall be based upon the last  
4 federal census immediately previous to the election of the  
5 sheriff in question in such county.

6 (c) (Blank).

7 (d) In addition to the salary provided for in subsections  
8 (a), (b), and (c), beginning December 1, 1998, subject to  
9 appropriation, each sheriff, for his or her additional duties  
10 imposed by other statutes or laws, shall receive an annual  
11 stipend to be paid by the Illinois Department of Revenue out of  
12 the Personal Property Tax Replacement Fund ~~State~~ in the amount  
13 of \$6,500.

14 (e) No county board may reduce or otherwise impair the  
15 compensation payable from county funds to a sheriff if the  
16 reduction or impairment is the result of the sheriff receiving  
17 an award or stipend payable from State funds.

18 (Source: P.A. 92-616, eff. 7-8-02.)

19 (55 ILCS 5/4-8002) (from Ch. 34, par. 4-8002)

20 Sec. 4-8002. Additional compensation of sheriff and  
21 recorder.

22 (a) In addition to any salary otherwise provided by law,  
23 beginning December 1, 1998, subject to appropriation, the  
24 sheriff of Cook County for his or her additional duties imposed  
25 by other statutes or laws shall receive an annual stipend to be

1 paid by the Illinois Department of Revenue out of the Personal  
2 Property Tax Replacement Fund State in the amount of \$6,500.  
3 The county board shall not reduce or otherwise impair the  
4 compensation payable from county funds to the sheriff if the  
5 reduction or impairment is the result of the sheriff receiving  
6 a stipend payable from State funds.

7 (b) In addition to any salary otherwise provided by law,  
8 beginning December 1, 2000, subject to appropriation, the  
9 recorder of deeds of Cook County for his or her additional  
10 duties imposed by law shall receive an annual stipend to be  
11 paid by the Illinois Department of Revenue out of the Personal  
12 Property Tax Replacement Fund State in an amount equal to the  
13 stipend paid to each recorder in other counties under  
14 subsection (d) of Section 4-6001 of this Code. The county board  
15 may not reduce or otherwise impair the compensation payable  
16 from county funds to the recorder of deeds if the reduction or  
17 impairment is the result of the recorder of deeds receiving a  
18 stipend payable from State funds.

19 (Source: P.A. 90-713, eff. 12-1-98; 91-908, eff. 7-7-00.)

20 ARTICLE 97. SEVERABILITY

21 Section 97-97. Severability. The provisions of this Act are  
22 severable under Section 1.31 of the Statute on Statutes.

23 ARTICLE 99. EFFECTIVE DATE

1           Section 99-99. Effective date. This Act takes effect July  
2    1, 2011."