



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4399

by Rep. Bill Mitchell - Avery Bourne - Terri Bryant - Dwight Kay - Christine Winger, et al.

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-21 new

Amends the State Budget Law of the Civil Administrative Code of Illinois. Provides that, within 30 days after the enactment of the State budget for a fiscal year, the Auditor General must certify whether the enacted budget will be balanced with expenses not exceeding funds estimated by the General Assembly to be available during that year. Provides that the Comptroller may find at any time during the fiscal year that the State budget has become unbalanced and so report to the Auditor General, which shall have 10 days to respond to this report. Provides that, if the Auditor General certifies that the budget is not balanced or agrees with the Comptroller's finding that the State budget has become unbalanced, then (i) the Comptroller shall withhold all payments for the salaries of General Assembly members and the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer and (ii) a special session of the General Assembly shall be convened within 10 days to enact a new State budget. Provides that, upon certification that the new budget will be balanced, the Comptroller will be allowed to resume payments. Effective immediately.

LRB099 16308 HLH 40805 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Budget Law of the Civil Administrative
5 Code of Illinois is amended by adding Section 50-21 as follows:

6 (15 ILCS 20/50-21 new)

7 Sec. 50-21. Balanced budget certification.

8 (a) Within 30 days after the enactment of the law or laws
9 comprising the State budget for a fiscal year, the Office of
10 the Auditor General must certify whether the enacted budget
11 will be balanced with expenses not exceeding funds estimated by
12 the General Assembly to be available during that year pursuant
13 to subsection (b) of Section 2 of Article VIII of the Illinois
14 Constitution. If the Office of the Auditor General certifies
15 that the budget is not balanced, then the Comptroller shall
16 withhold all payments for the salaries of General Assembly
17 members and the constitutional officers specified in Section 1
18 of Article V of the Illinois Constitution. The Comptroller
19 shall resume payments for the salaries of General Assembly
20 members and constitutional officers, including payments for
21 the period during which salaries were withheld under this
22 Section, when the Office of the Auditor General certifies that
23 the new State budget will be balanced.

1 (b) Within 10 days after the certification by the Office of
2 the Auditor General that the budget is not balanced as provided
3 in subsection (a), the General Assembly must convene to address
4 the State budget and enact a new State budget. If a special
5 session is not convened by the Governor or the General Assembly
6 by proclamation by the tenth day, the certification by the
7 Office of the Auditor General under this Section shall operate
8 to convene the General Assembly in special session on the tenth
9 day after the certification is made. Upon the enactment of the
10 law or laws comprising the new State budget, the Office of the
11 Auditor General must certify whether the new State budget will
12 be balanced with expenses not exceeding expected revenue.

13 (c) If the Comptroller finds at any time during the fiscal
14 year that the State budget has become unbalanced, the
15 Comptroller shall so report to the Office of the Auditor
16 General. The Office of the Auditor General shall have 10 days
17 to respond to this report and, if the Office of the Auditor
18 General agrees with the finding of the Comptroller that the
19 State budget has become unbalanced, the Comptroller must
20 withhold payments as specified in subsection (a) and the
21 procedure in subsection (b) must be followed to create a
22 balanced budget for the remainder of the fiscal year.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.