

1 AN ACT concerning finance.

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

4 ARTICLE 1. GENERAL PROVISIONS

5 Section 1-1. Short title. This Act may be cited as the
6 FY2018 Budget Implementation Act.

7 Section 1-5. Purpose. It is the purpose of this Act to make
8 changes in State programs that are necessary to implement the
9 budget recommendations for Fiscal Year 2018.

10 Section 1-10. Designation of reserves.

11 (a) For the purposes of implementing the budget
12 recommendations for fiscal year 2018 and balancing the State's
13 budget in State fiscal year 2018 only, the Governor may
14 designate, by written notice to the Comptroller, a reserve of
15 not more than 5% from the amounts appropriated from funds held
16 by the Treasurer for State fiscal year 2018 to any State
17 agency. However, the Governor may not designate amounts to be
18 set aside as a reserve from amounts that (i) have been
19 appropriated for payment of debt service, (ii) have been
20 appropriated under a statutory continuing appropriation, (iii)
21 are State general funds, (iv) are in the Supplemental

1 Low-Income Energy Assistance Fund, or (v) are funds received
2 from federal sources.

3 (b) If the Governor designates amounts to be set aside as a
4 reserve, the Governor shall give notice of the designation to
5 the Auditor General, the State Treasurer, the State
6 Comptroller, the Senate, and the House of Representatives.

7 (c) As used in this Section:

8 "State agency" means all boards, commissions, agencies,
9 institutions, authorities, colleges, universities, and bodies
10 politic and corporate of the State, but not other
11 constitutional officers, the legislative or judicial branch,
12 the office of the Executive Inspector General, or the Executive
13 Ethics Commission.

14 "State general funds" has the meaning provided in Section
15 50-40 of the State Budget Law.

16 ARTICLE 5. AMENDATORY PROVISIONS

17 Section 5-3. The State Budget Law of the Civil
18 Administrative Code of Illinois is amended by adding Section
19 50-40 as follows:

20 (15 ILCS 20/50-40 new)

21 Sec. 50-40. General funds defined. "General funds" or
22 "State general funds" means the General Revenue Fund, the
23 Common School Fund, the General Revenue Common School Special

1 Account Fund, the Education Assistance Fund, the Fund for the
2 Advancement of Education, the Commitment to Human Services
3 Fund, and the Budget Stabilization Fund.

4 Section 5-4. The Mental Health and Developmental
5 Disabilities Administrative Act is amended by adding Section 74
6 as follows:

7 (20 ILCS 1705/74 new)

8 Sec. 74. Rates and reimbursements. On or before July 1,
9 2018, the Department shall increase rates and reimbursements to
10 fund a minimum of a \$0.50 per hour wage increase for front-line
11 personnel, including, but not limited to, direct support
12 persons, aides, front-line supervisors, qualified intellectual
13 disabilities professionals, nurses, and non-administrative
14 support staff working in community-based provider
15 organizations serving individuals with developmental
16 disabilities.

17 Section 5-5. The Military Code of Illinois is amended by
18 changing Section 22-3 as follows:

19 (20 ILCS 1805/22-3) (from Ch. 129, par. 220.22-3)

20 Sec. 22-3. All monies received from the sale of Illinois
21 National Guard facilities and lands pursuant to authority
22 contained in Section 22-2, all monies received from the

1 transfer or exchange of any realty under the control of the
2 Department pursuant to authority contained in Section 22-5, and
3 all funds received from the Federal government under terms of
4 the Federal Master Cooperative Agreement related to
5 constructing and maintaining real property between the
6 Department of Military Affairs and the United States Property
7 and Fiscal Officer for Illinois shall be paid into the State
8 Treasury without delay and shall be deposited ~~covered~~ into a
9 special fund to be known as the Illinois National Guard
10 Construction Fund. The monies in this fund shall be used
11 exclusively by the Adjutant General for the purpose of
12 acquiring building sites, ~~and~~ constructing new facilities,
13 rehabilitating existing facilities, and making other capital
14 improvements. The provisions directing the distributions from
15 the Illinois National Guard Construction Fund provided for in
16 this Section shall constitute an irrevocable and continuing
17 appropriation of all amounts as provided herein. The State
18 Treasurer and State Comptroller are hereby authorized and
19 directed to make distributions as provided in this Section.
20 ~~Expenditures from this fund shall be subject to appropriation~~
21 ~~by the General Assembly and written release by the Governor.~~

22 (Source: P.A. 97-764, eff. 7-6-12.)

23 (20 ILCS 1805/22-6 rep.)

24 Section 5-10. The Military Code of Illinois is amended by
25 repealing Section 22-6.

1 Section 5-15. The State Finance Act is amended by changing
2 Sections 5.857, 6t, 6z-30, 6z-32, 6z-45, 6z-52, 6z-100, 8.3,
3 8.25e, 8g, and 8g-1 as follows:

4 (30 ILCS 105/5.857)

5 (Section scheduled to be repealed on July 1, 2017)

6 Sec. 5.857. The Capital Development Board Revolving Fund.
7 This Section is repealed July 1, 2018 ~~2017~~.

8 (Source: P.A. 98-674, eff. 6-30-14; 99-78, eff. 7-20-15;
9 99-523, eff. 6-30-16.)

10 (30 ILCS 105/6t) (from Ch. 127, par. 142t)

11 Sec. 6t. The Capital Development Board Contributory Trust
12 Fund is created and there shall be paid into the Capital
13 Development Board Contributory Trust Fund the monies
14 contributed by and received from Public Community College
15 Districts, Elementary, Secondary, and Unit School Districts,
16 and Vocational Education Facilities, provided, however, no
17 monies shall be required from a participating Public Community
18 College District, Elementary, Secondary, or Unit School
19 District, or Vocational Education Facility more than 30 days
20 prior to anticipated need under the particular contract for the
21 Public Community College District, Elementary, Secondary, or
22 Unit School District, or Vocational Education Facility. No
23 monies in any fund in the State Treasury, nor any funds under

1 the control or beneficial control of any state agency,
2 university, college, department, commission, board or any
3 other unit of state government shall be deposited, paid into,
4 or by any other means caused to be placed into the Capital
5 Development Board Contributory Trust Fund, except for federal
6 funds, bid bond forfeitures, and insurance proceeds as provided
7 for below.

8 Except as provided in Section 22-3 of the Military Code of
9 Illinois, there ~~There~~ shall be paid into the Capital
10 Development Board Contributory Trust Fund all federal funds to
11 be utilized for the construction of capital projects under the
12 jurisdiction of the Capital Development Board, and all proceeds
13 resulting from such federal funds. All such funds shall be
14 remitted to the Capital Development Board within 10 working
15 days of their receipt by the receiving authority.

16 There shall also be paid into this Fund all monies
17 designated as gifts, donations or charitable contributions
18 which may be contributed by an individual or entity, whether
19 public or private, for a specific capital improvement project.

20 There shall also be paid into this Fund all proceeds from
21 bid bond forfeitures in connection with any project formally
22 bid and awarded by the Capital Development Board.

23 There shall also be paid into this Fund all builders risk
24 insurance policy proceeds and all other funds recovered from
25 contractors, sureties, architects, material suppliers or other
26 persons contracting with the Capital Development Board for

1 capital improvement projects which are received by way of
2 reimbursement for losses resulting from destruction of or
3 damage to capital improvement projects while under
4 construction by the Capital Development Board or received by
5 way of settlement agreement or court order.

6 The monies in the Capital Development Board Contributory
7 Trust Fund shall be expended only for actual contracts let, and
8 then only for the specific project for which funds were
9 received in accordance with the judgment of the Capital
10 Development Board, compatible with the duties and obligations
11 of the Capital Development Board in furtherance of the specific
12 capital improvement for which such funds were received.
13 Contributions, insured-loss reimbursements or other funds
14 received as damages through settlement or judgement for damage,
15 destruction or loss of capital improvement projects shall be
16 expended for the repair of such projects; or if the projects
17 have been or are being repaired before receipt of the funds,
18 the funds may be used to repair other such capital improvement
19 projects. Any funds not expended for a project within 36 months
20 after the date received shall be paid into the General
21 Obligation Bond Retirement and Interest Fund.

22 Contributions or insured-loss reimbursements not expended
23 in furtherance of the project for which they were received
24 within 36 months of the date received, shall be returned to the
25 contributing party. Proceeds from builders risk insurance
26 shall be expended only for the amelioration of damage arising

1 from the incident for which the proceeds were paid to the State
2 or the Capital Development Board Contributory Trust Fund. Any
3 residual amounts remaining after the completion of such
4 repairs, renovation, reconstruction or other work necessary to
5 restore the capital improvement project to acceptable
6 condition shall be returned to the proper fund or entity
7 financing or contributing towards the cost of the capital
8 improvement project. Such returns shall be made in amounts
9 proportionate to the contributions made in furtherance of the
10 project.

11 Any monies received as a gift, donation or charitable
12 contribution for a specific capital improvement which have not
13 been expended in furtherance of that project shall be returned
14 to the contributing party after completion of the project or if
15 the legislature fails to authorize the capital improvement.

16 Except as provided in Section 22-3 of the Military Code of
17 Illinois, the ~~The~~ unused portion of any federal funds received
18 for a capital improvement project which are not contributed,
19 upon its completion, towards the cost of the project, shall
20 remain in the Capital Development Board Contributory Trust Fund
21 and shall be used for capital projects and for no other
22 purpose, subject to appropriation and as directed by the
23 Capital Development Board.

24 (Source: P.A. 97-792, eff. 1-1-13.)

1 Sec. 6z-30. University of Illinois Hospital Services Fund.

2 (a) The University of Illinois Hospital Services Fund is
3 created as a special fund in the State Treasury. The following
4 moneys shall be deposited into the Fund:

5 (1) As soon as possible after the beginning of fiscal
6 year 2010, and in no event later than July 30, the State
7 Comptroller and the State Treasurer shall automatically
8 transfer \$30,000,000 from the General Revenue Fund to the
9 University of Illinois Hospital Services Fund.

10 (1.5) Starting in fiscal year 2011, and continuing
11 through fiscal year 2017, as soon as possible after the
12 beginning of each fiscal year, and in no event later than
13 July 30, the State Comptroller and the State Treasurer
14 shall automatically transfer \$45,000,000 from the General
15 Revenue Fund to the University of Illinois Hospital
16 Services Fund; except that, in fiscal year 2012 only, the
17 State Comptroller and the State Treasurer shall transfer
18 \$90,000,000 from the General Revenue Fund to the University
19 of Illinois Hospital Services Fund under this paragraph,
20 and, in fiscal year 2013 only, the State Comptroller and
21 the State Treasurer shall transfer no amounts from the
22 General Revenue Fund to the University of Illinois Hospital
23 Services Fund under this paragraph.

24 (1.7) Starting in fiscal year 2018, at the direction of
25 and upon notification from the Director of Healthcare and
26 Family Services, the State Comptroller shall direct and the

1 State Treasurer shall transfer an amount of at least
2 \$20,000,000 but not exceeding a total of \$45,000,000 from
3 the General Revenue Fund to the University of Illinois
4 Hospital Services Fund in each fiscal year.

5 (2) All intergovernmental transfer payments to the
6 Department of Healthcare and Family Services by the
7 University of Illinois made pursuant to an
8 intergovernmental agreement under subsection (b) or (c) of
9 Section 5A-3 of the Illinois Public Aid Code.

10 (3) All federal matching funds received by the
11 Department of Healthcare and Family Services (formerly
12 Illinois Department of Public Aid) as a result of
13 expenditures made by the Department that are attributable
14 to moneys that were deposited in the Fund.

15 (4) All other moneys received for the Fund from any
16 other source, including interest earned thereon.

17 (b) Moneys in the fund may be used by the Department of
18 Healthcare and Family Services, subject to appropriation and to
19 an interagency agreement between that Department and the Board
20 of Trustees of the University of Illinois, to reimburse the
21 University of Illinois Hospital for hospital and pharmacy
22 services, to reimburse practitioners who are employed by the
23 University of Illinois, to reimburse other health care
24 facilities and health plans operated by the University of
25 Illinois, and to pass through to the University of Illinois
26 federal financial participation earned by the State as a result

1 of expenditures made by the University of Illinois.

2 (c) (Blank).

3 (Source: P.A. 97-732, eff. 6-30-12; 98-651, eff. 6-16-14.)

4 (30 ILCS 105/6z-32)

5 Sec. 6z-32. Partners for Planning and Conservation.

6 (a) The Partners for Conservation Fund (formerly known as
7 the Conservation 2000 Fund) and the Partners for Conservation
8 Projects Fund (formerly known as the Conservation 2000 Projects
9 Fund) are created as special funds in the State Treasury. These
10 funds shall be used to establish a comprehensive program to
11 protect Illinois' natural resources through cooperative
12 partnerships between State government and public and private
13 landowners. Moneys in these Funds may be used, subject to
14 appropriation, by the Department of Natural Resources,
15 Environmental Protection Agency, and the Department of
16 Agriculture for purposes relating to natural resource
17 protection, planning, recreation, tourism, and compatible
18 agricultural and economic development activities. Without
19 limiting these general purposes, moneys in these Funds may be
20 used, subject to appropriation, for the following specific
21 purposes:

22 (1) To foster sustainable agriculture practices and
23 control soil erosion and sedimentation, including grants
24 to Soil and Water Conservation Districts for conservation
25 practice cost-share grants and for personnel, educational,

1 and administrative expenses.

2 (2) To establish and protect a system of ecosystems in
3 public and private ownership through conservation
4 easements, incentives to public and private landowners,
5 natural resource restoration and preservation, water
6 quality protection and improvement, land use and watershed
7 planning, technical assistance and grants, and land
8 acquisition provided these mechanisms are all voluntary on
9 the part of the landowner and do not involve the use of
10 eminent domain.

11 (3) To develop a systematic and long-term program to
12 effectively measure and monitor natural resources and
13 ecological conditions through investments in technology
14 and involvement of scientific experts.

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

18 (5) To partner with private landowners and with units
19 of State, federal, and local government and with
20 not-for-profit organizations in order to integrate State
21 and federal programs with Illinois' natural resource
22 protection and restoration efforts and to meet
23 requirements to obtain federal and other funds for
24 conservation or protection of natural resources.

25 (b) The State Comptroller and State Treasurer shall
26 automatically transfer on the last day of each month, beginning

1 on September 30, 1995 and ending on June 30, 2021, from the
 2 General Revenue Fund to the Partners for Conservation Fund, an
 3 amount equal to 1/10 of the amount set forth below in fiscal
 4 year 1996 and an amount equal to 1/12 of the amount set forth
 5 below in each of the other specified fiscal years:

6 Fiscal Year	Amount
7 1996	\$ 3,500,000
8 1997	\$ 9,000,000
9 1998	\$10,000,000
10 1999	\$11,000,000
11 2000	\$12,500,000
12 2001 through 2004	\$14,000,000
13 2005	\$7,000,000
14 2006	\$11,000,000
15 2007	\$0
16 2008 through 2011	\$14,000,000
17 2012	\$12,200,000
18 2013 through <u>2017</u> 2021	\$14,000,000
19 <u>2018</u>	<u>\$1,500,000</u>
20 <u>2019 through 2021</u>	<u>\$14,000,000</u>

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

1 the Open Space Lands Acquisition and Development Fund to the
2 Partners for Conservation Fund (formerly known as the
3 Conservation 2000 Fund).

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

7 (Source: P.A. 97-641, eff. 12-19-11.)

8 (30 ILCS 105/6z-45)

9 Sec. 6z-45. The School Infrastructure Fund.

10 (a) The School Infrastructure Fund is created as a special
11 fund in the State Treasury.

12 In addition to any other deposits authorized by law,
13 beginning January 1, 2000, on the first day of each month, or
14 as soon thereafter as may be practical, the State Treasurer and
15 State Comptroller shall transfer the sum of \$5,000,000 from the
16 General Revenue Fund to the School Infrastructure Fund, except
17 that, notwithstanding any other provision of law, and in
18 addition to any other transfers that may be provided for by
19 law, before June 30, 2012, the Comptroller and the Treasurer
20 shall transfer \$45,000,000 from the General Revenue Fund into
21 the School Infrastructure Fund, and, for fiscal year 2013 only,
22 the Treasurer and the Comptroller shall transfer \$1,250,000
23 from the General Revenue Fund to the School Infrastructure Fund
24 on the first day of each month; provided, however, that no such
25 transfers shall be made from July 1, 2001 through June 30,

1 2003.

2 (a-5) Money in the School Infrastructure Fund may be used
3 to pay the expenses of the State Board of Education, the
4 Governor's Office of Management and Budget, and the Capital
5 Development Board in administering programs under the School
6 Construction Law, the total expenses not to exceed \$1,315,000
7 in any fiscal year.

8 (b) Subject to the transfer provisions set forth below,
9 money in the School Infrastructure Fund shall, if and when the
10 State of Illinois incurs any bonded indebtedness for the
11 construction of school improvements under subsection (e) of
12 Section 5 of the General Obligation Bond Act ~~the School~~
13 ~~Construction Law~~, be set aside and used for the purpose of
14 paying and discharging annually the principal and interest on
15 that bonded indebtedness then due and payable, and for no other
16 purpose.

17 In addition to other transfers to the General Obligation
18 Bond Retirement and Interest Fund made pursuant to Section 15
19 of the General Obligation Bond Act, upon each delivery of bonds
20 issued for construction of school improvements under the School
21 Construction Law, the State Comptroller shall compute and
22 certify to the State Treasurer the total amount of principal
23 of, interest on, and premium, if any, on such bonds during the
24 then current and each succeeding fiscal year. With respect to
25 the interest payable on variable rate bonds, such
26 certifications shall be calculated at the maximum rate of

1 interest that may be payable during the fiscal year, after
2 taking into account any credits permitted in the related
3 indenture or other instrument against the amount of such
4 interest required to be appropriated for that period.

5 On or before the last day of each month, the State
6 Treasurer and State Comptroller shall transfer from the School
7 Infrastructure Fund to the General Obligation Bond Retirement
8 and Interest Fund an amount sufficient to pay the aggregate of
9 the principal of, interest on, and premium, if any, on the
10 bonds payable on their next payment date, divided by the number
11 of monthly transfers occurring between the last previous
12 payment date (or the delivery date if no payment date has yet
13 occurred) and the next succeeding payment date. Interest
14 payable on variable rate bonds shall be calculated at the
15 maximum rate of interest that may be payable for the relevant
16 period, after taking into account any credits permitted in the
17 related indenture or other instrument against the amount of
18 such interest required to be appropriated for that period.
19 Interest for which moneys have already been deposited into the
20 capitalized interest account within the General Obligation
21 Bond Retirement and Interest Fund shall not be included in the
22 calculation of the amounts to be transferred under this
23 subsection. Beginning July 1, 2017 through June 30, 2020, no
24 transfers shall be required under this subsection (b) from the
25 School Infrastructure Fund to the General Obligation Bond
26 Retirement and Interest Fund.

1 (b-5) The money deposited into the School Infrastructure
2 Fund from transfers pursuant to subsections (c-30) and (c-35)
3 of Section 13 of the Riverboat Gambling Act shall be applied,
4 without further direction, as provided in subsection (b-3) of
5 Section 5-35 of the School Construction Law.

6 (c) The surplus, if any, in the School Infrastructure Fund
7 after payments made pursuant to subsections (a-5), (b), l and
8 (b-5) of this Section shall, subject to appropriation, be used
9 as follows:

10 First - to make 3 payments to the School Technology
11 Revolving Loan Fund as follows:

12 Transfer of \$30,000,000 in fiscal year 1999;

13 Transfer of \$20,000,000 in fiscal year 2000; and

14 Transfer of \$10,000,000 in fiscal year 2001.

15 ~~Second - to pay the expenses of the State Board of~~
16 ~~Education and the Capital Development Board in administering~~
17 ~~programs under the School Construction Law, the total expenses~~
18 ~~not to exceed \$1,200,000 in any fiscal year.~~

19 Second ~~Third~~ - to pay any amounts due for grants for school
20 construction projects and debt service under the School
21 Construction Law.

22 Third ~~Fourth~~ - to pay any amounts due for grants for school
23 maintenance projects under the School Construction Law.

24 (Source: P.A. 97-732, eff. 6-30-12; 98-18, eff. 6-7-13.)

1 Sec. 6z-52. Drug Rebate Fund.

2 (a) There is created in the State Treasury a special fund
3 to be known as the Drug Rebate Fund.

4 (b) The Fund is created for the purpose of receiving and
5 disbursing moneys in accordance with this Section.
6 Disbursements from the Fund shall be made, subject to
7 appropriation, only as follows:

8 (1) For payments for reimbursement or coverage for
9 prescription drugs and other pharmacy products provided to
10 a recipient of medical assistance under the Illinois Public
11 Aid Code, the Children's Health Insurance Program Act, the
12 Covering ALL KIDS Health Insurance Act, and the Veterans'
13 Health Insurance Program Act of 2008.

14 (1.5) For payments to managed care organizations as
15 defined in Section 5-30.1 of the Illinois Public Aid Code.

16 (2) For reimbursement of moneys collected by the
17 Department of Healthcare and Family Services (formerly
18 Illinois Department of Public Aid) through error or
19 mistake.

20 (3) For payments of any amounts that are reimbursable
21 to the federal government resulting from a payment into
22 this Fund.

23 (4) For payments of operational and administrative
24 expenses related to providing and managing coverage for
25 prescription drugs and other pharmacy products provided to
26 a recipient of medical assistance under the Illinois Public

1 Aid Code, the Children's Health Insurance Program Act, the
2 Covering ALL KIDS Health Insurance Act, and the Veterans'
3 Health Insurance Program Act of 2008, ~~and the Senior~~
4 ~~Citizens and Disabled Persons Property Tax Relief and~~
5 ~~Pharmaceutical Assistance Act.~~

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

7 (1) Upon notification from the Director of Healthcare
8 and Family Services, the Comptroller shall direct and the
9 Treasurer shall transfer the net State share (disregarding
10 the reduction in net State share attributable to the
11 American Recovery and Reinvestment Act of 2009 or any other
12 federal economic stimulus program) of all moneys received
13 by the Department of Healthcare and Family Services
14 (formerly Illinois Department of Public Aid) from drug
15 rebate agreements with pharmaceutical manufacturers
16 pursuant to Title XIX of the federal Social Security Act,
17 including any portion of the balance in the Public Aid
18 Recoveries Trust Fund on July 1, 2001 that is attributable
19 to such receipts.

20 (2) All federal matching funds received by the Illinois
21 Department as a result of expenditures made by the
22 Department that are attributable to moneys deposited in the
23 Fund.

24 (3) Any premium collected by the Illinois Department
25 from participants under a waiver approved by the federal
26 government relating to provision of pharmaceutical

1 services.

2 (4) All other moneys received for the Fund from any
3 other source, including interest earned thereon.

4 (Source: P.A. 96-8, eff. 4-28-09; 96-1100, eff. 1-1-11; 97-689,
5 eff. 7-1-12.)

6 (30 ILCS 105/6z-100)

7 (Section scheduled to be repealed on July 1, 2017)

8 Sec. 6z-100. Capital Development Board Revolving Fund;
9 payments into and use. All monies received by the Capital
10 Development Board for publications or copies issued by the
11 Board, and all monies received for contract administration
12 fees, charges, or reimbursements owing to the Board shall be
13 deposited into a special fund known as the Capital Development
14 Board Revolving Fund, which is hereby created in the State
15 treasury. The monies in this Fund shall be used by the Capital
16 Development Board, as appropriated, for expenditures for
17 personal services, retirement, social security, contractual
18 services, legal services, travel, commodities, printing,
19 equipment, electronic data processing, or telecommunications.
20 Unexpended moneys in the Fund shall not be transferred or
21 allocated by the Comptroller or Treasurer to any other fund,
22 nor shall the Governor authorize the transfer or allocation of
23 those moneys to any other fund. This Section is repealed July
24 1, 2018 ~~2017~~.

25 (Source: P.A. 98-674, eff. 6-30-14; 99-523, eff. 6-30-16.)

1 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

2 Sec. 8.3. Money in the Road Fund shall, if and when the
3 State of Illinois incurs any bonded indebtedness for the
4 construction of permanent highways, be set aside and used for
5 the purpose of paying and discharging annually the principal
6 and interest on that bonded indebtedness then due and payable,
7 and for no other purpose. The surplus, if any, in the Road Fund
8 after the payment of principal and interest on that bonded
9 indebtedness then annually due shall be used as follows:

10 first -- to pay the cost of administration of Chapters
11 2 through 10 of the Illinois Vehicle Code, except the cost
12 of administration of Articles I and II of Chapter 3 of that
13 Code; and

14 secondly -- for expenses of the Department of
15 Transportation for construction, reconstruction,
16 improvement, repair, maintenance, operation, and
17 administration of highways in accordance with the
18 provisions of laws relating thereto, or for any purpose
19 related or incident to and connected therewith, including
20 the separation of grades of those highways with railroads
21 and with highways and including the payment of awards made
22 by the Illinois Workers' Compensation Commission under the
23 terms of the Workers' Compensation Act or Workers'
24 Occupational Diseases Act for injury or death of an
25 employee of the Division of Highways in the Department of

1 Transportation; or for the acquisition of land and the
2 erection of buildings for highway purposes, including the
3 acquisition of highway right-of-way or for investigations
4 to determine the reasonably anticipated future highway
5 needs; or for making of surveys, plans, specifications and
6 estimates for and in the construction and maintenance of
7 flight strips and of highways necessary to provide access
8 to military and naval reservations, to defense industries
9 and defense-industry sites, and to the sources of raw
10 materials and for replacing existing highways and highway
11 connections shut off from general public use at military
12 and naval reservations and defense-industry sites, or for
13 the purchase of right-of-way, except that the State shall
14 be reimbursed in full for any expense incurred in building
15 the flight strips; or for the operating and maintaining of
16 highway garages; or for patrolling and policing the public
17 highways and conserving the peace; or for the operating
18 expenses of the Department relating to the administration
19 of public transportation programs; or, during fiscal year
20 2012 only, for the purposes of a grant not to exceed
21 \$8,500,000 to the Regional Transportation Authority on
22 behalf of PACE for the purpose of ADA/Para-transit
23 expenses; or, during fiscal year 2013 only, for the
24 purposes of a grant not to exceed \$3,825,000 to the
25 Regional Transportation Authority on behalf of PACE for the
26 purpose of ADA/Para-transit expenses; or, during fiscal

1 year 2014 only, for the purposes of a grant not to exceed
2 \$3,825,000 to the Regional Transportation Authority on
3 behalf of PACE for the purpose of ADA/Para-transit
4 expenses; or, during fiscal year 2015 only, for the
5 purposes of a grant not to exceed \$3,825,000 to the
6 Regional Transportation Authority on behalf of PACE for the
7 purpose of ADA/Para-transit expenses; or, during fiscal
8 year 2016 only, for the purposes of a grant not to exceed
9 \$3,825,000 to the Regional Transportation Authority on
10 behalf of PACE for the purpose of ADA/Para-transit
11 expenses; or, during fiscal year 2017 only, for the
12 purposes of a grant not to exceed \$3,825,000 to the
13 Regional Transportation Authority on behalf of PACE for the
14 purpose of ADA/Para-transit expenses; or for any of those
15 purposes or any other purpose that may be provided by law.

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

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

- 1 1. Department of Public Health;
 - 2 2. Department of Transportation, only with respect to
 - 3 subsidies for one-half fare Student Transportation and
 - 4 Reduced Fare for Elderly, except during fiscal year 2012
 - 5 only when no more than \$40,000,000 may be expended and
 - 6 except during fiscal year 2013 only when no more than
 - 7 \$17,570,300 may be expended and except during fiscal year
 - 8 2014 only when no more than \$17,570,000 may be expended and
 - 9 except during fiscal year 2015 only when no more than
 - 10 \$17,570,000 may be expended and except during fiscal year
 - 11 2016 only when no more than \$17,570,000 may be expended and
 - 12 except during fiscal year 2017 only when no more than
 - 13 \$17,570,000 may be expended;
 - 14 3. Department of Central Management Services, except
 - 15 for expenditures incurred for group insurance premiums of
 - 16 appropriate personnel;
 - 17 4. Judicial Systems and Agencies.
- 18 Beginning with fiscal year 1981 and thereafter, no Road
- 19 Fund monies shall be appropriated to the following Departments
- 20 or agencies of State government for administration, grants, or
- 21 operations; but this limitation is not a restriction upon
- 22 appropriating for those purposes any Road Fund monies that are
- 23 eligible for federal reimbursement:
- 24 1. Department of State Police, except for expenditures
 - 25 with respect to the Division of Operations;
 - 26 2. Department of Transportation, only with respect to

1 Intercity Rail Subsidies, except during fiscal year 2012
2 only when no more than \$40,000,000 may be expended and
3 except during fiscal year 2013 only when no more than
4 \$26,000,000 may be expended and except during fiscal year
5 2014 only when no more than \$38,000,000 may be expended and
6 except during fiscal year 2015 only when no more than
7 \$42,000,000 may be expended and except during fiscal year
8 2016 only when no more than \$38,300,000 may be expended and
9 except during fiscal year 2017 only when no more than
10 \$50,000,000 may be expended and except during fiscal year
11 2018 only when no more than \$52,000,000 may be expended,
12 and Rail Freight Services.

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

24 Beginning with fiscal year 1984 and thereafter, no Road
25 Fund monies shall be appropriated to the following Departments
26 or agencies of State government for administration, grants, or

1 operations; but this limitation is not a restriction upon
2 appropriating for those purposes any Road Fund monies that are
3 eligible for federal reimbursement:

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

6 2. State Officers.

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

17 Money in the Road Fund shall, if and when the State of
18 Illinois incurs any bonded indebtedness for the construction of
19 permanent highways, be set aside and used for the purpose of
20 paying and discharging during each fiscal year the principal
21 and interest on that bonded indebtedness as it becomes due and
22 payable as provided in the Transportation Bond Act, and for no
23 other purpose. The surplus, if any, in the Road Fund after the
24 payment of principal and interest on that bonded indebtedness
25 then annually due shall be used as follows:

26 first -- to pay the cost of administration of Chapters

1 2 through 10 of the Illinois Vehicle Code; and

2 secondly -- no Road Fund monies derived from fees,

3 excises, or license taxes relating to registration,

4 operation and use of vehicles on public highways or to

5 fuels used for the propulsion of those vehicles, shall be

6 appropriated or expended other than for costs of

7 administering the laws imposing those fees, excises, and

8 license taxes, statutory refunds and adjustments allowed

9 thereunder, administrative costs of the Department of

10 Transportation, including, but not limited to, the

11 operating expenses of the Department relating to the

12 administration of public transportation programs, payment

13 of debts and liabilities incurred in construction and

14 reconstruction of public highways and bridges, acquisition

15 of rights-of-way for and the cost of construction,

16 reconstruction, maintenance, repair, and operation of

17 public highways and bridges under the direction and

18 supervision of the State, political subdivision, or

19 municipality collecting those monies, or during fiscal

20 year 2012 only for the purposes of a grant not to exceed

21 \$8,500,000 to the Regional Transportation Authority on

22 behalf of PACE for the purpose of ADA/Para-transit

23 expenses, or during fiscal year 2013 only for the purposes

24 of a grant not to exceed \$3,825,000 to the Regional

25 Transportation Authority on behalf of PACE for the purpose

26 of ADA/Para-transit expenses, or during fiscal year 2014

1 only for the purposes of a grant not to exceed \$3,825,000
2 to the Regional Transportation Authority on behalf of PACE
3 for the purpose of ADA/Para-transit expenses, or during
4 fiscal year 2015 only for the purposes of a grant not to
5 exceed \$3,825,000 to the Regional Transportation Authority
6 on behalf of PACE for the purpose of ADA/Para-transit
7 expenses, or during fiscal year 2016 only for the purposes
8 of a grant not to exceed \$3,825,000 to the Regional
9 Transportation Authority on behalf of PACE for the purpose
10 of ADA/Para-transit expenses, or during fiscal year 2017
11 only for the purposes of a grant not to exceed \$3,825,000
12 to the Regional Transportation Authority on behalf of PACE
13 for the purpose of ADA/Para-transit expenses, and the costs
14 for patrolling and policing the public highways (by State,
15 political subdivision, or municipality collecting that
16 money) for enforcement of traffic laws. The separation of
17 grades of such highways with railroads and costs associated
18 with protection of at-grade highway and railroad crossing
19 shall also be permissible.

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

23 Except as provided in this paragraph, beginning with fiscal
24 year 1991 and thereafter, no Road Fund monies shall be
25 appropriated to the Department of State Police for the purposes
26 of this Section in excess of its total fiscal year 1990 Road

1 Fund appropriations for those purposes unless otherwise
2 provided in Section 5g of this Act. For fiscal years 2003,
3 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be
4 appropriated to the Department of State Police for the purposes
5 of this Section in excess of \$97,310,000. For fiscal year 2008
6 only, no Road Fund monies shall be appropriated to the
7 Department of State Police for the purposes of this Section in
8 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund
9 monies shall be appropriated to the Department of State Police
10 for the purposes of this Section in excess of \$114,700,000.
11 Beginning in fiscal year 2010, no road fund moneys shall be
12 appropriated to the Department of State Police. It shall not be
13 lawful to circumvent this limitation on appropriations by
14 governmental reorganization or other methods unless otherwise
15 provided in Section 5g of this Act.

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

23 Beginning with fiscal year 1995 and thereafter, no Road
24 Fund monies shall be appropriated to the Secretary of State for
25 the purposes of this Section in excess of the total fiscal year
26 1994 Road Fund appropriations to the Secretary of State for

1 those purposes. It shall not be lawful to circumvent this
2 limitation on appropriations by governmental reorganization or
3 other methods.

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

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

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

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

25 It shall not be lawful to circumvent this limitation on
26 appropriations by governmental reorganization or other

1 methods.

2 No new program may be initiated in fiscal year 1991 and
3 thereafter that is not consistent with the limitations imposed
4 by this Section for fiscal year 1984 and thereafter, insofar as
5 appropriation of Road Fund monies is concerned.

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

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

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

25 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14;
26 99-523, eff. 6-30-16.)

1 (30 ILCS 105/8.25e) (from Ch. 127, par. 144.25e)

2 Sec. 8.25e. (a) The State Comptroller and the State
3 Treasurer shall automatically transfer on the first day of each
4 month, beginning on February 1, 1988, from the General Revenue
5 Fund to each of the funds then supplemented by the pari-mutuel
6 tax pursuant to Section 28 of the Illinois Horse Racing Act of
7 1975, an amount equal to (i) the amount of pari-mutuel tax
8 deposited into such fund during the month in fiscal year 1986
9 which corresponds to the month preceding such transfer, minus
10 (ii) the amount of pari-mutuel tax (or the replacement transfer
11 authorized by subsection (d) of Section 8g ~~Section 8g(d)~~ of
12 this Act and subsection (d) of Section 28.1 ~~Section 28.1(d)~~ of
13 the Illinois Horse Racing Act of 1975) deposited into such fund
14 during the month preceding such transfer; provided, however,
15 that no transfer shall be made to a fund if such amount for
16 that fund is equal to or less than zero and provided that no
17 transfer shall be made to a fund in any fiscal year after the
18 amount deposited into such fund exceeds the amount of
19 pari-mutuel tax deposited into such fund during fiscal year
20 1986.

21 (b) The State Comptroller and the State Treasurer shall
22 automatically transfer on the last day of each month, beginning
23 on October 1, 1989 and ending on June 30, 2017, from the
24 General Revenue Fund to the Metropolitan Exposition,
25 Auditorium and Office Building Fund, the amount of \$2,750,000

1 plus any cumulative deficiencies in such transfers for prior
2 months, until the sum of \$16,500,000 has been transferred for
3 the fiscal year beginning July 1, 1989 and until the sum of
4 \$22,000,000 has been transferred for each fiscal year
5 thereafter.

6 (b-5) The State Comptroller and the State Treasurer shall
7 automatically transfer on the last day of each month, beginning
8 on July 1, 2017, from the General Revenue Fund to the
9 Metropolitan Exposition, Auditorium and Office Building Fund,
10 the amount of \$1,500,000 plus any cumulative deficiencies in
11 such transfers for prior months, until the sum of \$12,000,000
12 has been transferred for each fiscal year thereafter.

13 (c) After the transfer of funds from the Metropolitan
14 Exposition, Auditorium and Office Building Fund to the Bond
15 Retirement Fund pursuant to subsection (b) of Section 15
16 ~~Section 15(b)~~ of the Metropolitan Civic Center Support Act, the
17 State Comptroller and the State Treasurer shall automatically
18 transfer on the last day of each month, beginning on October 1,
19 1989 and ending on June 30, 2017, from the Metropolitan
20 Exposition, Auditorium and Office Building Fund to the Park and
21 Conservation Fund the amount of \$1,250,000 plus any cumulative
22 deficiencies in such transfers for prior months, until the sum
23 of \$7,500,000 has been transferred for the fiscal year
24 beginning July 1, 1989 and until the sum of \$10,000,000 has
25 been transferred for each fiscal year thereafter.

26 (Source: P.A. 91-25, eff. 6-9-99.)

1 (30 ILCS 105/8g)

2 Sec. 8g. Fund transfers.

3 (a) In addition to any other transfers that may be provided
4 for by law, as soon as may be practical after the effective
5 date of this amendatory Act of the 91st General Assembly, the
6 State Comptroller shall direct and the State Treasurer shall
7 transfer the sum of \$10,000,000 from the General Revenue Fund
8 to the Motor Vehicle License Plate Fund created by Senate Bill
9 1028 of the 91st General Assembly.

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

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

24 (d) The payments to programs required under subsection (d)
25 of Section 28.1 of the Illinois Horse Racing Act of 1975 shall

1 be made, pursuant to appropriation, from the special funds
2 referred to in the statutes cited in that subsection, rather
3 than directly from the General Revenue Fund.

4 Beginning January 1, 2000, on the first day of each month,
5 or as soon as may be practical thereafter, the State
6 Comptroller shall direct and the State Treasurer shall transfer
7 from the General Revenue Fund to each of the special funds from
8 which payments are to be made under subsection (d) of Section
9 28.1 of the Illinois Horse Racing Act of 1975 an amount equal
10 to 1/12 of the annual amount required for those payments from
11 that special fund, which annual amount shall not exceed the
12 annual amount for those payments from that special fund for the
13 calendar year 1998. The special funds to which transfers shall
14 be made under this subsection (d) include, but are not
15 necessarily limited to, the Agricultural Premium Fund; the
16 Metropolitan Exposition, Auditorium and Office Building Fund;
17 the Fair and Exposition Fund; the Illinois Standardbred
18 Breeders Fund; the Illinois Thoroughbred Breeders Fund; and the
19 Illinois Veterans' Rehabilitation Fund. Except that, during
20 State fiscal year 2018 only, the State Comptroller shall direct
21 and the State Treasurer shall transfer amounts from the General
22 Revenue Fund to the designated funds not exceeding the
23 following amounts:

24	<u>Agricultural Premium Fund</u>	<u>\$0</u>
25	<u>Fair and Exposition Fund</u>	<u>0</u>
26	<u>Illinois Standardbred Breeders Fund</u>	<u>0</u>

1 Illinois Thoroughbred Breeders Fund 0

2 (e) In addition to any other transfers that may be provided
3 for by law, as soon as may be practical after the effective
4 date of this amendatory Act of the 91st General Assembly, but
5 in no event later than June 30, 2000, the State Comptroller
6 shall direct and the State Treasurer shall transfer the sum of
7 \$15,000,000 from the General Revenue Fund to the Fund for
8 Illinois' Future.

9 (f) In addition to any other transfers that may be provided
10 for by law, as soon as may be practical after the effective
11 date of this amendatory Act of the 91st General Assembly, but
12 in no event later than June 30, 2000, the State Comptroller
13 shall direct and the State Treasurer shall transfer the sum of
14 \$70,000,000 from the General Revenue Fund to the Long-Term Care
15 Provider Fund.

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

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

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

6 (i) On or after July 1, 2001 and until May 1, 2002, 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 re-transferred 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, 2002.

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

1 Governor, but in any event on or before June 30, 2003.

2 (j) On or after July 1, 2001 and no later than June 30,
3 2002, in addition to any other transfers that may be provided
4 for by law, at the direction of and upon notification from the
5 Governor, the State Comptroller shall direct and the State
6 Treasurer shall transfer amounts not to exceed the following
7 sums into the Statistical Services Revolving Fund:

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

1 From the Real Estate License
 2 Administration Fund 313,600

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

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

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

21 (k-3) On or after July 1, 2002 and no later than June 30,
 22 2003, in addition to any other transfers that may be provided
 23 for by law, 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 to exceed the following
 26 sums into the Statistical Services Revolving Fund:

1	Appraisal Administration Fund	\$150,000
2	General Revenue Fund	10,440,000
3	Savings and Residential Finance	
4	Regulatory Fund	200,000
5	State Pensions Fund	100,000
6	Bank and Trust Company Fund	100,000
7	Professions Indirect Cost Fund	3,400,000
8	Public Utility Fund	2,081,200
9	Real Estate License Administration Fund	150,000
10	Title III Social Security and	
11	Employment Fund	1,000,000
12	Transportation Regulatory Fund	3,052,100
13	Underground Storage Tank Fund	50,000

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

20 (m) In addition to any other transfers that may be provided
21 for by law, on July 1, 2002 and on the effective date of this
22 amendatory Act of the 93rd General Assembly, or as soon
23 thereafter as may be practical, the State Comptroller shall
24 direct and the State Treasurer shall transfer the sum of
25 \$1,200,000 from the General Revenue Fund to the Violence
26 Prevention Fund.

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

6 (o) On or after July 1, 2003, and no later than June 30,
7 2004, in addition to any other transfers that may be provided
8 for by 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 to exceed the following
11 sums into the Vehicle Inspection Fund:

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

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

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

1 Revenue Fund to the Illinois Military Family Relief Fund.

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

8 (s) In addition to any other transfers that may be provided
9 for by law, on or after July 1, 2003, the State Comptroller
10 shall direct and the State Treasurer shall transfer the sum of
11 \$4,800,000 from the Statewide Economic Development Fund to the
12 General Revenue Fund.

13 (t) In addition to any other transfers that may be provided
14 for by law, on or after July 1, 2003, the State Comptroller
15 shall direct and the State Treasurer shall transfer the sum of
16 \$50,000,000 from the General Revenue Fund to the Budget
17 Stabilization Fund.

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

1 Revenue Fund at the direction of and upon notification from the
2 Governor, but in any event on or before June 30, 2005.

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

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

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

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

20 From the State Police Wireless Service Emergency Fund,
21 \$200,000;

22 From the State Offender DNA Identification System
23 Fund, \$800,000; and

24 From the State Police Whistleblower Reward and
25 Protection Fund, \$500,000.

26 (y) Notwithstanding any other provision of law to the

1 contrary, in addition to any other transfers that may be
2 provided for by law on June 30, 2005, or as soon as may be
3 practical thereafter, the State Comptroller shall direct and
4 the State Treasurer shall transfer the remaining balance from
5 the designated funds into the General Revenue Fund and any
6 future deposits that would otherwise be made into these funds
7 must instead be made into the General Revenue Fund:

8 (1) the Keep Illinois Beautiful Fund;

9 (2) the Metropolitan Fair and Exposition Authority
10 Reconstruction Fund;

11 (3) the New Technology Recovery Fund;

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

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

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

15 (7) the State Postsecondary Review Program Fund;

16 (8) the Tourism Attraction Development Matching Grant
17 Fund;

18 (9) the Patent and Copyright Fund;

19 (10) the Credit Enhancement Development Fund;

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

23 (12) the Nursing Home Grant Assistance Fund;

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

25 (14) the Illinois Student Assistance Commission Higher
26 EdNet Fund;

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

11 (z) In addition to any other transfers that may be provided

12 for by law, on July 1, 2005, or as soon as may be practical

13 thereafter, the State Comptroller shall direct and the State

14 Treasurer shall transfer the sum of \$1,200,000 from the General

15 Revenue Fund to the Violence Prevention Fund.

16 (aa) In addition to any other transfers that may be

17 provided for by law, on July 1, 2005, or as soon as may be

18 practical thereafter, the State Comptroller shall direct and

19 the State Treasurer shall transfer the sum of \$9,000,000 from

20 the General Revenue Fund to the Presidential Library and Museum

21 Operating Fund.

22 (bb) In addition to any other transfers that may be

23 provided for by law, on July 1, 2005, or as soon as may be

24 practical thereafter, the State Comptroller shall direct and

25 the State Treasurer shall transfer the sum of \$6,803,600 from

26 the General Revenue Fund to the Securities Audit and

1 Enforcement Fund.

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

13 (dd) In addition to any other transfers that may be
14 provided for by law, on April 1, 2005, or as soon thereafter as
15 may be practical, at the direction of the Director of Public
16 Aid (now Director of Healthcare and Family Services), the State
17 Comptroller shall direct and the State Treasurer shall transfer
18 from the Public Aid Recoveries Trust Fund amounts not to exceed
19 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

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

25 (ff) In addition to any other transfers that may be
26 provided for by law, on and after July 1, 2006 and until June

1 30, 2007, at the direction of and upon notification from the
 2 Director of the Governor's Office of Management and Budget, the
 3 State Comptroller shall direct and the State Treasurer shall
 4 transfer amounts not exceeding a total of \$1,900,000 from the
 5 General Revenue Fund to the Illinois Capital Revolving Loan
 6 Fund.

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

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

- 25 DCFS Children's Services Fund \$2,200,000
- 26 Department of Corrections Reimbursement

1 and Education Fund \$1,500,000

2 Supplemental Low-Income Energy

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

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

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

22 (kk) 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 \$1,400,000 from the General
26 Revenue Fund to the Violence Prevention Fund.

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

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

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

18 (oo) In addition to any other transfers that may be
19 provided for by law, on and after July 1, 2006 and until June
20 30, 2007, at the direction of and upon notification from the
21 Governor, the State Comptroller shall direct and the State
22 Treasurer shall transfer amounts identified as net receipts
23 from the sale of all or part of the Illinois Student Assistance
24 Commission loan portfolio from the Student Loan Operating Fund
25 to the General Revenue Fund. The maximum amount that may be
26 transferred pursuant to this Section is \$38,800,000. In

1 addition, no transfer may be made pursuant to this Section that
2 would have the effect of reducing the available balance in the
3 Student Loan Operating Fund to an amount less than the amount
4 remaining unexpended and unreserved from the total
5 appropriations from the Fund estimated to be expended for the
6 fiscal year. The State Treasurer and Comptroller shall transfer
7 the amounts designated under this Section as soon as may be
8 practical after receiving the direction to transfer from the
9 Governor.

10 (pp) 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 \$2,000,000 from the General
14 Revenue Fund to the Illinois Veterans Assistance Fund.

15 (qq) In addition to any other transfers that may be
16 provided for by law, on and after July 1, 2007 and until May 1,
17 2008, at the direction of and upon notification from the
18 Governor, the State Comptroller shall direct and the State
19 Treasurer shall transfer amounts not exceeding a total of
20 \$80,000,000 from the General Revenue Fund to the Tobacco
21 Settlement Recovery Fund. Any amounts so transferred shall be
22 retransferred by the State Comptroller and the State Treasurer
23 from the Tobacco Settlement Recovery Fund to the General
24 Revenue Fund at the direction of and upon notification from the
25 Governor, but in any event on or before June 30, 2008.

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

1 provided for by law, on and after July 1, 2007 and until June
 2 30, 2008, at the direction of and upon notification from the
 3 Governor, the State Comptroller shall direct and the State
 4 Treasurer shall transfer amounts from the Illinois Affordable
 5 Housing Trust Fund to the designated funds not exceeding the
 6 following amounts:

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

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

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

23 (uu) In addition to any other transfers that may be
 24 provided for by law, on July 1, 2007, or as soon thereafter as
 25 practical, the State Comptroller shall direct and the State
 26 Treasurer shall transfer the sum of \$1,320,000 from the General

1 Revenue Fund to the I-FLY Fund.

2 (vv) In addition to any other transfers that may be
3 provided for by law, on July 1, 2007, or as soon thereafter as
4 practical, 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 African-American HIV/AIDS Response Fund.

7 (ww) In addition to any other transfers that may be
8 provided for by law, on July 1, 2007, or as soon thereafter as
9 practical, the State Comptroller shall direct and the State
10 Treasurer shall transfer the sum of \$3,500,000 from the General
11 Revenue Fund to the Predatory Lending Database Program Fund.

12 (xx) In addition to any other transfers that may be
13 provided for by law, on July 1, 2007, or as soon thereafter as
14 practical, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$5,000,000 from the General
16 Revenue Fund to the Digital Divide Elimination Fund.

17 (yy) In addition to any other transfers that may be
18 provided for by law, on July 1, 2007, or as soon thereafter as
19 practical, the State Comptroller shall direct and the State
20 Treasurer shall transfer the sum of \$4,000,000 from the General
21 Revenue Fund to the Digital Divide Elimination Infrastructure
22 Fund.

23 (zz) In addition to any other transfers that may be
24 provided for by law, on July 1, 2008, or as soon thereafter as
25 practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$5,000,000 from the General

1 Revenue Fund to the Digital Divide Elimination Fund.

2 (aaa) In addition to any other transfers that may be
3 provided for by law, on and after July 1, 2008 and until May 1,
4 2009, at the direction of and upon notification from the
5 Governor, the State Comptroller shall direct and the State
6 Treasurer shall transfer amounts not exceeding a total of
7 \$80,000,000 from the General Revenue Fund to the Tobacco
8 Settlement Recovery Fund. Any amounts so transferred shall be
9 retransferred by the State Comptroller and the State Treasurer
10 from the Tobacco Settlement Recovery Fund to the General
11 Revenue Fund at the direction of and upon notification from the
12 Governor, but in any event on or before June 30, 2009.

13 (bbb) In addition to any other transfers that may be
14 provided for by law, on and after July 1, 2008 and until June
15 30, 2009, at the direction of and upon notification from the
16 Governor, the State Comptroller shall direct and the State
17 Treasurer shall transfer amounts from the Illinois Affordable
18 Housing Trust Fund to the designated funds not exceeding the
19 following amounts:

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

25 (ccc) In addition to any other transfers that may be
26 provided for by law, on July 1, 2008, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$7,450,000 from the General
3 Revenue Fund to the Presidential Library and Museum Operating
4 Fund.

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

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

15 (fff) In addition to any other transfers that may be
16 provided for by law, on and after July 1, 2009 and until May 1,
17 2010, at the direction of and upon notification from the
18 Governor, the State Comptroller shall direct and the State
19 Treasurer shall transfer amounts not exceeding a total of
20 \$80,000,000 from the General Revenue Fund to the Tobacco
21 Settlement Recovery Fund. Any amounts so transferred shall be
22 retransferred by the State Comptroller and the State Treasurer
23 from the Tobacco Settlement Recovery Fund to the General
24 Revenue Fund at the direction of and upon notification from the
25 Governor, but in any event on or before June 30, 2010.

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

1 provided for by law, on July 1, 2009, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$7,450,000 from the General
4 Revenue Fund to the Presidential Library and Museum Operating
5 Fund.

6 (hhh) In addition to any other transfers that may be
7 provided for by law, on July 1, 2009, 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 (iii) 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 \$100,000 from the General
15 Revenue Fund to the Heartsaver AED Fund.

16 (jjj) In addition to any other transfers that may be
17 provided for by law, on and after July 1, 2009 and until June
18 30, 2010, 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 \$17,000,000 from the General Revenue Fund to the DCFS
22 Children's Services Fund.

23 (lll) In addition to any other transfers that may be
24 provided for by law, on July 1, 2009, or as soon thereafter as
25 practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$5,000,000 from the General

1 Revenue Fund to the Communications Revolving Fund.

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

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

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

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

24 (qqq) In addition to any other transfers that may be
25 provided for by law, on and after July 1, 2010 and until May 1,
26 2011, at the direction of and upon notification from the

1 Governor, the State Comptroller shall direct and the State
2 Treasurer shall transfer amounts not exceeding a total of
3 \$80,000,000 from the General Revenue Fund to the Tobacco
4 Settlement Recovery Fund. Any amounts so transferred shall be
5 retransferred by the State Comptroller and the State Treasurer
6 from the Tobacco Settlement Recovery Fund to the General
7 Revenue Fund at the direction of and upon notification from the
8 Governor, but in any event on or before June 30, 2011.

9 (rrr) In addition to any other transfers that may be
10 provided for by law, on July 1, 2010, or as soon thereafter as
11 practical, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$6,675,000 from the General
13 Revenue Fund to the Presidential Library and Museum Operating
14 Fund.

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

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

25 (uuu) In addition to any other transfers that may be
26 provided for by law, on July 1, 2010, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$5,000,000 from the General
3 Revenue Fund to the Communications Revolving Fund.

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

9 (www) In addition to any other transfers that may be
10 provided for by law, on July 1, 2010, or as soon thereafter as
11 practical, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$17,000,000 from the
13 General Revenue Fund to the DCFS Children's Services Fund.

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

21 (yyy) In addition to any other transfers that may be
22 provided for by law, on and after July 1, 2011 and until May 1,
23 2012, 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, 2012.

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

11 (aaaa) In addition to any other transfers that may be
12 provided for by law, on July 1, 2011, or as soon thereafter as
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the sum of \$8,000,000 from the General
15 Revenue Fund to the Presidential Library and Museum Operating
16 Fund.

17 (bbbb) In addition to any other transfers that may be
18 provided for by law, on July 1, 2011, or as soon thereafter as
19 practical, the State Comptroller shall direct and the State
20 Treasurer shall transfer the sum of \$1,400,000 from the General
21 Revenue Fund to the Violence Prevention Fund.

22 (cccc) In addition to any other transfers that may be
23 provided for by law, on July 1, 2011, or as soon thereafter as
24 practical, the State Comptroller shall direct and the State
25 Treasurer shall transfer the sum of \$14,100,000 from the
26 General Revenue Fund to the State Garage Revolving Fund.

1 (dddd) In addition to any other transfers that may be
2 provided for by law, on July 1, 2011, or as soon thereafter as
3 practical, the State Comptroller shall direct and the State
4 Treasurer shall transfer the sum of \$4,000,000 from the General
5 Revenue Fund to the Digital Divide Elimination Fund.

6 (eeee) In addition to any other transfers that may be
7 provided for by law, on July 1, 2011, or as soon thereafter as
8 practical, the State Comptroller shall direct and the State
9 Treasurer shall transfer the sum of \$500,000 from the General
10 Revenue Fund to the Senior Citizens Real Estate Deferred Tax
11 Revolving Fund.

12 (Source: P.A. 99-933, eff. 1-27-17.)

13 (30 ILCS 105/8g-1)

14 Sec. 8g-1. Fund transfers.

15 (a) In addition to any other transfers that may be provided
16 for by law, on and after July 1, 2012 and until May 1, 2013, at
17 the direction of and upon notification from the Governor, the
18 State Comptroller shall direct and the State Treasurer shall
19 transfer amounts not exceeding a total of \$80,000,000 from the
20 General Revenue Fund to the Tobacco Settlement Recovery Fund.
21 Any amounts so transferred shall be retransferred by the State
22 Comptroller and the State Treasurer from the Tobacco Settlement
23 Recovery Fund to the General Revenue Fund at the direction of
24 and upon notification from the Governor, but in any event on or
25 before June 30, 2013.

1 (b) In addition to any other transfers that may be provided
2 for by law, on and after July 1, 2013 and until May 1, 2014, at
3 the direction of and upon notification from the Governor, the
4 State Comptroller shall direct and the State Treasurer shall
5 transfer amounts not exceeding a total of \$80,000,000 from the
6 General Revenue Fund to the Tobacco Settlement Recovery Fund.
7 Any amounts so transferred shall be retransferred by the State
8 Comptroller and the State Treasurer from the Tobacco Settlement
9 Recovery Fund to the General Revenue Fund at the direction of
10 and upon notification from the Governor, but in any event on or
11 before June 30, 2014.

12 (c) In addition to any other transfers that may be provided
13 for by law, on July 1, 2013, or as soon thereafter as
14 practical, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$1,400,000 from the General
16 Revenue Fund to the ICJIA Violence Prevention Fund.

17 (d) In addition to any other transfers that may be provided
18 for by law, on July 1, 2013, or as soon thereafter as
19 practical, the State Comptroller shall direct and the State
20 Treasurer shall transfer the sum of \$1,500,000 from the General
21 Revenue Fund to the Illinois Veterans Assistance Fund.

22 (e) In addition to any other transfers that may be provided
23 for by law, on July 1, 2013, or as soon thereafter as
24 practical, the State Comptroller shall direct and the State
25 Treasurer shall transfer the sum of \$500,000 from the General
26 Revenue Fund to the Senior Citizens Real Estate Deferred Tax

1 Revolving Fund.

2 (f) In addition to any other transfers that may be provided
3 for by law, on July 1, 2013, or as soon thereafter as
4 practical, the State Comptroller shall direct and the State
5 Treasurer shall transfer the sum of \$4,000,000 from the General
6 Revenue Fund to the Digital Divide Elimination Fund.

7 (g) In addition to any other transfers that may be provided
8 for by law, on July 1, 2013, 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 Communications Revolving Fund.

12 (h) In addition to any other transfers that may be provided
13 for by law, on July 1, 2013, or as soon thereafter as
14 practical, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$9,800,000 from the General
16 Revenue Fund to the Presidential Library and Museum Operating
17 Fund.

18 (i) In addition to any other transfers that may be provided
19 for by law, on and after July 1, 2014 and until May 1, 2015, at
20 the direction of and upon notification from the Governor, the
21 State Comptroller shall direct and the State Treasurer shall
22 transfer amounts not exceeding a total of \$80,000,000 from the
23 General Revenue Fund to the Tobacco Settlement Recovery Fund.
24 Any amounts so transferred shall be retransferred by the State
25 Comptroller and the State Treasurer from the Tobacco Settlement
26 Recovery Fund to the General Revenue Fund at the direction of

1 and upon notification from the Governor, but in any event on or
2 before June 30, 2015.

3 (j) In addition to any other transfers that may be provided
4 for by law, on July 1, 2014, or as soon thereafter as
5 practical, the State Comptroller shall direct and the State
6 Treasurer shall transfer the sum of \$10,000,000 from the
7 General Revenue Fund to the Presidential Library and Museum
8 Operating Fund.

9 (k) In addition to any other transfers that may be provided
10 for by law, on July 1, 2017, or as soon thereafter as
11 practical, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$500,000 from the General
13 Revenue Fund to the Grant Accountability and Transparency Fund.

14 (Source: P.A. 97-732, eff. 6-30-12; 98-24, eff. 6-19-13;
15 98-674, eff. 6-30-14.)

16 Section 5-20. The State Revenue Sharing Act is amended by
17 changing Section 12 as follows:

18 (30 ILCS 115/12) (from Ch. 85, par. 616)

19 Sec. 12. Personal Property Tax Replacement Fund. There is
20 hereby created the Personal Property Tax Replacement Fund, a
21 special fund in the State Treasury into which shall be paid all
22 revenue realized:

23 (a) all amounts realized from the additional personal
24 property tax replacement income tax imposed by subsections (c)

1 and (d) of Section 201 of the Illinois Income Tax Act, except
2 for those amounts deposited into the Income Tax Refund Fund
3 pursuant to subsection (c) of Section 901 of the Illinois
4 Income Tax Act; and

5 (b) all amounts realized from the additional personal
6 property replacement invested capital taxes imposed by Section
7 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue
8 Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and
9 Section 3 of the Water Company Invested Capital Tax Act, and
10 amounts payable to the Department of Revenue under the
11 Telecommunications Infrastructure Maintenance Fee Act.

12 As soon as may be after the end of each month, the
13 Department of Revenue shall certify to the Treasurer and the
14 Comptroller the amount of all refunds paid out of the General
15 Revenue Fund through the preceding month on account of
16 overpayment of liability on taxes paid into the Personal
17 Property Tax Replacement Fund. Upon receipt of such
18 certification, the Treasurer and the Comptroller shall
19 transfer the amount so certified from the Personal Property Tax
20 Replacement Fund into the General Revenue Fund.

21 The payments of revenue into the Personal Property Tax
22 Replacement Fund shall be used exclusively for distribution to
23 taxing districts, regional offices and officials, and local
24 officials as provided in this Section and in the School Code,
25 payment of the ordinary and contingent expenses of the Property
26 Tax Appeal Board, payment of the expenses of the Department of

1 Revenue incurred in administering the collection and
2 distribution of monies paid into the Personal Property Tax
3 Replacement Fund and transfers due to refunds to taxpayers for
4 overpayment of liability for taxes paid into the Personal
5 Property Tax Replacement Fund.

6 In addition, moneys in the Personal Property Tax
7 Replacement Fund may be used to pay any of the following: (i)
8 salary, stipends, and additional compensation as provided by
9 law for chief election clerks, county clerks, and county
10 recorders; (ii) costs associated with regional offices of
11 education and educational service centers; (iii)
12 reimbursements payable by the State Board of Elections under
13 Section 4-25, 5-35, 6-71, 13-10, 13-10a, or 13-11 of the
14 Election Code; (iv) expenses of the Illinois Educational Labor
15 Relations Board; and (v) salary, personal services, and
16 additional compensation as provided by law for court reporters
17 under the Court Reporters Act.

18 As soon as may be after the effective date of this
19 amendatory Act of 1980, the Department of Revenue shall certify
20 to the Treasurer the amount of net replacement revenue paid
21 into the General Revenue Fund prior to that effective date from
22 the additional tax imposed by Section 2a.1 of the Messages Tax
23 Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of
24 the Public Utilities Revenue Act; Section 3 of the Water
25 Company Invested Capital Tax Act; amounts collected by the
26 Department of Revenue under the Telecommunications

1 Infrastructure Maintenance Fee Act; and the additional
2 personal property tax replacement income tax imposed by the
3 Illinois Income Tax Act, as amended by Public Act 81-1st
4 Special Session-1. Net replacement revenue shall be defined as
5 the total amount paid into and remaining in the General Revenue
6 Fund as a result of those Acts minus the amount outstanding and
7 obligated from the General Revenue Fund in state vouchers or
8 warrants prior to the effective date of this amendatory Act of
9 1980 as refunds to taxpayers for overpayment of liability under
10 those Acts.

11 All interest earned by monies accumulated in the Personal
12 Property Tax Replacement Fund shall be deposited in such Fund.
13 All amounts allocated pursuant to this Section are appropriated
14 on a continuing basis.

15 Prior to December 31, 1980, as soon as may be after the end
16 of each quarter beginning with the quarter ending December 31,
17 1979, and on and after December 31, 1980, as soon as may be
18 after January 1, March 1, April 1, May 1, July 1, August 1,
19 October 1 and December 1 of each year, the Department of
20 Revenue shall allocate to each taxing district as defined in
21 Section 1-150 of the Property Tax Code, in accordance with the
22 provisions of paragraph (2) of this Section the portion of the
23 funds held in the Personal Property Tax Replacement Fund which
24 is required to be distributed, as provided in paragraph (1),
25 for each quarter. Provided, however, under no circumstances
26 shall any taxing district during each of the first two years of

1 distribution of the taxes imposed by this amendatory Act of
2 1979 be entitled to an annual allocation which is less than the
3 funds such taxing district collected from the 1978 personal
4 property tax. Provided further that under no circumstances
5 shall any taxing district during the third year of distribution
6 of the taxes imposed by this amendatory Act of 1979 receive
7 less than 60% of the funds such taxing district collected from
8 the 1978 personal property tax. In the event that the total of
9 the allocations made as above provided for all taxing
10 districts, during either of such 3 years, exceeds the amount
11 available for distribution the allocation of each taxing
12 district shall be proportionately reduced. Except as provided
13 in Section 13 of this Act, the Department shall then certify,
14 pursuant to appropriation, such allocations to the State
15 Comptroller who shall pay over to the several taxing districts
16 the respective amounts allocated to them.

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

24 Any municipality or township, other than a municipality
25 with a population in excess of 500,000, which receives an
26 allocation based in whole or in part on personal property taxes

1 which it levied pursuant to Sections 3-1, 3-4 and 3-6 of the
2 Illinois Local Library Act and which was previously required to
3 be paid over to a public library shall immediately pay over to
4 that library a proportionate share of the personal property tax
5 replacement funds which such municipality or township
6 receives; provided that if such a public library has converted
7 to a library organized under The Illinois Public Library
8 District Act, regardless of whether such conversion has
9 occurred on, after or before January 1, 1988, such
10 proportionate share shall be immediately paid over to the
11 library district which maintains and operates the library.
12 However, any library that has converted prior to January 1,
13 1988, and which hitherto has not received the personal property
14 tax replacement funds, shall receive such funds commencing on
15 January 1, 1988.

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

24 Any taxing district which receives an allocation based in
25 whole or in part upon personal property taxes which it levied
26 for another governmental body or school district in Cook County

1 in 1976 or for another governmental body or school district in
2 the remainder of the State in 1977 shall immediately pay over
3 to that governmental body or school district the amount of
4 personal property replacement funds which such governmental
5 body or school district would receive directly under the
6 provisions of paragraph (2) of this Section, had it levied its
7 own taxes.

8 (1) The portion of the Personal Property Tax
9 Replacement Fund required to be distributed as of the time
10 allocation is required to be made shall be the amount
11 available in such Fund as of the time allocation is
12 required to be made.

13 The amount available for distribution shall be the
14 total amount in the fund at such time minus the necessary
15 administrative and other authorized expenses as limited by
16 the appropriation and the amount determined by: (a) \$2.8
17 million for fiscal year 1981; (b) for fiscal year 1982,
18 .54% of the funds distributed from the fund during the
19 preceding fiscal year; (c) for fiscal year 1983 through
20 fiscal year 1988, .54% of the funds distributed from the
21 fund during the preceding fiscal year less .02% of such
22 fund for fiscal year 1983 and less .02% of such funds for
23 each fiscal year thereafter; (d) for fiscal year 1989
24 through fiscal year 2011 no more than 105% of the actual
25 administrative expenses of the prior fiscal year; (e) for
26 fiscal year 2012 and beyond, a sufficient amount to pay (i)

1 stipends, additional compensation, salary reimbursements,
2 and other amounts directed to be paid out of this Fund for
3 local officials as authorized or required by statute and
4 (ii) ~~no more than 105% of the actual administrative~~
5 ~~expenses of the prior fiscal year, including payment of the~~
6 ordinary and contingent expenses of the Property Tax Appeal
7 Board and ~~payment of~~ the expenses of the Department of
8 Revenue incurred in administering the collection and
9 distribution of moneys paid into the Fund; ~~or~~ (f) for
10 fiscal years 2012 and 2013 only, a sufficient amount to pay
11 stipends, additional compensation, salary reimbursements,
12 and other amounts directed to be paid out of this Fund for
13 regional offices and officials as authorized or required by
14 statute; or (g) for fiscal year 2018 only, a sufficient
15 amount to pay amounts directed to be paid out of this Fund
16 for public community college base operating grants and
17 local health protection grants to certified local health
18 departments as authorized or required by appropriation or
19 statute. Such portion of the fund shall be determined after
20 the transfer into the General Revenue Fund due to refunds,
21 if any, paid from the General Revenue Fund during the
22 preceding quarter. If at any time, for any reason, there is
23 insufficient amount in the Personal Property Tax
24 Replacement Fund for payments for regional offices and
25 officials or local officials or payment of costs of
26 administration or for transfers due to refunds at the end

1 of any particular month, the amount of such insufficiency
2 shall be carried over for the purposes of payments for
3 regional offices and officials, local officials, transfers
4 into the General Revenue Fund, and costs of administration
5 to the following month or months. Net replacement revenue
6 held, and defined above, shall be transferred by the
7 Treasurer and Comptroller to the Personal Property Tax
8 Replacement Fund within 10 days of such certification.

9 (2) Each quarterly allocation shall first be
10 apportioned in the following manner: 51.65% for taxing
11 districts in Cook County and 48.35% for taxing districts in
12 the remainder of the State.

13 The Personal Property Replacement Ratio of each taxing
14 district outside Cook County shall be the ratio which the Tax
15 Base of that taxing district bears to the Downstate Tax Base.
16 The Tax Base of each taxing district outside of Cook County is
17 the personal property tax collections for that taxing district
18 for the 1977 tax year. The Downstate Tax Base is the personal
19 property tax collections for all taxing districts in the State
20 outside of Cook County for the 1977 tax year. The Department of
21 Revenue shall have authority to review for accuracy and
22 completeness the personal property tax collections for each
23 taxing district outside Cook County for the 1977 tax year.

24 The Personal Property Replacement Ratio of each Cook County
25 taxing district shall be the ratio which the Tax Base of that
26 taxing district bears to the Cook County Tax Base. The Tax Base

1 of each Cook County taxing district is the personal property
2 tax collections for that taxing district for the 1976 tax year.
3 The Cook County Tax Base is the personal property tax
4 collections for all taxing districts in Cook County for the
5 1976 tax year. The Department of Revenue shall have authority
6 to review for accuracy and completeness the personal property
7 tax collections for each taxing district within Cook County for
8 the 1976 tax year.

9 For all purposes of this Section 12, amounts paid to a
10 taxing district for such tax years as may be applicable by a
11 foreign corporation under the provisions of Section 7-202 of
12 the Public Utilities Act, as amended, shall be deemed to be
13 personal property taxes collected by such taxing district for
14 such tax years as may be applicable. The Director shall
15 determine from the Illinois Commerce Commission, for any tax
16 year as may be applicable, the amounts so paid by any such
17 foreign corporation to any and all taxing districts. The
18 Illinois Commerce Commission shall furnish such information to
19 the Director. For all purposes of this Section 12, the Director
20 shall deem such amounts to be collected personal property taxes
21 of each such taxing district for the applicable tax year or
22 years.

23 Taxing districts located both in Cook County and in one or
24 more other counties shall receive both a Cook County allocation
25 and a Downstate allocation determined in the same way as all
26 other taxing districts.

1 If any taxing district in existence on July 1, 1979 ceases
2 to exist, or discontinues its operations, its Tax Base shall
3 thereafter be deemed to be zero. If the powers, duties and
4 obligations of the discontinued taxing district are assumed by
5 another taxing district, the Tax Base of the discontinued
6 taxing district shall be added to the Tax Base of the taxing
7 district assuming such powers, duties and obligations.

8 If two or more taxing districts in existence on July 1,
9 1979, or a successor or successors thereto shall consolidate
10 into one taxing district, the Tax Base of such consolidated
11 taxing district shall be the sum of the Tax Bases of each of
12 the taxing districts which have consolidated.

13 If a single taxing district in existence on July 1, 1979,
14 or a successor or successors thereto shall be divided into two
15 or more separate taxing districts, the tax base of the taxing
16 district so divided shall be allocated to each of the resulting
17 taxing districts in proportion to the then current equalized
18 assessed value of each resulting taxing district.

19 If a portion of the territory of a taxing district is
20 disconnected and annexed to another taxing district of the same
21 type, the Tax Base of the taxing district from which
22 disconnection was made shall be reduced in proportion to the
23 then current equalized assessed value of the disconnected
24 territory as compared with the then current equalized assessed
25 value within the entire territory of the taxing district prior
26 to disconnection, and the amount of such reduction shall be

1 added to the Tax Base of the taxing district to which
2 annexation is made.

3 If a community college district is created after July 1,
4 1979, beginning on the effective date of this amendatory Act of
5 1995, its Tax Base shall be 3.5% of the sum of the personal
6 property tax collected for the 1977 tax year within the
7 territorial jurisdiction of the district.

8 The amounts allocated and paid to taxing districts pursuant
9 to the provisions of this amendatory Act of 1979 shall be
10 deemed to be substitute revenues for the revenues derived from
11 taxes imposed on personal property pursuant to the provisions
12 of the "Revenue Act of 1939" or "An Act for the assessment and
13 taxation of private car line companies", approved July 22,
14 1943, as amended, or Section 414 of the Illinois Insurance
15 Code, prior to the abolition of such taxes and shall be used
16 for the same purposes as the revenues derived from ad valorem
17 taxes on real estate.

18 Monies received by any taxing districts from the Personal
19 Property Tax Replacement Fund shall be first applied toward
20 payment of the proportionate amount of debt service which was
21 previously levied and collected from extensions against
22 personal property on bonds outstanding as of December 31, 1978
23 and next applied toward payment of the proportionate share of
24 the pension or retirement obligations of the taxing district
25 which were previously levied and collected from extensions
26 against personal property. For each such outstanding bond

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

18 (Source: P.A. 97-72, eff. 7-1-11; 97-619, eff. 11-14-11;
19 97-732, eff. 6-30-12; 98-24, eff. 6-19-13; 98-674, eff.
20 6-30-14.)

21 Section 5-25. The General Obligation Bond Act is amended by
22 changing Section 15 as follows:

23 (30 ILCS 330/15) (from Ch. 127, par. 665)

24 Sec. 15. Computation of Principal and Interest; transfers.

1 (a) Upon each delivery of Bonds authorized to be issued
2 under this Act, the Comptroller shall compute and certify to
3 the Treasurer the total amount of principal of, interest on,
4 and premium, if any, on Bonds issued that will be payable in
5 order to retire such Bonds, the amount of principal of,
6 interest on and premium, if any, on such Bonds that will be
7 payable on each payment date according to the tenor of such
8 Bonds during the then current and each succeeding fiscal year,
9 and the amount of sinking fund payments needed to be deposited
10 in connection with Qualified School Construction Bonds
11 authorized by subsection (e) of Section 9. With respect to the
12 interest payable on variable rate bonds, such certifications
13 shall be calculated at the maximum rate of interest that may be
14 payable during the fiscal year, after taking into account any
15 credits permitted in the related indenture or other instrument
16 against the amount of such interest required to be appropriated
17 for such period pursuant to subsection (c) of Section 14 of
18 this Act. With respect to the interest payable, such
19 certifications shall include the amounts certified by the
20 Director of the Governor's Office of Management and Budget
21 under subsection (b) of Section 9 of this Act.

22 On or before the last day of each month the State Treasurer
23 and Comptroller shall transfer from (1) the Road Fund with
24 respect to Bonds issued under paragraph (a) of Section 4 of
25 this Act, or Bonds issued under authorization in Public Act
26 98-781, or Bonds issued for the purpose of refunding such

1 bonds, and from (2) the General Revenue Fund, with respect to
2 all other Bonds issued under this Act, to the General
3 Obligation Bond Retirement and Interest Fund an amount
4 sufficient to pay the aggregate of the principal of, interest
5 on, and premium, if any, on Bonds payable, by their terms on
6 the next payment date divided by the number of full calendar
7 months between the date of such Bonds and the first such
8 payment date, and thereafter, divided by the number of months
9 between each succeeding payment date after the first. Such
10 computations and transfers shall be made for each series of
11 Bonds issued and delivered. Interest payable on variable rate
12 bonds shall be calculated at the maximum rate of interest that
13 may be payable for the relevant period, after taking into
14 account any credits permitted in the related indenture or other
15 instrument against the amount of such interest required to be
16 appropriated for such period pursuant to subsection (c) of
17 Section 14 of this Act. Computations of interest shall include
18 the amounts certified by the Director of the Governor's Office
19 of Management and Budget under subsection (b) of Section 9 of
20 this Act. Interest for which moneys have already been deposited
21 into the capitalized interest account within the General
22 Obligation Bond Retirement and Interest Fund shall not be
23 included in the calculation of the amounts to be transferred
24 under this subsection. Notwithstanding any other provision in
25 this Section, the transfer provisions provided in this
26 paragraph shall not apply to transfers made in fiscal year 2010

1 or fiscal year 2011 with respect to Bonds issued in fiscal year
2 2010 or fiscal year 2011 pursuant to Section 7.2 of this Act.
3 In the case of transfers made in fiscal year 2010 or fiscal
4 year 2011 with respect to the Bonds issued in fiscal year 2010
5 or fiscal year 2011 pursuant to Section 7.2 of this Act, on or
6 before the 15th day of the month prior to the required debt
7 service payment, the State Treasurer and Comptroller shall
8 transfer from the General Revenue Fund to the General
9 Obligation Bond Retirement and Interest Fund an amount
10 sufficient to pay the aggregate of the principal of, interest
11 on, and premium, if any, on the Bonds payable in that next
12 month.

13 The transfer of monies herein and above directed is not
14 required if monies in the General Obligation Bond Retirement
15 and Interest Fund are more than the amount otherwise to be
16 transferred as herein above provided, and if the Governor or
17 his authorized representative notifies the State Treasurer and
18 Comptroller of such fact in writing.

19 (b) After the effective date of this Act, the balance of,
20 and monies directed to be included in the Capital Development
21 Bond Retirement and Interest Fund, Anti-Pollution Bond
22 Retirement and Interest Fund, Transportation Bond, Series A
23 Retirement and Interest Fund, Transportation Bond, Series B
24 Retirement and Interest Fund, and Coal Development Bond
25 Retirement and Interest Fund shall be transferred to and
26 deposited in the General Obligation Bond Retirement and

1 Interest Fund. This Fund shall be used to make debt service
2 payments on the State's general obligation Bonds heretofore
3 issued which are now outstanding and payable from the Funds
4 herein listed as well as on Bonds issued under this Act.

5 (c) Except as provided in Section 22-3 of the Military Code
6 of Illinois, the ~~The~~ unused portion of federal funds received
7 for or as reimbursement for a capital facilities project, as
8 authorized by Section 3 of this Act, for which monies from the
9 Capital Development Fund have been expended shall remain in the
10 Capital Development Board Contributory Trust Fund and shall be
11 used for capital projects and for no other purpose, subject to
12 appropriation and as directed by the Capital Development Board.
13 ~~Any federal funds received as reimbursement for the completed~~
14 ~~construction of a capital facilities project, as authorized by~~
15 ~~Section 3 of this Act, for which monies from the Capital~~
16 ~~Development Fund have been expended shall be deposited in the~~
17 ~~General Obligation Bond Retirement and Interest Fund.~~

18 (Source: P.A. 98-245, eff. 1-1-14.)

19 Section 5-30. The Capital Development Bond Act of 1972 is
20 amended by changing Section 9a as follows:

21 (30 ILCS 420/9a) (from Ch. 127, par. 759a)

22 Sec. 9a. Except as provided in Section 22-3 of the Military
23 Code of Illinois, the ~~The~~ unused portion of federal funds
24 received for or as reimbursement for a capital improvement

1 project for which moneys from the Capital Development Fund have
2 been expended shall remain in the Capital Development Board
3 Contributory Trust Fund and shall be used for capital projects
4 and for no other purpose, subject to appropriation and as
5 directed by the Capital Development Board. ~~Any federal funds~~
6 ~~received as reimbursement for the completed construction of a~~
7 ~~capital improvement project for which moneys from the Capital~~
8 ~~Development Fund have been expended shall be deposited in the~~
9 ~~Capital Development Bond Retirement and Interest Fund.~~

10 (Source: P.A. 98-245, eff. 1-1-14.)

11 Section 5-35. The Illinois Coal Technology Development
12 Assistance Act is amended by changing Section 3 as follows:

13 (30 ILCS 730/3) (from Ch. 96 1/2, par. 8203)

14 Sec. 3. Transfers to Coal Technology Development
15 Assistance Fund.

16 (a) As soon as may be practicable after the first day of
17 each month, the Department of Revenue shall certify to the
18 Treasurer an amount equal to 1/64 of the revenue realized from
19 the tax imposed by the Electricity Excise Tax Law, Section 2 of
20 the Public Utilities Revenue Act, Section 2 of the Messages Tax
21 Act, and Section 2 of the Gas Revenue Tax Act, during the
22 preceding month. Upon receipt of the certification, the
23 Treasurer shall transfer the amount shown on such certification
24 from the General Revenue Fund to the Coal Technology

1 Development Assistance Fund, which is hereby created as a
2 special fund in the State treasury, except that no transfer
3 shall be made in any month in which the Fund has reached the
4 following balance:

5 (1) \$7,000,000 during fiscal year 1994.

6 (2) \$8,500,000 during fiscal year 1995.

7 (3) \$10,000,000 during fiscal years 1996 and 1997.

8 (4) During fiscal year 1998 through fiscal year 2004,
9 an amount equal to the sum of \$10,000,000 plus additional
10 moneys deposited into the Coal Technology Development
11 Assistance Fund from the Renewable Energy Resources and
12 Coal Technology Development Assistance Charge under
13 Section 6.5 of the Renewable Energy, Energy Efficiency, and
14 Coal Resources Development Law of 1997.

15 (5) During fiscal year 2005, an amount equal to the sum
16 of \$7,000,000 plus additional moneys deposited into the
17 Coal Technology Development Assistance Fund from the
18 Renewable Energy Resources and Coal Technology Development
19 Assistance Charge under Section 6.5 of the Renewable
20 Energy, Energy Efficiency, and Coal Resources Development
21 Law of 1997.

22 (6) During fiscal year 2006 through fiscal year 2017
23 ~~and each fiscal year thereafter~~, an amount equal to the sum
24 of \$10,000,000 plus additional moneys deposited into the
25 Coal Technology Development Assistance Fund from the
26 Renewable Energy Resources and Coal Technology Development

1 Assistance Charge under Section 6.5 of the Renewable
2 Energy, Energy Efficiency, and Coal Resources Development
3 Law of 1997.

4 (b) Beginning in fiscal year 2018 and each fiscal year
5 thereafter, the Treasurer shall make no further transfers from
6 the General Revenue Fund to the Coal Technology Development
7 Assistance Fund.

8 (Source: P.A. 99-78, eff. 7-20-15.)

9 Section 5-37. The Downstate Public Transportation Act is
10 amended by changing Sections 2-2.04, 2-3, and 2-6 as follows:

11 (30 ILCS 740/2-2.04) (from Ch. 111 2/3, par. 662.04)

12 Sec. 2-2.04. "Eligible operating expenses" means all
13 expenses required for public transportation, including
14 employee wages and benefits, materials, fuels, supplies,
15 rental of facilities, taxes other than income taxes, payment
16 made for debt service (including principal and interest) on
17 publicly owned equipment or facilities, and any other
18 expenditure which is an operating expense according to standard
19 accounting practices for the providing of public
20 transportation. Eligible operating expenses shall not include
21 allowances: (a) for depreciation whether funded or unfunded;
22 (b) for amortization of any intangible costs; (c) for debt
23 service on capital acquired with the assistance of capital
24 grant funds provided by the State of Illinois; (d) for profits

1 or return on investment; (e) for excessive payment to
2 associated entities; (f) for Comprehensive Employment Training
3 Act expenses; (g) for costs reimbursed under Sections 6 and 8
4 of the "Urban Mass Transportation Act of 1964", as amended; (h)
5 for entertainment expenses; (i) for charter expenses; (j) for
6 fines and penalties; (k) for charitable donations; (l) for
7 interest expense on long term borrowing and debt retirement
8 other than on publicly owned equipment or facilities; (m) for
9 income taxes; or (n) for such other expenses as the Department
10 may determine consistent with federal Department of
11 Transportation regulations or requirements. In consultation
12 with participants, the Department shall, by October 2008,
13 promulgate or update rules, pursuant to the Illinois
14 Administrative Procedure Act, concerning eligible expenses to
15 ensure consistent application of the Act, and the Department
16 shall provide written copies of those rules to all eligible
17 recipients. The Department shall review this process in the
18 same manner no less frequently than every 5 years.

19 With respect to participants other than any Metro-East
20 Transit District participant and those receiving federal
21 research development and demonstration funds pursuant to
22 Section 6 of the "Urban Mass Transportation Act of 1964", as
23 amended, during the fiscal year ending June 30, 1979, the
24 maximum eligible operating expenses for any such participant in
25 any fiscal year after Fiscal Year 1980 shall be the amount
26 appropriated for such participant for the fiscal year ending

1 June 30, 1980, plus in each year a 10% increase over the
2 maximum established for the preceding fiscal year. For Fiscal
3 Year 1980 the maximum eligible operating expenses for any such
4 participant shall be the amount of projected operating expenses
5 upon which the appropriation for such participant for Fiscal
6 Year 1980 is based.

7 With respect to participants receiving federal research
8 development and demonstration operating assistance funds for
9 operating assistance pursuant to Section 6 of the "Urban Mass
10 Transportation Act of 1964", as amended, during the fiscal year
11 ending June 30, 1979, the maximum eligible operating expenses
12 for any such participant in any fiscal year after Fiscal Year
13 1980 shall not exceed such participant's eligible operating
14 expenses for the fiscal year ending June 30, 1980, plus in each
15 year a 10% increase over the maximum established for the
16 preceding fiscal year. For Fiscal Year 1980, the maximum
17 eligible operating expenses for any such participant shall be
18 the eligible operating expenses incurred during such fiscal
19 year, or projected operating expenses upon which the
20 appropriation for such participant for the Fiscal Year 1980 is
21 based; whichever is less.

22 With respect to all participants other than any Metro-East
23 Transit District participant, the maximum eligible operating
24 expenses for any such participant in any fiscal year after
25 Fiscal Year 1985 (except Fiscal Year 2008 and Fiscal Year 2009)
26 shall be the amount appropriated for such participant for the

1 fiscal year ending June 30, 1985, plus in each year a 10%
2 increase over the maximum established for the preceding year.
3 For Fiscal Year 1985, the maximum eligible operating expenses
4 for any such participant shall be the amount of projected
5 operating expenses upon which the appropriation for such
6 participant for Fiscal Year 1985 is based.

7 With respect to any mass transit district participant that
8 has increased its district boundaries by annexing counties
9 since 1998 and is maintaining a level of local financial
10 support, including all income and revenues, equal to or greater
11 than the level in the State fiscal year ending June 30, 2001,
12 the maximum eligible operating expenses for any State fiscal
13 year after 2002 (except State fiscal years 2006 through 2009)
14 shall be the amount appropriated for that participant for the
15 State fiscal year ending June 30, 2002, plus, in each State
16 fiscal year, a 10% increase over the preceding State fiscal
17 year. For State fiscal year 2002, the maximum eligible
18 operating expenses for any such participant shall be the amount
19 of projected operating expenses upon which the appropriation
20 for that participant for State fiscal year 2002 is based. For
21 that participant, eligible operating expenses for State fiscal
22 year 2002 in excess of the eligible operating expenses for the
23 State fiscal year ending June 30, 2001, plus 10%, must be
24 attributed to the provision of services in the newly annexed
25 counties. The 10% mandatory appropriation increase for each
26 State fiscal year shall not be applied in State fiscal year

1 2018.

2 With respect to a participant that receives an initial
3 appropriation in State fiscal year 2002 or thereafter, the
4 maximum eligible operating expenses for any State fiscal year
5 after 2003 (except State fiscal years 2006 through 2009) shall
6 be the amount appropriated for that participant for the State
7 fiscal year in which it received its initial appropriation,
8 plus, in each year, a 10% increase over the preceding year. For
9 the initial State fiscal year in which a participant received
10 an appropriation, the maximum eligible operating expenses for
11 any such participant shall be the amount of projected operating
12 expenses upon which the appropriation for that participant for
13 that State fiscal year is based. The 10% mandatory
14 appropriation increase for each State fiscal year shall not be
15 applied in State fiscal year 2018.

16 With respect to the District serving primarily the counties
17 of Monroe and St. Clair, beginning July 1, 2005, the St. Clair
18 County Transit District shall no longer be included for new
19 appropriation funding purposes as part of the Metro-East Public
20 Transportation Fund and instead shall be included for new
21 appropriation funding purposes as part of the Downstate Public
22 Transportation Fund; provided, however, that nothing herein
23 shall alter the eligibility of that District for previously
24 appropriated funds to which it would otherwise be entitled.

25 With respect to the District serving primarily Madison
26 County, beginning July 1, 2008, the Madison County Transit

1 District shall no longer be included for new appropriation
2 funding purposes as part of the Metro-East Public
3 Transportation Fund and instead shall be included for new
4 appropriation funding purposes as part of the Downstate Public
5 Transportation Fund; provided, however, that nothing herein
6 shall alter the eligibility of that District for previously
7 appropriated funds to which it would otherwise be entitled.

8 With respect to the fiscal year beginning July 1, 2007, and
9 thereafter, the following shall be included for new
10 appropriation funding purposes as part of the Downstate Public
11 Transportation Fund: Bond County; Bureau County; Coles County;
12 Edgar County; Stephenson County and the City of Freeport; Henry
13 County; Jo Daviess County; Kankakee and McLean Counties; Peoria
14 County; Piatt County; Shelby County; Tazewell and Woodford
15 Counties; Vermilion County; Williamson County; and Kendall
16 County.

17 (Source: P.A. 94-70, eff. 6-22-05; 95-708, eff. 1-18-08.)

18 (30 ILCS 740/2-3) (from Ch. 111 2/3, par. 663)

19 Sec. 2-3. (a) Except as otherwise provided in subsection
20 (f), as ~~As~~ soon as possible after the first day of each month,
21 beginning July 1, 1984, upon certification of the Department of
22 Revenue, the Comptroller shall order transferred, and the
23 Treasurer shall transfer, from the General Revenue Fund to a
24 special fund in the State Treasury which is hereby created, to
25 be known as the "Downstate Public Transportation Fund", an

1 amount equal to $2/32$ (beginning July 1, 2005, $3/32$) of the net
2 revenue realized from the "Retailers' Occupation Tax Act", as
3 now or hereafter amended, the "Service Occupation Tax Act", as
4 now or hereafter amended, the "Use Tax Act", as now or
5 hereafter amended, and the "Service Use Tax Act", as now or
6 hereafter amended, from persons incurring municipal or county
7 retailers' or service occupation tax liability for the benefit
8 of any municipality or county located wholly within the
9 boundaries of each participant other than any Metro-East
10 Transit District participant certified pursuant to subsection
11 (c) of this Section during the preceding month, except that the
12 Department shall pay into the Downstate Public Transportation
13 Fund $2/32$ (beginning July 1, 2005, $3/32$) of 80% of the net
14 revenue realized under the State tax Acts named above within
15 any municipality or county located wholly within the boundaries
16 of each participant, other than any Metro-East participant, for
17 tax periods beginning on or after January 1, 1990. Net revenue
18 realized for a month shall be the revenue collected by the
19 State pursuant to such Acts during the previous month from
20 persons incurring municipal or county retailers' or service
21 occupation tax liability for the benefit of any municipality or
22 county located wholly within the boundaries of a participant,
23 less the amount paid out during that same month as refunds or
24 credit memoranda to taxpayers for overpayment of liability
25 under such Acts for the benefit of any municipality or county
26 located wholly within the boundaries of a participant.

1 (b) As soon as possible after the first day of each month,
2 beginning July 1, 1989, upon certification of the Department of
3 Revenue, the Comptroller shall order transferred, and the
4 Treasurer shall transfer, from the General Revenue Fund to a
5 special fund in the State Treasury which is hereby created, to
6 be known as the "Metro-East Public Transportation Fund", an
7 amount equal to $2/32$ of the net revenue realized, as above,
8 from within the boundaries of Madison, Monroe, and St. Clair
9 Counties, except that the Department shall pay into the
10 Metro-East Public Transportation Fund $2/32$ of 80% of the net
11 revenue realized under the State tax Acts specified in
12 subsection (a) of this Section within the boundaries of
13 Madison, Monroe and St. Clair Counties for tax periods
14 beginning on or after January 1, 1990. A local match equivalent
15 to an amount which could be raised by a tax levy at the rate of
16 .05% on the assessed value of property within the boundaries of
17 Madison County is required annually to cause a total of $2/32$ of
18 the net revenue to be deposited in the Metro-East Public
19 Transportation Fund. Failure to raise the required local match
20 annually shall result in only $1/32$ being deposited into the
21 Metro-East Public Transportation Fund after July 1, 1989, or
22 $1/32$ of 80% of the net revenue realized for tax periods
23 beginning on or after January 1, 1990.

24 (b-5) Except as otherwise provided in subsection (f), as ~~As~~
25 soon as possible after the first day of each month, beginning
26 July 1, 2005, upon certification of the Department of Revenue,

1 the Comptroller shall order transferred, and the Treasurer
2 shall transfer, from the General Revenue Fund to the Downstate
3 Public Transportation Fund, an amount equal to 3/32 of 80% of
4 the net revenue realized from within the boundaries of Monroe
5 and St. Clair Counties under the State Tax Acts specified in
6 subsection (a) of this Section and provided further that,
7 beginning July 1, 2005, the provisions of subsection (b) shall
8 no longer apply with respect to such tax receipts from Monroe
9 and St. Clair Counties.

10 (b-6) Except as otherwise provided in subsection (f), as ~~As~~
11 soon as possible after the first day of each month, beginning
12 July 1, 2008, upon certification by the Department of Revenue,
13 the Comptroller shall order transferred and the Treasurer shall
14 transfer, from the General Revenue Fund to the Downstate Public
15 Transportation Fund, an amount equal to 3/32 of 80% of the net
16 revenue realized from within the boundaries of Madison County
17 under the State Tax Acts specified in subsection (a) of this
18 Section and provided further that, beginning July 1, 2008, the
19 provisions of subsection (b) shall no longer apply with respect
20 to such tax receipts from Madison County.

21 (c) The Department shall certify to the Department of
22 Revenue the eligible participants under this Article and the
23 territorial boundaries of such participants for the purposes of
24 the Department of Revenue in subsections (a) and (b) of this
25 Section.

26 (d) For the purposes of this Article, beginning in fiscal

1 year 2009, for fiscal years other than State fiscal year 2018,
2 the General Assembly shall appropriate an amount from the
3 Downstate Public Transportation Fund equal to the sum total
4 funds projected to be paid to the participants pursuant to
5 Section 2-7. If the General Assembly fails to make
6 appropriations sufficient to cover the amounts projected to be
7 paid pursuant to Section 2-7, this Act shall constitute an
8 irrevocable and continuing appropriation from the Downstate
9 Public Transportation Fund of all amounts necessary for those
10 purposes.

11 (e) Notwithstanding anything in this Section to the
12 contrary, amounts transferred from the General Revenue Fund to
13 the Downstate Public Transportation Fund pursuant to this
14 Section shall not exceed \$169,000,000 in State fiscal year
15 2012.

16 (f) Notwithstanding anything in this Section to the
17 contrary, during each month of State fiscal year 2018, in lieu
18 of the transfers required under subsections (a), (b-5), and
19 (b-6), the Comptroller shall order transferred and the
20 Treasurer shall transfer, from the General Revenue Fund to the
21 Downstate Public Transportation Fund, an amount equal to the
22 amount transferred from the General Revenue Fund to the
23 Downstate Public Transportation Fund in the same month of the
24 previous calendar year, including any deficiencies in
25 transfers from prior months.

26 (Source: P.A. 97-641, eff. 12-19-11.)

1 (30 ILCS 740/2-6) (from Ch. 111 2/3, par. 666)

2 Sec. 2-6. Allocation of funds.

3 (a) With respect to all participants other than any
4 Metro-East Transit District participant, the Department shall
5 allocate the funds to be made available to each participant
6 under this Article for the following fiscal year and shall
7 notify the chief official of each participant not later than
8 the first day of the fiscal year of this amount. For Fiscal
9 Year 1975, notification shall be made not later than January 1,
10 1975, of the amount of such allocation. In determining the
11 allocation for each participant, the Department shall estimate
12 the funds available to the participant from the Downstate
13 Public Transportation Fund for the purposes of this Article
14 during the succeeding fiscal year, and shall allocate to each
15 participant the amount attributable to it which shall be the
16 amount paid into the Downstate Public Transportation Fund under
17 Section 2-3 from within its boundaries. Said allocations may be
18 exceeded for participants receiving assistance equal to
19 one-third of their eligible operating expenses, only if an
20 allocation is less than one-third of such participant's
21 eligible operating expenses, provided, however, that no other
22 participant is denied its one-third of eligible operating
23 expenses. Beginning in Fiscal Year 1997, said allocation may be
24 exceeded for participants receiving assistance equal to the
25 percentage of their eligible operating expenses provided for in

1 paragraph (b) of Section 2-7, only if allocation is less than
2 the percentage of such participant's eligible operating
3 expenses provided for in paragraph (b) of Section 2-7, provided
4 however, that no other participant is denied its percentage of
5 eligible operating expenses.

6 (b) With regard to any Metro-East Transit District
7 organized under the Local Mass Transit District Act and serving
8 one or more of the Counties of Madison, Monroe and St. Clair
9 during Fiscal Year 1989, the Department shall allocate the
10 funds to be made available to each participant for the
11 following and succeeding fiscal years and shall notify the
12 chief official of each participant not later than the first day
13 of the fiscal year of this amount. Beginning July 1, 2005, and
14 ending June 30, 2008, the Department shall allocate the amount
15 paid into the Metro-East Public Transportation Fund to the
16 District serving primarily the County of Madison.

17 (c) With respect to State fiscal year 2018, if the amount
18 of required allocations to participants under this Section
19 exceeds moneys available in the Downstate Public
20 Transportation Fund for those purposes, then moneys available
21 in the Downstate Public Transportation Fund shall be allocated
22 to participants on a pro-rata basis.

23 (Source: P.A. 94-70, eff. 6-22-05; 95-708, eff. 1-18-08.)

24 Section 5-40. The Illinois Income Tax Act is amended by
25 changing Section 901 as follows:

1 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

2 Sec. 901. Collection authority.

3 (a) In general.

4 The Department shall collect the taxes imposed by this Act.
5 The Department shall collect certified past due child support
6 amounts under Section 2505-650 of the Department of Revenue Law
7 (20 ILCS 2505/2505-650). Except as provided in subsections (c),
8 (e), (f), (g), and (h) of this Section, money collected
9 pursuant to subsections (a) and (b) of Section 201 of this Act
10 shall be paid into the General Revenue Fund in the State
11 treasury; money collected pursuant to subsections (c) and (d)
12 of Section 201 of this Act shall be paid into the Personal
13 Property Tax Replacement Fund, a special fund in the State
14 Treasury; and money collected under Section 2505-650 of the
15 Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid
16 into the Child Support Enforcement Trust Fund, a special fund
17 outside the State Treasury, or to the State Disbursement Unit
18 established under Section 10-26 of the Illinois Public Aid
19 Code, as directed by the Department of Healthcare and Family
20 Services.

21 (b) Local Government Distributive Fund.

22 Beginning August 1, 1969, and continuing through June 30,
23 1994, the Treasurer shall transfer each month from the General
24 Revenue Fund to a special fund in the State treasury, to be
25 known as the "Local Government Distributive Fund", an amount

1 equal to 1/12 of the net revenue realized from the tax imposed
2 by subsections (a) and (b) of Section 201 of this Act during
3 the preceding month. Beginning July 1, 1994, and continuing
4 through June 30, 1995, the Treasurer shall transfer each month
5 from the General Revenue Fund to the Local Government
6 Distributive Fund an amount equal to 1/11 of the net revenue
7 realized from the tax imposed by subsections (a) and (b) of
8 Section 201 of this Act during the preceding month. Beginning
9 July 1, 1995 and continuing through January 31, 2011, the
10 Treasurer shall transfer each month from the General Revenue
11 Fund to the Local Government Distributive Fund an amount equal
12 to the net of (i) 1/10 of the net revenue realized from the tax
13 imposed by subsections (a) and (b) of Section 201 of the
14 Illinois Income Tax Act during the preceding month (ii) minus,
15 beginning July 1, 2003 and ending June 30, 2004, \$6,666,666,
16 and beginning July 1, 2004, zero. Beginning February 1, 2011,
17 and continuing through January 31, 2015, the Treasurer shall
18 transfer each month from the General Revenue Fund to the Local
19 Government Distributive Fund an amount equal to the sum of (i)
20 6% (10% of the ratio of the 3% individual income tax rate prior
21 to 2011 to the 5% individual income tax rate after 2010) of the
22 net revenue realized from the tax imposed by subsections (a)
23 and (b) of Section 201 of this Act upon individuals, trusts,
24 and estates during the preceding month and (ii) 6.86% (10% of
25 the ratio of the 4.8% corporate income tax rate prior to 2011
26 to the 7% corporate income tax rate after 2010) of the net

1 revenue realized from the tax imposed by subsections (a) and
2 (b) of Section 201 of this Act upon corporations during the
3 preceding month. Beginning February 1, 2015 and continuing
4 through January 31, 2025 (but not including the period
5 beginning on July 1, 2017 and ending on June 30, 2018), the
6 Treasurer shall transfer each month from the General Revenue
7 Fund to the Local Government Distributive Fund an amount equal
8 to the sum of (i) 8% (10% of the ratio of the 3% individual
9 income tax rate prior to 2011 to the 3.75% individual income
10 tax rate after 2014) of the net revenue realized from the tax
11 imposed by subsections (a) and (b) of Section 201 of this Act
12 upon individuals, trusts, and estates during the preceding
13 month and (ii) 9.14% (10% of the ratio of the 4.8% corporate
14 income tax rate prior to 2011 to the 5.25% corporate income tax
15 rate after 2014) of the net revenue realized from the tax
16 imposed by subsections (a) and (b) of Section 201 of this Act
17 upon corporations during the preceding month. Beginning July 1,
18 2017 and continuing through June 30, 2018, the Treasurer shall
19 transfer each month from the General Revenue Fund to the Local
20 Government Distributive Fund an amount equal to the amount
21 transferred from the General Revenue Fund to the Local
22 Government Distributive Fund in the same month of the previous
23 calendar year, including any deficiencies in transfers from
24 prior months. Beginning February 1, 2025, the Treasurer shall
25 transfer each month from the General Revenue Fund to the Local
26 Government Distributive Fund an amount equal to the sum of (i)

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

19 Beginning on August 26, 2014 (the effective date of Public
20 Act 98-1052), the Comptroller shall perform the transfers
21 required by this subsection (b) no later than 60 days after he
22 or she receives the certification from the Treasurer as
23 provided in Section 1 of the State Revenue Sharing Act.

24 (c) Deposits Into Income Tax Refund Fund.

25 (1) Beginning on January 1, 1989 and thereafter, the
26 Department shall deposit a percentage of the amounts

1 collected pursuant to subsections (a) and (b) (1), (2), and
2 (3), of Section 201 of this Act into a fund in the State
3 treasury known as the Income Tax Refund Fund. The
4 Department shall deposit 6% of such amounts during the
5 period beginning January 1, 1989 and ending on June 30,
6 1989. Beginning with State fiscal year 1990 and for each
7 fiscal year thereafter, the percentage deposited into the
8 Income Tax Refund Fund during a fiscal year shall be the
9 Annual Percentage. For fiscal years 1999 through 2001, the
10 Annual Percentage shall be 7.1%. For fiscal year 2003, the
11 Annual Percentage shall be 8%. For fiscal year 2004, the
12 Annual Percentage shall be 11.7%. Upon the effective date
13 of this amendatory Act of the 93rd General Assembly, the
14 Annual Percentage shall be 10% for fiscal year 2005. For
15 fiscal year 2006, the Annual Percentage shall be 9.75%. For
16 fiscal year 2007, the Annual Percentage shall be 9.75%. For
17 fiscal year 2008, the Annual Percentage shall be 7.75%. For
18 fiscal year 2009, the Annual Percentage shall be 9.75%. For
19 fiscal year 2010, the Annual Percentage shall be 9.75%. For
20 fiscal year 2011, the Annual Percentage shall be 8.75%. For
21 fiscal year 2012, the Annual Percentage shall be 8.75%. For
22 fiscal year 2013, the Annual Percentage shall be 9.75%. For
23 fiscal year 2014, the Annual Percentage shall be 9.5%. For
24 fiscal year 2015, the Annual Percentage shall be 10%. For
25 fiscal year 2018, the Annual Percentage shall be 9.8%. For
26 all other fiscal years, the Annual Percentage shall be

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

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

1 Income Tax Refund Fund during a fiscal year shall be the
2 Annual Percentage. For fiscal years 1999, 2000, and 2001,
3 the Annual Percentage shall be 19%. For fiscal year 2003,
4 the Annual Percentage shall be 27%. For fiscal year 2004,
5 the Annual Percentage shall be 32%. Upon the effective date
6 of this amendatory Act of the 93rd General Assembly, the
7 Annual Percentage shall be 24% for fiscal year 2005. For
8 fiscal year 2006, the Annual Percentage shall be 20%. For
9 fiscal year 2007, the Annual Percentage shall be 17.5%. For
10 fiscal year 2008, the Annual Percentage shall be 15.5%. For
11 fiscal year 2009, the Annual Percentage shall be 17.5%. For
12 fiscal year 2010, the Annual Percentage shall be 17.5%. For
13 fiscal year 2011, the Annual Percentage shall be 17.5%. For
14 fiscal year 2012, the Annual Percentage shall be 17.5%. For
15 fiscal year 2013, the Annual Percentage shall be 14%. For
16 fiscal year 2014, the Annual Percentage shall be 13.4%. For
17 fiscal year 2015, the Annual Percentage shall be 14%. For
18 fiscal year 2018, the Annual Percentage shall be 17.5%. For
19 all other fiscal years, the Annual Percentage shall be
20 calculated as a fraction, the numerator of which shall be
21 the amount of refunds approved for payment by the
22 Department during the preceding fiscal year as a result of
23 overpayment of tax liability under subsections (a) and
24 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
25 Act plus the amount of such refunds remaining approved but
26 unpaid at the end of the preceding fiscal year, and the

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

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

15 (d) Expenditures from Income Tax Refund Fund.

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

24 (2) The Director shall order payment of refunds
25 resulting from overpayment of tax liability under Section
26 201 of this Act from the Income Tax Refund Fund only to the

1 extent that amounts collected pursuant to Section 201 of
2 this Act and transfers pursuant to this subsection (d) and
3 item (3) of subsection (c) have been deposited and retained
4 in the Fund.

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

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

1 Section 201 of this Act deposited into the Income Tax
2 Refund Fund during the fiscal year.

3 (4.5) As soon as possible after the end of fiscal year
4 1999 and of each fiscal year thereafter, the Director shall
5 order transferred and the State Treasurer and State
6 Comptroller shall transfer from the Income Tax Refund Fund
7 to the General Revenue Fund any surplus remaining in the
8 Income Tax Refund Fund as of the end of such fiscal year;
9 excluding for fiscal years 2000, 2001, and 2002 amounts
10 attributable to transfers under item (3) of subsection (c)
11 less refunds resulting from the earned income tax credit.

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

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

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

1 Local Government Distributive Fund in the State Treasury.
2 Beginning February 1, 1993 and continuing through June 30,
3 1993, of the amounts collected pursuant to subsections (a) and
4 (b) of Section 201 of the Illinois Income Tax Act, minus
5 deposits into the Income Tax Refund Fund, the Department shall
6 deposit 4.4% into the Income Tax Surcharge Local Government
7 Distributive Fund in the State Treasury. Beginning July 1,
8 1993, and continuing through June 30, 1994, of the amounts
9 collected under subsections (a) and (b) of Section 201 of this
10 Act, minus deposits into the Income Tax Refund Fund, the
11 Department shall deposit 1.475% into the Income Tax Surcharge
12 Local Government Distributive Fund in the State Treasury.

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

20 (1) beginning February 1, 2015, and prior to February
21 1, 2025, 1/30; and

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

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

1 (g) Deposits into the Commitment to Human Services Fund.
2 Beginning February 1, 2015, the Department shall deposit the
3 following portions of the revenue realized from the tax imposed
4 upon individuals, trusts, and estates by subsections (a) and
5 (b) of Section 201 of this Act during the preceding month,
6 minus deposits into the Income Tax Refund Fund, into the
7 Commitment to Human Services Fund:

8 (1) beginning February 1, 2015, and prior to February
9 1, 2025, 1/30; and

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

11 If the rate of tax imposed by subsection (a) and (b) of
12 Section 201 is reduced pursuant to Section 201.5 of this Act,
13 the Department shall not make the deposits required by this
14 subsection (g) on or after the effective date of the reduction.

15 (h) Deposits into the Tax Compliance and Administration
16 Fund. Beginning on the first day of the first calendar month to
17 occur on or after August 26, 2014 (the effective date of Public
18 Act 98-1098), each month the Department shall pay into the Tax
19 Compliance and Administration Fund, to be used, subject to
20 appropriation, to fund additional auditors and compliance
21 personnel at the Department, an amount equal to 1/12 of 5% of
22 the cash receipts collected during the preceding fiscal year by
23 the Audit Bureau of the Department from the tax imposed by
24 subsections (a), (b), (c), and (d) of Section 201 of this Act,
25 net of deposits into the Income Tax Refund Fund made from those
26 cash receipts.

1 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14;
2 98-1052, eff. 8-26-14; 98-1098, eff. 8-26-14; 99-78, eff.
3 7-20-15.)

4 Section 5-43. The Regional Transportation Authority Act is
5 amended by changing Section 4.09 as follows:

6 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

7 Sec. 4.09. Public Transportation Fund and the Regional
8 Transportation Authority Occupation and Use Tax Replacement
9 Fund.

10 (a) (1) Except as otherwise provided in paragraph (4), as ~~As~~
11 soon as possible after the first day of each month, beginning
12 July 1, 1984, upon certification of the Department of Revenue,
13 the Comptroller shall order transferred and the Treasurer shall
14 transfer from the General Revenue Fund to a special fund in the
15 State Treasury to be known as the Public Transportation Fund an
16 amount equal to 25% of the net revenue, before the deduction of
17 the serviceman and retailer discounts pursuant to Section 9 of
18 the Service Occupation Tax Act and Section 3 of the Retailers'
19 Occupation Tax Act, realized from any tax imposed by the
20 Authority pursuant to Sections 4.03 and 4.03.1 and 25% of the
21 amounts deposited into the Regional Transportation Authority
22 tax fund created by Section 4.03 of this Act, from the County
23 and Mass Transit District Fund as provided in Section 6z-20 of
24 the State Finance Act and 25% of the amounts deposited into the

1 Regional Transportation Authority Occupation and Use Tax
2 Replacement Fund from the State and Local Sales Tax Reform Fund
3 as provided in Section 6z-17 of the State Finance Act. On the
4 first day of the month following the date that the Department
5 receives revenues from increased taxes under Section 4.03(m) as
6 authorized by this amendatory Act of the 95th General Assembly,
7 in lieu of the transfers authorized in the preceding sentence,
8 upon certification of the Department of Revenue, the
9 Comptroller shall order transferred and the Treasurer shall
10 transfer from the General Revenue Fund to the Public
11 Transportation Fund an amount equal to 25% of the net revenue,
12 before the deduction of the serviceman and retailer discounts
13 pursuant to Section 9 of the Service Occupation Tax Act and
14 Section 3 of the Retailers' Occupation Tax Act, realized from
15 (i) 80% of the proceeds of any tax imposed by the Authority at
16 a rate of 1.25% in Cook County, (ii) 75% of the proceeds of any
17 tax imposed by the Authority at the rate of 1% in Cook County,
18 and (iii) one-third of the proceeds of any tax imposed by the
19 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
20 Lake, McHenry, and Will, all pursuant to Section 4.03, and 25%
21 of the net revenue realized from any tax imposed by the
22 Authority pursuant to Section 4.03.1, and 25% of the amounts
23 deposited into the Regional Transportation Authority tax fund
24 created by Section 4.03 of this Act from the County and Mass
25 Transit District Fund as provided in Section 6z-20 of the State
26 Finance Act, and 25% of the amounts deposited into the Regional

1 Transportation Authority Occupation and Use Tax Replacement
2 Fund from the State and Local Sales Tax Reform Fund as provided
3 in Section 6z-17 of the State Finance Act. As used in this
4 Section, net revenue realized for a month shall be the revenue
5 collected by the State pursuant to Sections 4.03 and 4.03.1
6 during the previous month from within the metropolitan region,
7 less the amount paid out during that same month as refunds to
8 taxpayers for overpayment of liability in the metropolitan
9 region under Sections 4.03 and 4.03.1.

10 (2) Except as otherwise provided in paragraph (4), on ~~on~~
11 the first day of the month following the effective date of this
12 amendatory Act of the 95th General Assembly and each month
13 thereafter, upon certification by the Department of Revenue,
14 the Comptroller shall order transferred and the Treasurer shall
15 transfer from the General Revenue Fund to the Public
16 Transportation Fund an amount equal to 5% of the net revenue,
17 before the deduction of the serviceman and retailer discounts
18 pursuant to Section 9 of the Service Occupation Tax Act and
19 Section 3 of the Retailers' Occupation Tax Act, realized from
20 any tax imposed by the Authority pursuant to Sections 4.03 and
21 4.03.1 and certified by the Department of Revenue under Section
22 4.03(n) of this Act to be paid to the Authority and 5% of the
23 amounts deposited into the Regional Transportation Authority
24 tax fund created by Section 4.03 of this Act from the County
25 and Mass Transit District Fund as provided in Section 6z-20 of
26 the State Finance Act, and 5% of the amounts deposited into the

1 Regional Transportation Authority Occupation and Use Tax
2 Replacement Fund from the State and Local Sales Tax Reform Fund
3 as provided in Section 6z-17 of the State Finance Act, and 5%
4 of the revenue realized by the Chicago Transit Authority as
5 financial assistance from the City of Chicago from the proceeds
6 of any tax imposed by the City of Chicago under Section 8-3-19
7 of the Illinois Municipal Code.

8 (3) Except as otherwise provided in paragraph (4), as ~~As~~
9 soon as possible after the first day of January, 2009 and each
10 month thereafter, upon certification of the Department of
11 Revenue with respect to the taxes collected under Section 4.03,
12 the Comptroller shall order transferred and the Treasurer shall
13 transfer from the General Revenue Fund to the Public
14 Transportation Fund an amount equal to 25% of the net revenue,
15 before the deduction of the serviceman and retailer discounts
16 pursuant to Section 9 of the Service Occupation Tax Act and
17 Section 3 of the Retailers' Occupation Tax Act, realized from
18 (i) 20% of the proceeds of any tax imposed by the Authority at
19 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
20 tax imposed by the Authority at the rate of 1% in Cook County,
21 and (iii) one-third of the proceeds of any tax imposed by the
22 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
23 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
24 Comptroller shall order transferred and the Treasurer shall
25 transfer from the General Revenue Fund to the Public
26 Transportation Fund (iv) an amount equal to 25% of the revenue

1 realized by the Chicago Transit Authority as financial
2 assistance from the City of Chicago from the proceeds of any
3 tax imposed by the City of Chicago under Section 8-3-19 of the
4 Illinois Municipal Code.

5 (4) Notwithstanding any provision of law to the contrary,
6 during State fiscal year 2018 only, of the transfers to be made
7 under paragraphs (1) and (3) of this subsection (a) from the
8 General Revenue Fund to the Public Transportation Fund, the
9 first \$100,000,000 that would have otherwise been transferred
10 from the General Revenue Fund shall be transferred from the
11 Road Fund. The remaining balance of such transfers shall be
12 made from the General Revenue Fund.

13 (b) (1) All moneys deposited in the Public Transportation
14 Fund and the Regional Transportation Authority Occupation and
15 Use Tax Replacement Fund, whether deposited pursuant to this
16 Section or otherwise, are allocated to the Authority. The
17 Comptroller, as soon as possible after each monthly transfer
18 provided in this Section and after each deposit into the Public
19 Transportation Fund, shall order the Treasurer to pay to the
20 Authority out of the Public Transportation Fund the amount so
21 transferred or deposited. Any Additional State Assistance and
22 Additional Financial Assistance paid to the Authority under
23 this Section shall be expended by the Authority for its
24 purposes as provided in this Act. The balance of the amounts
25 paid to the Authority from the Public Transportation Fund shall
26 be expended by the Authority as provided in Section 4.03.3. The

1 Comptroller, as soon as possible after each deposit into the
2 Regional Transportation Authority Occupation and Use Tax
3 Replacement Fund provided in this Section and Section 6z-17 of
4 the State Finance Act, shall order the Treasurer to pay to the
5 Authority out of the Regional Transportation Authority
6 Occupation and Use Tax Replacement Fund the amount so
7 deposited. Such amounts paid to the Authority may be expended
8 by it for its purposes as provided in this Act. The provisions
9 directing the distributions from the Public Transportation
10 Fund and the Regional Transportation Authority Occupation and
11 Use Tax Replacement Fund provided for in this Section shall
12 constitute an irrevocable and continuing appropriation of all
13 amounts as provided herein. The State Treasurer and State
14 Comptroller are hereby authorized and directed to make
15 distributions as provided in this Section. (2) Provided,
16 however, no moneys deposited under subsection (a) of this
17 Section shall be paid from the Public Transportation Fund to
18 the Authority or its assignee for any fiscal year until the
19 Authority has certified to the Governor, the Comptroller, and
20 the Mayor of the City of Chicago that it has adopted for that
21 fiscal year an Annual Budget and Two-Year Financial Plan
22 meeting the requirements in Section 4.01(b).

23 (c) In recognition of the efforts of the Authority to
24 enhance the mass transportation facilities under its control,
25 the State shall provide financial assistance ("Additional
26 State Assistance") in excess of the amounts transferred to the

1 Authority from the General Revenue Fund under subsection (a) of
2 this Section. Additional State Assistance shall be calculated
3 as provided in subsection (d), but shall in no event exceed the
4 following specified amounts with respect to the following State
5 fiscal years:

6	1990	\$5,000,000;
7	1991	\$5,000,000;
8	1992	\$10,000,000;
9	1993	\$10,000,000;
10	1994	\$20,000,000;
11	1995	\$30,000,000;
12	1996	\$40,000,000;
13	1997	\$50,000,000;
14	1998	\$55,000,000; and
15	each year thereafter	\$55,000,000.

16 (c-5) The State shall provide financial assistance
17 ("Additional Financial Assistance") in addition to the
18 Additional State Assistance provided by subsection (c) and the
19 amounts transferred to the Authority from the General Revenue
20 Fund under subsection (a) of this Section. Additional Financial
21 Assistance provided by this subsection shall be calculated as
22 provided in subsection (d), but shall in no event exceed the
23 following specified amounts with respect to the following State
24 fiscal years:

25	2000	\$0;
26	2001	\$16,000,000;

1 2002 \$35,000,000;
2 2003 \$54,000,000;
3 2004 \$73,000,000;
4 2005 \$93,000,000; and
5 each year thereafter \$100,000,000.

6 (d) Beginning with State fiscal year 1990 and continuing
7 for each State fiscal year thereafter, the Authority shall
8 annually certify to the State Comptroller and State Treasurer,
9 separately with respect to each of subdivisions (g) (2) and
10 (g) (3) of Section 4.04 of this Act, the following amounts:

11 (1) The amount necessary and required, during the State
12 fiscal year with respect to which the certification is
13 made, to pay its obligations for debt service on all
14 outstanding bonds or notes issued by the Authority under
15 subdivisions (g) (2) and (g) (3) of Section 4.04 of this Act.

16 (2) An estimate of the amount necessary and required to
17 pay its obligations for debt service for any bonds or notes
18 which the Authority anticipates it will issue under
19 subdivisions (g) (2) and (g) (3) of Section 4.04 during that
20 State fiscal year.

21 (3) Its debt service savings during the preceding State
22 fiscal year from refunding or advance refunding of bonds or
23 notes issued under subdivisions (g) (2) and (g) (3) of
24 Section 4.04.

25 (4) The amount of interest, if any, earned by the
26 Authority during the previous State fiscal year on the

1 proceeds of bonds or notes issued pursuant to subdivisions
2 (g) (2) and (g) (3) of Section 4.04, other than refunding or
3 advance refunding bonds or notes.

4 The certification shall include a specific schedule of debt
5 service payments, including the date and amount of each payment
6 for all outstanding bonds or notes and an estimated schedule of
7 anticipated debt service for all bonds and notes it intends to
8 issue, if any, during that State fiscal year, including the
9 estimated date and estimated amount of each payment.

10 Immediately upon the issuance of bonds for which an
11 estimated schedule of debt service payments was prepared, the
12 Authority shall file an amended certification with respect to
13 item (2) above, to specify the actual schedule of debt service
14 payments, including the date and amount of each payment, for
15 the remainder of the State fiscal year.

16 On the first day of each month of the State fiscal year in
17 which there are bonds outstanding with respect to which the
18 certification is made, the State Comptroller shall order
19 transferred and the State Treasurer shall transfer from the
20 Road ~~General Revenue~~ Fund to the Public Transportation Fund the
21 Additional State Assistance and Additional Financial
22 Assistance in an amount equal to the aggregate of (i)
23 one-twelfth of the sum of the amounts certified under items (1)
24 and (3) above less the amount certified under item (4) above,
25 plus (ii) the amount required to pay debt service on bonds and
26 notes issued during the fiscal year, if any, divided by the

1 number of months remaining in the fiscal year after the date of
2 issuance, or some smaller portion as may be necessary under
3 subsection (c) or (c-5) of this Section for the relevant State
4 fiscal year, plus (iii) any cumulative deficiencies in
5 transfers for prior months, until an amount equal to the sum of
6 the amounts certified under items (1) and (3) above, plus the
7 actual debt service certified under item (2) above, less the
8 amount certified under item (4) above, has been transferred;
9 except that these transfers are subject to the following
10 limits:

11 (A) In no event shall the total transfers in any State
12 fiscal year relating to outstanding bonds and notes issued
13 by the Authority under subdivision (g) (2) of Section 4.04
14 exceed the lesser of the annual maximum amount specified in
15 subsection (c) or the sum of the amounts certified under
16 items (1) and (3) above, plus the actual debt service
17 certified under item (2) above, less the amount certified
18 under item (4) above, with respect to those bonds and
19 notes.

20 (B) In no event shall the total transfers in any State
21 fiscal year relating to outstanding bonds and notes issued
22 by the Authority under subdivision (g) (3) of Section 4.04
23 exceed the lesser of the annual maximum amount specified in
24 subsection (c-5) or the sum of the amounts certified under
25 items (1) and (3) above, plus the actual debt service
26 certified under item (2) above, less the amount certified

1 under item (4) above, with respect to those bonds and
2 notes.

3 The term "outstanding" does not include bonds or notes for
4 which refunding or advance refunding bonds or notes have been
5 issued.

6 (e) Neither Additional State Assistance nor Additional
7 Financial Assistance may be pledged, either directly or
8 indirectly as general revenues of the Authority, as security
9 for any bonds issued by the Authority. The Authority may not
10 assign its right to receive Additional State Assistance or
11 Additional Financial Assistance, or direct payment of
12 Additional State Assistance or Additional Financial
13 Assistance, to a trustee or any other entity for the payment of
14 debt service on its bonds.

15 (f) The certification required under subsection (d) with
16 respect to outstanding bonds and notes of the Authority shall
17 be filed as early as practicable before the beginning of the
18 State fiscal year to which it relates. The certification shall
19 be revised as may be necessary to accurately state the debt
20 service requirements of the Authority.

21 (g) Within 6 months of the end of each fiscal year, the
22 Authority shall determine:

23 (i) whether the aggregate of all system generated
24 revenues for public transportation in the metropolitan
25 region which is provided by, or under grant or purchase of
26 service contracts with, the Service Boards equals 50% of

1 the aggregate of all costs of providing such public
2 transportation. "System generated revenues" include all
3 the proceeds of fares and charges for services provided,
4 contributions received in connection with public
5 transportation from units of local government other than
6 the Authority, except for contributions received by the
7 Chicago Transit Authority from a real estate transfer tax
8 imposed under subsection (i) of Section 8-3-19 of the
9 Illinois Municipal Code, and from the State pursuant to
10 subsection (i) of Section 2705-305 of the Department of
11 Transportation Law (20 ILCS 2705/2705-305), and all other
12 revenues properly included consistent with generally
13 accepted accounting principles but may not include: the
14 proceeds from any borrowing, and, beginning with the 2007
15 fiscal year, all revenues and receipts, including but not
16 limited to fares and grants received from the federal,
17 State or any unit of local government or other entity,
18 derived from providing ADA paratransit service pursuant to
19 Section 2.30 of the Regional Transportation Authority Act.
20 "Costs" include all items properly included as operating
21 costs consistent with generally accepted accounting
22 principles, including administrative costs, but do not
23 include: depreciation; payment of principal and interest
24 on bonds, notes or other evidences of obligations for
25 borrowed money of the Authority; payments with respect to
26 public transportation facilities made pursuant to

1 subsection (b) of Section 2.20; any payments with respect
2 to rate protection contracts, credit enhancements or
3 liquidity agreements made under Section 4.14; any other
4 cost as to which it is reasonably expected that a cash
5 expenditure will not be made; costs for passenger security
6 including grants, contracts, personnel, equipment and
7 administrative expenses, except in the case of the Chicago
8 Transit Authority, in which case the term does not include
9 costs spent annually by that entity for protection against
10 crime as required by Section 27a of the Metropolitan
11 Transit Authority Act; the costs of Debt Service paid by
12 the Chicago Transit Authority, as defined in Section 12c of
13 the Metropolitan Transit Authority Act, or bonds or notes
14 issued pursuant to that Section; the payment by the
15 Commuter Rail Division of debt service on bonds issued
16 pursuant to Section 3B.09; expenses incurred by the
17 Suburban Bus Division for the cost of new public
18 transportation services funded from grants pursuant to
19 Section 2.01e of this amendatory Act of the 95th General
20 Assembly for a period of 2 years from the date of
21 initiation of each such service; costs as exempted by the
22 Board for projects pursuant to Section 2.09 of this Act;
23 or, beginning with the 2007 fiscal year, expenses related
24 to providing ADA paratransit service pursuant to Section
25 2.30 of the Regional Transportation Authority Act; or in
26 fiscal years 2008 through 2012 inclusive, costs in the

1 amount of \$200,000,000 in fiscal year 2008, reducing by
2 \$40,000,000 in each fiscal year thereafter until this
3 exemption is eliminated. If said system generated revenues
4 are less than 50% of said costs, the Board shall remit an
5 amount equal to the amount of the deficit to the State. The
6 Treasurer shall deposit any such payment in the Road
7 ~~General Revenue~~ Fund; and

8 (ii) whether, beginning with the 2007 fiscal year, the
9 aggregate of all fares charged and received for ADA
10 paratransit services equals the system generated ADA
11 paratransit services revenue recovery ratio percentage of
12 the aggregate of all costs of providing such ADA
13 paratransit services.

14 (h) If the Authority makes any payment to the State under
15 paragraph (g), the Authority shall reduce the amount provided
16 to a Service Board from funds transferred under paragraph (a)
17 in proportion to the amount by which that Service Board failed
18 to meet its required system generated revenues recovery ratio.
19 A Service Board which is affected by a reduction in funds under
20 this paragraph shall submit to the Authority concurrently with
21 its next due quarterly report a revised budget incorporating
22 the reduction in funds. The revised budget must meet the
23 criteria specified in clauses (i) through (vi) of Section
24 4.11(b)(2). The Board shall review and act on the revised
25 budget as provided in Section 4.11(b)(3).

26 (Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08;

1 95-906, eff. 8-26-08.)

2 Section 5-50. The Public Community College Act is amended
3 by changing Section 5-11 as follows:

4 (110 ILCS 805/5-11) (from Ch. 122, par. 105-11)

5 Sec. 5-11. Any public community college which subsequent to
6 July 1, 1972 but before July 1, 2016, commenced construction of
7 any facilities approved by the State Board and the Illinois
8 Board of Higher Education may, after completion thereof, apply
9 to the State for a grant for expenditures made by the community
10 college from its own funds for building purposes for such
11 facilities in excess of 25% of the cost of such facilities as
12 approved by the State Board and the Illinois Board of Higher
13 Education. Any public community college that, on or after July
14 1, 2016, commenced construction of any facilities approved by
15 the State Board may, after completion thereof, apply to the
16 State for a grant for expenditures made by the community
17 college from its own funds for building purposes for such
18 facilities in excess of 25% of the cost of such facilities as
19 approved by the State Board. A grant shall be contingent upon
20 said community college having otherwise complied with Sections
21 5-3, 5-4, 5-5 and 5-10 of this Act.

22 If any payments or contributions of any kind which are
23 based upon, or are to be applied to, the cost of such
24 construction are received from the Federal government, or an

1 agency thereof, subsequent to receipt of the grant herein
2 provided, the amount of such subsequent payment or
3 contributions shall be paid over to the Capital Development
4 Board by the community college for deposit in the Capital
5 Development Board Contributory Trust ~~Bond—Interest—and~~
6 ~~Retirement~~ Fund.

7 (Source: P.A. 99-655, eff. 7-28-16.)

8 Section 5-55. The Nurse Practice Act is amended by changing
9 Section 70-50 as follows:

10 (225 ILCS 65/70-50) (was 225 ILCS 65/20-40)

11 (Section scheduled to be repealed on January 1, 2018)

12 Sec. 70-50. Fund.

13 (a) There is hereby created within the State Treasury the
14 Nursing Dedicated and Professional Fund. The monies in the Fund
15 may be used by and at the direction of the Department for the
16 administration and enforcement of this Act, including but not
17 limited to:

18 (1) Distribution and publication of this Act and rules.

19 (2) Employment of secretarial, nursing,
20 administrative, enforcement, and other staff for the
21 administration of this Act.

22 (b) Disposition of fees:

23 (1) \$5 of every licensure fee shall be placed in a fund
24 for assistance to nurses enrolled in a diversionary program

1 as approved by the Department.

2 (2) All of the fees, fines, and penalties collected
3 pursuant to this Act shall be deposited in the Nursing
4 Dedicated and Professional Fund.

5 (3) Each fiscal year, the moneys deposited in the
6 Nursing Dedicated and Professional Fund shall be
7 appropriated to the Department for expenses of the
8 Department and the Board in the administration of this Act.
9 All earnings received from investment of moneys in the
10 Nursing Dedicated and Professional Fund shall be deposited
11 in the Nursing Dedicated and Professional Fund and shall be
12 used for the same purposes as fees deposited in the Fund.

13 (4) For the fiscal year beginning July 1, 2009 and for
14 each fiscal year thereafter, \$2,000,000 of the moneys
15 deposited in the Nursing Dedicated and Professional Fund
16 each year shall be set aside and appropriated to the
17 Department of Public Health for nursing scholarships
18 awarded pursuant to the Nursing Education Scholarship Law.
19 Representatives of the Department and the Nursing
20 Education Scholarship Program Advisory Council shall
21 review this requirement and the scholarship awards every 2
22 years.

23 (5) Moneys in the Fund may be transferred to the
24 Professions Indirect Cost Fund as authorized under Section
25 2105-300 of the Department of Professional Regulation Law
26 (20 ILCS 2105/2105-300).

1 (6) For the fiscal year beginning July 1, 2017, a
2 portion of the moneys deposited in the Nursing Dedicated
3 and Professional Fund shall be appropriated to the Board of
4 Higher Education, the Illinois Community College Board,
5 and the Illinois Student Assistance Commission for grants
6 and programs to support nursing education.

7 (c) Moneys set aside for nursing scholarships awarded
8 pursuant to the Nursing Education Scholarship Law as provided
9 in item (4) of subsection (b) of this Section may not be
10 transferred under Section 8h of the State Finance Act.

11 (Source: P.A. 95-331, eff. 8-21-07; 95-639, eff. 10-5-07;
12 96-328, eff. 8-11-09; 96-805, eff. 10-30-09.)

13 Section 5-60. The Illinois Public Aid Code is amended by
14 adding Section 5-5.4i as follows:

15 (305 ILCS 5/5-5.4i new)

16 Sec. 5-5.4i. Rates and reimbursements. On or before July 1,
17 2018, the Department shall increase rates and reimbursements to
18 fund a minimum of a \$0.50 per hour wage increase for front-line
19 personnel, including, but not limited to, direct support
20 persons, aides, front-line supervisors, qualified intellectual
21 disabilities professionals, nurses, and non-administrative
22 support staff working in community-based provider
23 organizations serving individuals with developmental
24 disabilities.

1 ARTICLE 10. RETIREMENT CONTRIBUTIONS

2 Section 10-5. The State Finance Act is amended by changing
3 Sections 8.12 and 14.1 as follows:

4 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

5 Sec. 8.12. State Pensions Fund.

6 (a) The moneys in the State Pensions Fund shall be used
7 exclusively for the administration of the Uniform Disposition
8 of Unclaimed Property Act and for the expenses incurred by the
9 Auditor General for administering the provisions of Section
10 2-8.1 of the Illinois State Auditing Act and for the funding of
11 the unfunded liabilities of the designated retirement systems.
12 Beginning in State fiscal year 2019 ~~2018~~, payments to the
13 designated retirement systems under this Section shall be in
14 addition to, and not in lieu of, any State contributions
15 required under the Illinois Pension Code.

16 "Designated retirement systems" means:

17 (1) the State Employees' Retirement System of
18 Illinois;

19 (2) the Teachers' Retirement System of the State of
20 Illinois;

21 (3) the State Universities Retirement System;

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

23 (5) the General Assembly Retirement System.

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

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

16 Each month, the Director of Financial Institutions shall
17 certify to the State Treasurer the actual expenditures that the
18 Department of Financial Institutions incurred conducting
19 unclaimed property examinations under the Uniform Disposition
20 of Unclaimed Property Act during the immediately preceding
21 month. Within a reasonable time following the acceptance of
22 such certification by the State Treasurer, the State Treasurer
23 shall pay from its appropriation from the State Pensions Fund
24 to the Financial Institution Fund and the Credit Union Fund an
25 amount equal to the expenditures incurred by each Fund for that
26 month.

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

19 (c-5) For fiscal years 2006 through 2018 ~~2017~~, the General
20 Assembly shall appropriate from the State Pensions Fund to the
21 State Universities Retirement System the amount estimated to be
22 available during the fiscal year in the State Pensions Fund;
23 provided, however, that the amounts appropriated under this
24 subsection (c-5) shall not reduce the amount in the State
25 Pensions Fund below \$5,000,000.

26 (c-6) For fiscal year 2019 ~~2018~~ and each fiscal year

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

18 (d) The Governor's Office of Management and Budget shall
19 determine the individual and total reserve deficiencies of the
20 designated retirement systems. For this purpose, the
21 Governor's Office of Management and Budget shall utilize the
22 latest available audit and actuarial reports of each of the
23 retirement systems and the relevant reports and statistics of
24 the Public Employee Pension Fund Division of the Department of
25 Insurance.

26 (d-1) As soon as practicable after the effective date of

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

18 (e) The changes to this Section made by this amendatory Act
19 of 1994 shall first apply to distributions from the Fund for
20 State fiscal year 1996.

21 (Source: P.A. 98-24, eff. 6-19-13; 98-463, eff. 8-16-13;
22 98-674, eff. 6-30-14; 98-1081, eff. 1-1-15; 99-8, eff. 7-9-15;
23 99-78, eff. 7-20-15; 99-523, eff. 6-30-16.)

24 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

25 Sec. 14.1. Appropriations for State contributions to the

1 State Employees' Retirement System; payroll requirements.

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

21 (a-1) Beginning on the effective date of this amendatory
22 Act of the 93rd General Assembly through the payment of the
23 final payroll from fiscal year 2004 appropriations,
24 appropriations for State contributions to the State Employees'
25 Retirement System of Illinois shall be expended in the manner
26 provided in this subsection (a-1). At the time of each payment

1 of salary to an employee under the personal services line item
2 from a fund other than the General Revenue Fund, payment shall
3 be made for deposit into the General Revenue Fund from the
4 amount appropriated for State contributions to the State
5 Employees' Retirement System of an amount calculated at the
6 rate certified for fiscal year 2004 by the Board of Trustees of
7 the State Employees' Retirement System under Section 14-135.08
8 of the Illinois Pension Code. This payment shall be made to the
9 extent that a line item appropriation to an employer for this
10 purpose is available or unexhausted. No payment from
11 appropriations for State contributions shall be made in
12 conjunction with payment of salary to an employee under the
13 personal services line item from the General Revenue Fund.

14 (a-2) For fiscal year 2010 only, at the time of each
15 payment of salary to an employee under the personal services
16 line item from a fund other than the General Revenue Fund,
17 payment shall be made for deposit into the State Employees'
18 Retirement System of Illinois from the amount appropriated for
19 State contributions to the State Employees' Retirement System
20 of Illinois of an amount calculated at the rate certified for
21 fiscal year 2010 by the Board of Trustees of the State
22 Employees' Retirement System of Illinois under Section
23 14-135.08 of the Illinois Pension Code. This payment shall be
24 made to the extent that a line item appropriation to an
25 employer for this purpose is available or unexhausted. For
26 fiscal year 2010 only, no payment from appropriations for State

1 contributions shall be made in conjunction with payment of
2 salary to an employee under the personal services line item
3 from the General Revenue Fund.

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

20 (a-4) In fiscal years 2012 through 2018 ~~2017~~ only, at the
21 time of each payment of salary to an employee under the
22 personal services line item from a fund other than the General
23 Revenue Fund, payment shall be made for deposit into the State
24 Employees' Retirement System of Illinois from the amount
25 appropriated for State contributions to the State Employees'
26 Retirement System of Illinois of an amount calculated at the

1 rate certified for the applicable fiscal year by the Board of
2 Trustees of the State Employees' Retirement System of Illinois
3 under Section 14-135.08 of the Illinois Pension Code. In fiscal
4 years 2012 through 2018 ~~2017~~ only, no payment from
5 appropriations for State contributions shall be made in
6 conjunction with payment of salary to an employee under the
7 personal services line item from the General Revenue Fund.

8 (b) Except during the period beginning on the effective
9 date of this amendatory Act of the 93rd General Assembly and
10 ending at the time of the payment of the final payroll from
11 fiscal year 2004 appropriations, the State Comptroller shall
12 not approve for payment any payroll voucher that (1) includes
13 payments of salary to eligible employees in the State
14 Employees' Retirement System of Illinois and (2) does not
15 include the corresponding payment of State contributions to
16 that retirement system at the full rate certified under Section
17 14-135.08 for that fiscal year for eligible employees, unless
18 the balance in the fund on which the payroll voucher is drawn
19 is insufficient to pay the total payroll voucher, or
20 unavailable due to any limitation on appropriations that may
21 apply, including, but not limited to, limitations on
22 appropriations from the Road Fund under Section 8.3 of the
23 State Finance Act. If the State Comptroller approves a payroll
24 voucher under this Section for which the fund balance is
25 insufficient to pay the full amount of the required State
26 contribution to the State Employees' Retirement System, the

1 Comptroller shall promptly so notify the Retirement System.

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

20 (c) Notwithstanding any other provisions of law, beginning
21 July 1, 2007, required State and employee contributions to the
22 State Employees' Retirement System of Illinois relating to
23 affected legislative staff employees shall be paid out of
24 moneys appropriated for that purpose to the Commission on
25 Government Forecasting and Accountability, rather than out of
26 the lump-sum appropriations otherwise made for the payroll and

1 other costs of those employees.

2 These payments must be made pursuant to payroll vouchers
3 submitted by the employing entity as part of the regular
4 payroll voucher process.

5 For the purpose of this subsection, "affected legislative
6 staff employees" means legislative staff employees paid out of
7 lump-sum appropriations made to the General Assembly, an
8 Officer of the General Assembly, or the Senate Operations
9 Commission, but does not include district-office staff or
10 employees of legislative support services agencies.

11 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14; 99-8,
12 eff. 7-9-15; 99-523, eff. 6-30-16.)

13 Section 10-10. The Illinois Pension Code is amended by
14 changing Section 14-131 as follows:

15 (40 ILCS 5/14-131)

16 Sec. 14-131. Contributions by State.

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

24 For the purposes of this Section and Section 14-135.08,

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

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

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

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

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

15 (c-1) Notwithstanding subsection (c) of this Section, for
16 fiscal years 2010, 2012, 2013, 2014, 2015, 2016, ~~and 2017,~~ and
17 2018 only, contributions by the several departments are not
18 required to be made for General Revenue Funds payrolls
19 processed by the Comptroller. Payrolls paid by the several
20 departments from all other State funds must continue to be
21 processed pursuant to subsection (c) of this Section.

22 (c-2) For State fiscal years 2010, 2012, 2013, 2014, 2015,
23 2016, ~~and 2017,~~ and 2018 only, on or as soon as possible after
24 the 15th day of each month, the Board shall submit vouchers for
25 payment of State contributions to the System, in a total
26 monthly amount of one-twelfth of the fiscal year General

1 Revenue Fund contribution as certified by the System pursuant
2 to Section 14-135.08 of the Illinois Pension Code.

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

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

1 For State fiscal years 1996 through 2005, the State
2 contribution to the System, as a percentage of the applicable
3 employee payroll, shall be increased in equal annual increments
4 so that by State fiscal year 2011, the State is contributing at
5 the rate required under this Section; except that (i) for State
6 fiscal year 1998, for all purposes of this Code and any other
7 law of this State, the certified percentage of the applicable
8 employee payroll shall be 5.052% for employees earning eligible
9 creditable service under Section 14-110 and 6.500% for all
10 other employees, notwithstanding any contrary certification
11 made under Section 14-135.08 before the effective date of this
12 amendatory Act of 1997, and (ii) in the following specified
13 State fiscal years, the State contribution to the System shall
14 not be less than the following indicated percentages of the
15 applicable employee payroll, even if the indicated percentage
16 will produce a State contribution in excess of the amount
17 otherwise required under this subsection and subsection (a):
18 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY
19 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

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

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

26 For each of State fiscal years 2008 through 2009, the State

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

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

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

1 Beginning in State fiscal year 2046, the minimum State
2 contribution for each fiscal year shall be the amount needed to
3 maintain the total assets of the System at 90% of the total
4 actuarial liabilities of the System.

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

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

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

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

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

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

18 As of June 30, 2008, the actuarial value of the System's
19 assets shall be equal to the market value of the assets as of
20 that date. In determining the actuarial value of the System's
21 assets for fiscal years after June 30, 2008, any actuarial
22 gains or losses from investment return incurred in a fiscal
23 year shall be recognized in equal annual amounts over the
24 5-year period following that fiscal year.

25 (h) For purposes of determining the required State
26 contribution to the System for a particular year, the actuarial

1 value of assets shall be assumed to earn a rate of return equal
2 to the System's actuarially assumed rate of return.

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

26 (j) After the submission of all payments for eligible

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

23 (k) For fiscal years 2012 through 2018 ~~2017~~ only, after the
24 submission of all payments for eligible employees from personal
25 services line items paid from the General Revenue Fund in the
26 fiscal year have been made, the Comptroller shall provide to

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

18 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14; 99-8,
19 eff. 7-9-15; 99-523, eff. 6-30-16.)

20 Section 10-15. The State Pension Funds Continuing
21 Appropriation Act is amended by changing Section 1.2 as
22 follows:

23 (40 ILCS 15/1.2)

24 Sec. 1.2. Appropriations for the State Employees'

1 Retirement System.

2 (a) From each fund from which an amount is appropriated for
3 personal services to a department or other employer under
4 Article 14 of the Illinois Pension Code, there is hereby
5 appropriated to that department or other employer, on a
6 continuing annual basis for each State fiscal year, an
7 additional amount equal to the amount, if any, by which (1) an
8 amount equal to the percentage of the personal services line
9 item for that department or employer from that fund for that
10 fiscal year that the Board of Trustees of the State Employees'
11 Retirement System of Illinois has certified under Section
12 14-135.08 of the Illinois Pension Code to be necessary to meet
13 the State's obligation under Section 14-131 of the Illinois
14 Pension Code for that fiscal year, exceeds (2) the amounts
15 otherwise appropriated to that department or employer from that
16 fund for State contributions to the State Employees' Retirement
17 System for that fiscal year. From the effective date of this
18 amendatory Act of the 93rd General Assembly through the final
19 payment from a department or employer's personal services line
20 item for fiscal year 2004, payments to the State Employees'
21 Retirement System that otherwise would have been made under
22 this subsection (a) shall be governed by the provisions in
23 subsection (a-1).

24 (a-1) If a Fiscal Year 2004 Shortfall is certified under
25 subsection (f) of Section 14-131 of the Illinois Pension Code,
26 there is hereby appropriated to the State Employees' Retirement

1 System of Illinois on a continuing basis from the General
2 Revenue Fund an additional aggregate amount equal to the Fiscal
3 Year 2004 Shortfall.

4 (a-2) If a Fiscal Year 2010 Shortfall is certified under
5 subsection (i) of Section 14-131 of the Illinois Pension Code,
6 there is hereby appropriated to the State Employees' Retirement
7 System of Illinois on a continuing basis from the General
8 Revenue Fund an additional aggregate amount equal to the Fiscal
9 Year 2010 Shortfall.

10 (a-3) If a Fiscal Year 2016 Shortfall is certified under
11 subsection (k) of Section 14-131 of the Illinois Pension Code,
12 there is hereby appropriated to the State Employees' Retirement
13 System of Illinois on a continuing basis from the General
14 Revenue Fund an additional aggregate amount equal to the Fiscal
15 Year 2016 Shortfall.

16 (a-4) If a Prior Fiscal Year Shortfall is certified under
17 subsection (k) of Section 14-131 of the Illinois Pension Code,
18 there is hereby appropriated to the State Employees' Retirement
19 System of Illinois on a continuing basis from the General
20 Revenue Fund an additional aggregate amount equal to the Fiscal
21 Year 2017 Shortfall.

22 (b) The continuing appropriations provided for by this
23 Section shall first be available in State fiscal year 1996.

24 (c) Beginning in Fiscal Year 2005, any continuing
25 appropriation under this Section arising out of an
26 appropriation for personal services from the Road Fund to the

1 Department of State Police or the Secretary of State shall be
2 payable from the General Revenue Fund rather than the Road
3 Fund.

4 (d) For State fiscal year 2010 only, a continuing
5 appropriation is provided to the State Employees' Retirement
6 System equal to the amount certified by the System on or before
7 December 31, 2008, less the gross proceeds of the bonds sold in
8 fiscal year 2010 under the authorization contained in
9 subsection (a) of Section 7.2 of the General Obligation Bond
10 Act.

11 (e) For State fiscal year 2011 only, the continuing
12 appropriation under this Section provided to the State
13 Employees' Retirement System is limited to an amount equal to
14 the amount certified by the System on or before December 31,
15 2009, less any amounts received pursuant to subsection (a-3) of
16 Section 14.1 of the State Finance Act.

17 (f) For State fiscal year 2011 only, a continuing
18 appropriation is provided to the State Employees' Retirement
19 System equal to the amount certified by the System on or before
20 April 1, 2011, less the gross proceeds of the bonds sold in
21 fiscal year 2011 under the authorization contained in
22 subsection (a) of Section 7.2 of the General Obligation Bond
23 Act.

24 (Source: P.A. 98-674, eff. 6-30-14; 99-523, eff. 6-30-16.)

25 Section 10-20. The Uniform Disposition of Unclaimed

1 Property Act is amended by changing Section 18 as follows:

2 (765 ILCS 1025/18) (from Ch. 141, par. 118)

3 Sec. 18. Deposit of funds received under the Act.

4 (a) The State Treasurer shall retain all funds received
5 under this Act, including the proceeds from the sale of
6 abandoned property under Section 17, in a trust fund known as
7 the Unclaimed Property Trust Fund. The State Treasurer may
8 deposit any amount in the Unclaimed Property Trust Fund into
9 the State Pensions Fund during the fiscal year at his or her
10 discretion; however, he or she shall, on April 15 and October
11 15 of each year, deposit any amount in the Unclaimed Property
12 Trust Fund exceeding \$2,500,000 into the State Pensions Fund.
13 If on either April 15 or October 15, the State Treasurer
14 determines that a balance of \$2,500,000 is insufficient for the
15 prompt payment of unclaimed property claims authorized under
16 this Act, the Treasurer may retain more than \$2,500,000 in the
17 Unclaimed Property Trust Fund in order to ensure the prompt
18 payment of claims. Beginning in State fiscal year 2019 ~~2018~~,
19 all amounts that are deposited into the State Pensions Fund
20 from the Unclaimed Property Trust Fund shall be apportioned to
21 the designated retirement systems as provided in subsection
22 (c-6) of Section 8.12 of the State Finance Act to reduce their
23 actuarial reserve deficiencies. He or she shall make prompt
24 payment of claims he or she duly allows as provided for in this
25 Act for the Unclaimed Property Trust Fund. Before making the

1 deposit the State Treasurer shall record the name and last
2 known address of each person appearing from the holders'
3 reports to be entitled to the abandoned property. The record
4 shall be available for public inspection during reasonable
5 business hours.

6 (b) Before making any deposit to the credit of the State
7 Pensions Fund, the State Treasurer may deduct: (1) any costs in
8 connection with sale of abandoned property, (2) any costs of
9 mailing and publication in connection with any abandoned
10 property, and (3) any costs in connection with the maintenance
11 of records or disposition of claims made pursuant to this Act.
12 The State Treasurer shall semiannually file an itemized report
13 of all such expenses with the Legislative Audit Commission.

14 (Source: P.A. 98-19, eff. 6-10-13; 98-24, eff. 6-19-13; 98-674,
15 eff. 6-30-14; 98-756, eff. 7-16-14; 99-8, eff. 7-9-15; 99-523,
16 eff. 6-30-16.)

17 ARTICLE 20. TECHNOLOGY MANAGEMENT

18 Section 20-5. The Department of Central Management
19 Services Law of the Civil Administrative Code of Illinois is
20 amended by changing Sections 405-20, 405-250, and 405-410 as
21 follows:

22 (20 ILCS 405/405-20) (was 20 ILCS 405/35.7)

23 Sec. 405-20. Fiscal policy information to Governor;

1 information technology ~~statistical research~~ planning.

2 (a) The Department shall be responsible for providing the
3 Governor with timely, comprehensive, and meaningful
4 information pertinent to the formulation and execution of
5 fiscal policy. In performing this responsibility the
6 Department shall have the power and duty to do the following:

7 (1) Control the procurement, retention, installation,
8 maintenance, and operation, as specified by the Director,
9 of information technology ~~electronic data processing~~
10 equipment and software used by State agencies in such a
11 manner as to achieve maximum economy and provide adequate
12 assistance in the development of information suitable for
13 management analysis.

14 (2) Establish principles and standards of information
15 technology ~~statistical~~ reporting by State agencies and
16 priorities for completion of research by those agencies in
17 accordance with the requirements for management analysis
18 as specified by the Director.

19 (3) Establish, through the Director, charges for
20 information technology ~~statistical~~ services requested by
21 State agencies and rendered by the Department. The
22 Department is likewise empowered through the Director to
23 establish prices or charges for information technology
24 services rendered by the Department for ~~all statistical~~
25 ~~reports purchased by~~ agencies and individuals not
26 connected with State government.

1 (4) Instruct all State agencies as the Director may
2 require to report regularly to the Department, in the
3 manner the Director may prescribe, their usage of
4 information technology ~~electronic information~~ devices and
5 services, the cost incurred, the information produced, and
6 the procedures followed in obtaining the information. All
7 State agencies shall request of the Director any
8 information technology resources ~~statistical services~~
9 requiring the use of electronic devices and shall conform
10 to the priorities assigned by the Director in using those
11 electronic devices.

12 (5) Examine the accounts, use of information
13 technology resources, and statistical data of any
14 organization, body, or agency receiving appropriations
15 from the General Assembly.

16 (6) Install and operate a modern information system
17 utilizing equipment adequate to satisfy the requirements
18 for analysis and review as specified by the Director.
19 Expenditures for information technology ~~statistical~~
20 services rendered shall be reimbursed by the recipients.
21 The reimbursement shall be determined by the Director as
22 amounts sufficient to reimburse the Technology Management
23 ~~Statistical Services~~ Revolving Fund for expenditures
24 incurred in rendering the services.

25 (b) In addition to the other powers and duties listed in
26 this Section, the Department shall analyze the present and

1 future aims, needs, and requirements of information technology
2 ~~statistical research~~ and planning in order to provide for the
3 formulation of overall policy relative to the use of electronic
4 data processing equipment and software by the State of
5 Illinois. In making this analysis, the Department under the
6 Director shall formulate a master plan for the use of
7 information technology ~~statistical research~~, utilizing
8 electronic equipment, software and services most
9 advantageously, and advising whether electronic data
10 processing equipment and software should be leased or purchased
11 by the State. The Department under the Director shall prepare
12 and submit interim reports of meaningful developments and
13 proposals for legislation to the Governor on or before January
14 30 each year. The Department under the Director shall engage in
15 a continuing analysis and evaluation of the master plan so
16 developed, and it shall be the responsibility of the Department
17 to recommend from time to time any needed amendments and
18 modifications of any master plan enacted by the General
19 Assembly.

20 (c) For the purposes of this Section, Section 405-245, and
21 paragraph (4) of Section 405-10 only, "State agencies" means
22 all departments, boards, commissions, and agencies of the State
23 of Illinois subject to the Governor.

24 (Source: P.A. 94-91, eff. 7-1-05.)

25 (20 ILCS 405/405-250) (was 20 ILCS 405/35.7a)

1 Sec. 405-250. Information technology ~~Statistical services;~~
2 use of information technology ~~electronic data processing~~
3 equipment and software. The Department may make information
4 technology resources ~~statistical services~~ and the use of
5 information technology ~~electronic data processing~~ equipment
6 and software, including necessary telecommunications lines and
7 equipment, available to local governments, elected State
8 officials, State educational institutions, and all other
9 governmental units of the State requesting them. The Director
10 is empowered to establish prices and charges for the
11 information technology resources ~~statistical services~~ so
12 furnished and for the use of the information technology
13 ~~electronic data processing~~ equipment and software and
14 necessary telecommunications lines and equipment. The prices
15 and charges shall be sufficient to reimburse the cost of
16 furnishing the services and use of equipment, software, and
17 lines.

18 (Source: P.A. 91-239, eff. 1-1-00.)

19 (20 ILCS 405/405-410)

20 Sec. 405-410. Transfer of Information Technology
21 functions.

22 (a) Notwithstanding any other law to the contrary, the
23 Director of Central Management Services, working in
24 cooperation with the Director of any other agency, department,
25 board, or commission directly responsible to the Governor, may

1 direct the transfer, to the Department of Central Management
2 Services, of those information technology functions at that
3 agency, department, board, or commission that are suitable for
4 centralization.

5 Upon receipt of the written direction to transfer
6 information technology functions to the Department of Central
7 Management Services, the personnel, equipment, and property
8 (both real and personal) directly relating to the transferred
9 functions shall be transferred to the Department of Central
10 Management Services, and the relevant documents, records, and
11 correspondence shall be transferred or copied, as the Director
12 may prescribe.

13 (b) Upon receiving written direction from the Director of
14 Central Management Services, the Comptroller and Treasurer are
15 authorized to transfer the unexpended balance of any
16 appropriations related to the information technology functions
17 transferred to the Department of Central Management Services
18 and shall make the necessary fund transfers from any special
19 fund in the State Treasury or from any other federal or State
20 trust fund held by the Treasurer to the General Revenue Fund or
21 ~~the Technology Management Statistical Services Revolving~~
22 ~~Fund, or the Communications Revolving Fund,~~ as designated by
23 the Director of Central Management Services, for use by the
24 Department of Central Management Services in support of
25 information technology functions or any other related costs or
26 expenses of the Department of Central Management Services.

1 (c) The rights of employees and the State and its agencies
2 under the Personnel Code and applicable collective bargaining
3 agreements or under any pension, retirement, or annuity plan
4 shall not be affected by any transfer under this Section.

5 (d) The functions transferred to the Department of Central
6 Management Services by this Section shall be vested in and
7 shall be exercised by the Department of Central Management
8 Services. Each act done in the exercise of those functions
9 shall have the same legal effect as if done by the agencies,
10 offices, divisions, departments, bureaus, boards and
11 commissions from which they were transferred.

12 Every person or other entity shall be subject to the same
13 obligations and duties and any penalties, civil or criminal,
14 arising therefrom, and shall have the same rights arising from
15 the exercise of such rights, powers, and duties as had been
16 exercised by the agencies, offices, divisions, departments,
17 bureaus, boards, and commissions from which they were
18 transferred.

19 Whenever reports or notices are now required to be made or
20 given or papers or documents furnished or served by any person
21 in regards to the functions transferred to or upon the
22 agencies, offices, divisions, departments, bureaus, boards,
23 and commissions from which the functions were transferred, the
24 same shall be made, given, furnished or served in the same
25 manner to or upon the Department of Central Management
26 Services.

1 This Section does not affect any act done, ratified, or
2 cancelled or any right occurring or established or any action
3 or proceeding had or commenced in an administrative, civil, or
4 criminal cause regarding the functions transferred, but those
5 proceedings may be continued by the Department of Central
6 Management Services.

7 This Section does not affect the legality of any rules in
8 the Illinois Administrative Code regarding the functions
9 transferred in this Section that are in force on the effective
10 date of this Section. If necessary, however, the affected
11 agencies shall propose, adopt, or repeal rules, rule
12 amendments, and rule recodifications as appropriate to
13 effectuate this Section.

14 (Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04;
15 93-1067, eff. 1-15-05.)

16 Section 20-10. The State Finance Act is amended by changing
17 Sections 5.12, 5.55, 6p-1, 6p-2, 6z-34, and 8.16a as follows:

18 (30 ILCS 105/5.12) (from Ch. 127, par. 141.12)

19 Sec. 5.12. The Communications Revolving Fund. This Section
20 is repealed on December 31, 2017.

21 (Source: Laws 1919, p. 946.)

22 (30 ILCS 105/5.55) (from Ch. 127, par. 141.55)

23 Sec. 5.55. The Technology Management ~~Statistical Services~~

1 Revolving Fund.

2 (Source: Laws 1919, p. 946.)

3 (30 ILCS 105/6p-1) (from Ch. 127, par. 142p1)

4 Sec. 6p-1. The Technology Management Revolving Fund
5 (formerly known as the Statistical Services Revolving Fund)
6 shall be initially financed by a transfer of funds from the
7 General Revenue Fund. Thereafter, all fees and other monies
8 received by the Department of Central Management Services in
9 payment for statistical services rendered pursuant to Section
10 405-20 of the Department of Central Management Services Law (20
11 ILCS 405/405-20) shall be paid into the Technology Management
12 Statistical Services Revolving Fund. On and after July 1, 2017,
13 or after sufficient moneys have been received in the
14 Communications Revolving Fund to pay all Fiscal Year 2017
15 obligations payable from the Fund, whichever is later, all fees
16 and other moneys received by the Department of Central
17 Management Services in payment for communications services
18 rendered pursuant to the Department of Central Management
19 Services Law of the Civil Administrative Code of Illinois or
20 sale of surplus State communications equipment shall be paid
21 into the Technology Management Revolving Fund. The money in
22 this fund shall be used by the Department of Central Management
23 Services as reimbursement for expenditures incurred in
24 rendering statistical services and, beginning July 1, 2017, as
25 reimbursement for expenditures incurred in relation to

1 communications services.

2 (Source: P.A. 91-239, eff. 1-1-00.)

3 (30 ILCS 105/6p-2) (from Ch. 127, par. 142p2)

4 Sec. 6p-2. The Communications Revolving Fund shall be
5 initially financed by a transfer of funds from the General
6 Revenue Fund. Thereafter, through June 30, 2017, all fees and
7 other monies received by the Department of Central Management
8 Services in payment for communications services rendered
9 pursuant to the Department of Central Management Services Law
10 or sale of surplus State communications equipment shall be paid
11 into the Communications Revolving Fund. Except as otherwise
12 provided in this Section, the money in this fund shall be used
13 by the Department of Central Management Services as
14 reimbursement for expenditures incurred in relation to
15 communications services.

16 On the effective date of this amendatory Act of the 93rd
17 General Assembly, or as soon as practicable thereafter, the
18 State Comptroller shall order transferred and the State
19 Treasurer shall transfer \$3,000,000 from the Communications
20 Revolving Fund to the Emergency Public Health Fund to be used
21 for the purposes specified in Section 55.6a of the
22 Environmental Protection Act.

23 In addition to any other transfers that may be provided for
24 by law, on July 1, 2011, or as soon thereafter as practical,
25 the State Comptroller shall direct and the State Treasurer

1 shall transfer the sum of \$5,000,000 from the General Revenue
2 Fund to the Communications Revolving Fund.

3 Notwithstanding any other provision of law, in addition to
4 any other transfers that may be provided by law, on July 1,
5 2017, or after sufficient moneys have been received in the
6 Communications Revolving Fund to pay all Fiscal Year 2017
7 obligations payable from the Fund, whichever is later, the
8 State Comptroller shall direct and the State Treasurer shall
9 transfer the remaining balance from the Communications
10 Revolving Fund into the Technology Management Revolving Fund.
11 Upon completion of the transfer, any future deposits due to
12 that Fund and any outstanding obligations or liabilities of
13 that Fund pass to the Technology Management Revolving Fund.

14 (Source: P.A. 97-641, eff. 12-19-11.)

15 (30 ILCS 105/6z-34)

16 Sec. 6z-34. Secretary of State Special Services Fund. There
17 is created in the State Treasury a special fund to be known as
18 the Secretary of State Special Services Fund. Moneys deposited
19 into the Fund may, subject to appropriation, be used by the
20 Secretary of State for any or all of the following purposes:

21 (1) For general automation efforts within operations
22 of the Office of Secretary of State.

23 (2) For technology applications in any form that will
24 enhance the operational capabilities of the Office of
25 Secretary of State.

1 (3) To provide funds for any type of library grants
2 authorized and administered by the Secretary of State as
3 State Librarian.

4 These funds are in addition to any other funds otherwise
5 authorized to the Office of Secretary of State for like or
6 similar purposes.

7 On August 15, 1997, all fiscal year 1997 receipts that
8 exceed the amount of \$15,000,000 shall be transferred from this
9 Fund to the Technology Management Revolving Fund (formerly
10 known as the Statistical Services Revolving Fund); on August
11 15, 1998 and each year thereafter through 2000, all receipts
12 from the fiscal year ending on the previous June 30th that
13 exceed the amount of \$17,000,000 shall be transferred from this
14 Fund to the Technology Management Revolving Fund (formerly
15 known as the Statistical Services Revolving Fund); on August
16 15, 2001 and each year thereafter through 2002, all receipts
17 from the fiscal year ending on the previous June 30th that
18 exceed the amount of \$19,000,000 shall be transferred from this
19 Fund to the Technology Management Revolving Fund (formerly
20 known as the Statistical Services Revolving Fund); and on
21 August 15, 2003 and each year thereafter, all receipts from the
22 fiscal year ending on the previous June 30th that exceed the
23 amount of \$33,000,000 shall be transferred from this Fund to
24 the Technology Management Revolving Fund (formerly known as the
25 Statistical Services Revolving Fund).

26 (Source: P.A. 92-32, eff. 7-1-01; 93-32, eff. 7-1-03.)

1 (30 ILCS 105/8.16a) (from Ch. 127, par. 144.16a)

2 Sec. 8.16a. Appropriations for the procurement,
3 installation, retention, maintenance and operation of
4 electronic data processing and information technology devices
5 and software used by state agencies subject to Section 405-20
6 of the Department of Central Management Services Law (20 ILCS
7 405/405-20), the purchase of necessary supplies and equipment
8 and accessories thereto, and all other expenses incident to the
9 operation and maintenance of those electronic data processing
10 and information technology devices and software are payable
11 from the Technology Management ~~Statistical Services~~ Revolving
12 Fund. However, no contract shall be entered into or obligation
13 incurred for any expenditure from the Technology Management
14 ~~Statistical Services~~ Revolving Fund until after the purpose and
15 amount has been approved in writing by the Director of Central
16 Management Services. Until there are sufficient funds in the
17 Technology Management Revolving Fund (formerly known as the
18 Statistical Services Revolving Fund) to carry out the purposes
19 of this amendatory Act of 1965, however, the State agencies
20 subject to that Section 405-20 shall, on written approval of
21 the Director of Central Management Services, pay the cost of
22 operating and maintaining electronic data processing systems
23 from current appropriations as classified and standardized in
24 the State Finance Act ~~"An Act in relation to State finance",~~
25 ~~approved June 10, 1919, as amended.~~

1 (Source: P.A. 91-239, eff. 1-1-00.)

2 Section 20-15. The Illinois Pension Code is amended by
3 changing Section 1A-112 as follows:

4 (40 ILCS 5/1A-112)

5 Sec. 1A-112. Fees.

6 (a) Every pension fund that is required to file an annual
7 statement under Section 1A-109 shall pay to the Department an
8 annual compliance fee. In the case of a pension fund under
9 Article 3 or 4 of this Code, the annual compliance fee shall be
10 0.02% (2 basis points) of the total assets of the pension fund,
11 as reported in the most current annual statement of the fund,
12 but not more than \$8,000. In the case of all other pension
13 funds and retirement systems, the annual compliance fee shall
14 be \$8,000.

15 (b) The annual compliance fee shall be due on June 30 for
16 the following State fiscal year, except that the fee payable in
17 1997 for fiscal year 1998 shall be due no earlier than 30 days
18 following the effective date of this amendatory Act of 1997.

19 (c) Any information obtained by the Division that is
20 available to the public under the Freedom of Information Act
21 and is either compiled in published form or maintained on a
22 computer processible medium shall be furnished upon the written
23 request of any applicant and the payment of a reasonable
24 information services fee established by the Director,

1 sufficient to cover the total cost to the Division of
2 compiling, processing, maintaining, and generating the
3 information. The information may be furnished by means of
4 published copy or on a computer processed or computer
5 processible medium.

6 No fee may be charged to any person for information that
7 the Division is required by law to furnish to that person.

8 (d) Except as otherwise provided in this Section, all fees
9 and penalties collected by the Department under this Code shall
10 be deposited into the Public Pension Regulation Fund.

11 (e) Fees collected under subsection (c) of this Section and
12 money collected under Section 1A-107 shall be deposited into
13 the Technology Management Department's ~~Statistical Services~~
14 Revolving Fund and credited to the account of the Department's
15 Public Pension Division. This income shall be used exclusively
16 for the purposes set forth in Section 1A-107. Notwithstanding
17 the provisions of Section 408.2 of the Illinois Insurance Code,
18 no surplus funds remaining in this account shall be deposited
19 in the Insurance Financial Regulation Fund. All money in this
20 account that the Director certifies is not needed for the
21 purposes set forth in Section 1A-107 of this Code shall be
22 transferred to the Public Pension Regulation Fund.

23 (f) Nothing in this Code prohibits the General Assembly
24 from appropriating funds from the General Revenue Fund to the
25 Department for the purpose of administering or enforcing this
26 Code.

1 (Source: P.A. 93-32, eff. 7-1-03.)

2 Section 20-20. The Illinois Insurance Code is amended by
3 changing Sections 408, 408.2, 1202, and 1206 as follows:

4 (215 ILCS 5/408) (from Ch. 73, par. 1020)

5 Sec. 408. Fees and charges.

6 (1) The Director shall charge, collect and give proper
7 acquittances for the payment of the following fees and charges:

8 (a) For filing all documents submitted for the
9 incorporation or organization or certification of a
10 domestic company, except for a fraternal benefit society,
11 \$2,000.

12 (b) For filing all documents submitted for the
13 incorporation or organization of a fraternal benefit
14 society, \$500.

15 (c) For filing amendments to articles of incorporation
16 and amendments to declaration of organization, except for a
17 fraternal benefit society, a mutual benefit association, a
18 burial society or a farm mutual, \$200.

19 (d) For filing amendments to articles of incorporation
20 of a fraternal benefit society, a mutual benefit
21 association or a burial society, \$100.

22 (e) For filing amendments to articles of incorporation
23 of a farm mutual, \$50.

24 (f) For filing bylaws or amendments thereto, \$50.

1 (g) For filing agreement of merger or consolidation:

2 (i) for a domestic company, except for a fraternal
3 benefit society, a mutual benefit association, a
4 burial society, or a farm mutual, \$2,000.

5 (ii) for a foreign or alien company, except for a
6 fraternal benefit society, \$600.

7 (iii) for a fraternal benefit society, a mutual
8 benefit association, a burial society, or a farm
9 mutual, \$200.

10 (h) For filing agreements of reinsurance by a domestic
11 company, \$200.

12 (i) For filing all documents submitted by a foreign or
13 alien company to be admitted to transact business or
14 accredited as a reinsurer in this State, except for a
15 fraternal benefit society, \$5,000.

16 (j) For filing all documents submitted by a foreign or
17 alien fraternal benefit society to be admitted to transact
18 business in this State, \$500.

19 (k) For filing declaration of withdrawal of a foreign
20 or alien company, \$50.

21 (l) For filing annual statement by a domestic company,
22 except a fraternal benefit society, a mutual benefit
23 association, a burial society, or a farm mutual, \$200.

24 (m) For filing annual statement by a domestic fraternal
25 benefit society, \$100.

26 (n) For filing annual statement by a farm mutual, a

1 mutual benefit association, or a burial society, \$50.

2 (o) For issuing a certificate of authority or renewal
3 thereof except to a foreign fraternal benefit society,
4 \$400.

5 (p) For issuing a certificate of authority or renewal
6 thereof to a foreign fraternal benefit society, \$200.

7 (q) For issuing an amended certificate of authority,
8 \$50.

9 (r) For each certified copy of certificate of
10 authority, \$20.

11 (s) For each certificate of deposit, or valuation, or
12 compliance or surety certificate, \$20.

13 (t) For copies of papers or records per page, \$1.

14 (u) For each certification to copies of papers or
15 records, \$10.

16 (v) For multiple copies of documents or certificates
17 listed in subparagraphs (r), (s), and (u) of paragraph (1)
18 of this Section, \$10 for the first copy of a certificate of
19 any type and \$5 for each additional copy of the same
20 certificate requested at the same time, unless, pursuant to
21 paragraph (2) of this Section, the Director finds these
22 additional fees excessive.

23 (w) For issuing a permit to sell shares or increase
24 paid-up capital:

25 (i) in connection with a public stock offering,
26 \$300;

1 (ii) in any other case, \$100.

2 (x) For issuing any other certificate required or
3 permissible under the law, \$50.

4 (y) For filing a plan of exchange of the stock of a
5 domestic stock insurance company, a plan of
6 demutualization of a domestic mutual company, or a plan of
7 reorganization under Article XII, \$2,000.

8 (z) For filing a statement of acquisition of a domestic
9 company as defined in Section 131.4 of this Code, \$2,000.

10 (aa) For filing an agreement to purchase the business
11 of an organization authorized under the Dental Service Plan
12 Act or the Voluntary Health Services Plans Act or of a
13 health maintenance organization or a limited health
14 service organization, \$2,000.

15 (bb) For filing a statement of acquisition of a foreign
16 or alien insurance company as defined in Section 131.12a of
17 this Code, \$1,000.

18 (cc) For filing a registration statement as required in
19 Sections 131.13 and 131.14, the notification as required by
20 Sections 131.16, 131.20a, or 141.4, or an agreement or
21 transaction required by Sections 124.2(2), 141, 141a, or
22 141.1, \$200.

23 (dd) For filing an application for licensing of:

24 (i) a religious or charitable risk pooling trust or
25 a workers' compensation pool, \$1,000;

26 (ii) a workers' compensation service company,

1 \$500;

2 (iii) a self-insured automobile fleet, \$200; or

3 (iv) a renewal of or amendment of any license
4 issued pursuant to (i), (ii), or (iii) above, \$100.

5 (ee) For filing articles of incorporation for a
6 syndicate to engage in the business of insurance through
7 the Illinois Insurance Exchange, \$2,000.

8 (ff) For filing amended articles of incorporation for a
9 syndicate engaged in the business of insurance through the
10 Illinois Insurance Exchange, \$100.

11 (gg) For filing articles of incorporation for a limited
12 syndicate to join with other subscribers or limited
13 syndicates to do business through the Illinois Insurance
14 Exchange, \$1,000.

15 (hh) For filing amended articles of incorporation for a
16 limited syndicate to do business through the Illinois
17 Insurance Exchange, \$100.

18 (ii) For a permit to solicit subscriptions to a
19 syndicate or limited syndicate, \$100.

20 (jj) For the filing of each form as required in Section
21 143 of this Code, \$50 per form. The fee for advisory and
22 rating organizations shall be \$200 per form.

23 (i) For the purposes of the form filing fee,
24 filings made on insert page basis will be considered
25 one form at the time of its original submission.
26 Changes made to a form subsequent to its approval shall

1 be considered a new filing.

2 (ii) Only one fee shall be charged for a form,
3 regardless of the number of other forms or policies
4 with which it will be used.

5 (iii) Fees charged for a policy filed as it will be
6 issued regardless of the number of forms comprising
7 that policy shall not exceed \$1,500. For advisory or
8 rating organizations, fees charged for a policy filed
9 as it will be issued regardless of the number of forms
10 comprising that policy shall not exceed \$2,500.

11 (iv) The Director may by rule exempt forms from
12 such fees.

13 (kk) For filing an application for licensing of a
14 reinsurance intermediary, \$500.

15 (ll) For filing an application for renewal of a license
16 of a reinsurance intermediary, \$200.

17 (2) When printed copies or numerous copies of the same
18 paper or records are furnished or certified, the Director may
19 reduce such fees for copies if he finds them excessive. He may,
20 when he considers it in the public interest, furnish without
21 charge to state insurance departments and persons other than
22 companies, copies or certified copies of reports of
23 examinations and of other papers and records.

24 (3) The expenses incurred in any performance examination
25 authorized by law shall be paid by the company or person being
26 examined. The charge shall be reasonably related to the cost of

1 the examination including but not limited to compensation of
2 examiners, electronic data processing costs, supervision and
3 preparation of an examination report and lodging and travel
4 expenses. All lodging and travel expenses shall be in accord
5 with the applicable travel regulations as published by the
6 Department of Central Management Services and approved by the
7 Governor's Travel Control Board, except that out-of-state
8 lodging and travel expenses related to examinations authorized
9 under Section 132 shall be in accordance with travel rates
10 prescribed under paragraph 301-7.2 of the Federal Travel
11 Regulations, 41 C.F.R. 301-7.2, for reimbursement of
12 subsistence expenses incurred during official travel. All
13 lodging and travel expenses may be reimbursed directly upon
14 authorization of the Director. With the exception of the direct
15 reimbursements authorized by the Director, all performance
16 examination charges collected by the Department shall be paid
17 to the Insurance Producer Administration Fund, however, the
18 electronic data processing costs incurred by the Department in
19 the performance of any examination shall be billed directly to
20 the company being examined for payment to the Technology
21 Management ~~Statistical Services~~ Revolving Fund.

22 (4) At the time of any service of process on the Director
23 as attorney for such service, the Director shall charge and
24 collect the sum of \$20, which may be recovered as taxable costs
25 by the party to the suit or action causing such service to be
26 made if he prevails in such suit or action.

1 (5) (a) The costs incurred by the Department of Insurance
2 in conducting any hearing authorized by law shall be assessed
3 against the parties to the hearing in such proportion as the
4 Director of Insurance may determine upon consideration of all
5 relevant circumstances including: (1) the nature of the
6 hearing; (2) whether the hearing was instigated by, or for the
7 benefit of a particular party or parties; (3) whether there is
8 a successful party on the merits of the proceeding; and (4) the
9 relative levels of participation by the parties.

10 (b) For purposes of this subsection (5) costs incurred
11 shall mean the hearing officer fees, court reporter fees, and
12 travel expenses of Department of Insurance officers and
13 employees; provided however, that costs incurred shall not
14 include hearing officer fees or court reporter fees unless the
15 Department has retained the services of independent
16 contractors or outside experts to perform such functions.

17 (c) The Director shall make the assessment of costs
18 incurred as part of the final order or decision arising out of
19 the proceeding; provided, however, that such order or decision
20 shall include findings and conclusions in support of the
21 assessment of costs. This subsection (5) shall not be construed
22 as permitting the payment of travel expenses unless calculated
23 in accordance with the applicable travel regulations of the
24 Department of Central Management Services, as approved by the
25 Governor's Travel Control Board. The Director as part of such
26 order or decision shall require all assessments for hearing

1 officer fees and court reporter fees, if any, to be paid
2 directly to the hearing officer or court reporter by the
3 party(s) assessed for such costs. The assessments for travel
4 expenses of Department officers and employees shall be
5 reimbursable to the Director of Insurance for deposit to the
6 fund out of which those expenses had been paid.

7 (d) The provisions of this subsection (5) shall apply in
8 the case of any hearing conducted by the Director of Insurance
9 not otherwise specifically provided for by law.

10 (6) The Director shall charge and collect an annual
11 financial regulation fee from every domestic company for
12 examination and analysis of its financial condition and to fund
13 the internal costs and expenses of the Interstate Insurance
14 Receivership Commission as may be allocated to the State of
15 Illinois and companies doing an insurance business in this
16 State pursuant to Article X of the Interstate Insurance
17 Receivership Compact. The fee shall be the greater fixed amount
18 based upon the combination of nationwide direct premium income
19 and nationwide reinsurance assumed premium income or upon
20 admitted assets calculated under this subsection as follows:

21 (a) Combination of nationwide direct premium income
22 and nationwide reinsurance assumed premium.

23 (i) \$150, if the premium is less than \$500,000 and
24 there is no reinsurance assumed premium;

25 (ii) \$750, if the premium is \$500,000 or more, but
26 less than \$5,000,000 and there is no reinsurance

1 assumed premium; or if the premium is less than
2 \$5,000,000 and the reinsurance assumed premium is less
3 than \$10,000,000;

4 (iii) \$3,750, if the premium is less than
5 \$5,000,000 and the reinsurance assumed premium is
6 \$10,000,000 or more;

7 (iv) \$7,500, if the premium is \$5,000,000 or more,
8 but less than \$10,000,000;

9 (v) \$18,000, if the premium is \$10,000,000 or more,
10 but less than \$25,000,000;

11 (vi) \$22,500, if the premium is \$25,000,000 or
12 more, but less than \$50,000,000;

13 (vii) \$30,000, if the premium is \$50,000,000 or
14 more, but less than \$100,000,000;

15 (viii) \$37,500, if the premium is \$100,000,000 or
16 more.

17 (b) Admitted assets.

18 (i) \$150, if admitted assets are less than
19 \$1,000,000;

20 (ii) \$750, if admitted assets are \$1,000,000 or
21 more, but less than \$5,000,000;

22 (iii) \$3,750, if admitted assets are \$5,000,000 or
23 more, but less than \$25,000,000;

24 (iv) \$7,500, if admitted assets are \$25,000,000 or
25 more, but less than \$50,000,000;

26 (v) \$18,000, if admitted assets are \$50,000,000 or

1 more, but less than \$100,000,000;

2 (vi) \$22,500, if admitted assets are \$100,000,000
3 or more, but less than \$500,000,000;

4 (vii) \$30,000, if admitted assets are \$500,000,000
5 or more, but less than \$1,000,000,000;

6 (viii) \$37,500, if admitted assets are
7 \$1,000,000,000 or more.

8 (c) The sum of financial regulation fees charged to the
9 domestic companies of the same affiliated group shall not
10 exceed \$250,000 in the aggregate in any single year and
11 shall be billed by the Director to the member company
12 designated by the group.

13 (7) The Director shall charge and collect an annual
14 financial regulation fee from every foreign or alien company,
15 except fraternal benefit societies, for the examination and
16 analysis of its financial condition and to fund the internal
17 costs and expenses of the Interstate Insurance Receivership
18 Commission as may be allocated to the State of Illinois and
19 companies doing an insurance business in this State pursuant to
20 Article X of the Interstate Insurance Receivership Compact. The
21 fee shall be a fixed amount based upon Illinois direct premium
22 income and nationwide reinsurance assumed premium income in
23 accordance with the following schedule:

24 (a) \$150, if the premium is less than \$500,000 and
25 there is no reinsurance assumed premium;

26 (b) \$750, if the premium is \$500,000 or more, but less

1 than \$5,000,000 and there is no reinsurance assumed
2 premium; or if the premium is less than \$5,000,000 and the
3 reinsurance assumed premium is less than \$10,000,000;

4 (c) \$3,750, if the premium is less than \$5,000,000 and
5 the reinsurance assumed premium is \$10,000,000 or more;

6 (d) \$7,500, if the premium is \$5,000,000 or more, but
7 less than \$10,000,000;

8 (e) \$18,000, if the premium is \$10,000,000 or more, but
9 less than \$25,000,000;

10 (f) \$22,500, if the premium is \$25,000,000 or more, but
11 less than \$50,000,000;

12 (g) \$30,000, if the premium is \$50,000,000 or more, but
13 less than \$100,000,000;

14 (h) \$37,500, if the premium is \$100,000,000 or more.

15 The sum of financial regulation fees under this subsection
16 (7) charged to the foreign or alien companies within the same
17 affiliated group shall not exceed \$250,000 in the aggregate in
18 any single year and shall be billed by the Director to the
19 member company designated by the group.

20 (8) Beginning January 1, 1992, the financial regulation
21 fees imposed under subsections (6) and (7) of this Section
22 shall be paid by each company or domestic affiliated group
23 annually. After January 1, 1994, the fee shall be billed by
24 Department invoice based upon the company's premium income or
25 admitted assets as shown in its annual statement for the
26 preceding calendar year. The invoice is due upon receipt and

1 must be paid no later than June 30 of each calendar year. All
2 financial regulation fees collected by the Department shall be
3 paid to the Insurance Financial Regulation Fund. The Department
4 may not collect financial examiner per diem charges from
5 companies subject to subsections (6) and (7) of this Section
6 undergoing financial examination after June 30, 1992.

7 (9) In addition to the financial regulation fee required by
8 this Section, a company undergoing any financial examination
9 authorized by law shall pay the following costs and expenses
10 incurred by the Department: electronic data processing costs,
11 the expenses authorized under Section 131.21 and subsection (d)
12 of Section 132.4 of this Code, and lodging and travel expenses.

13 Electronic data processing costs incurred by the
14 Department in the performance of any examination shall be
15 billed directly to the company undergoing examination for
16 payment to the Technology Management ~~Statistical Services~~
17 Revolving Fund. Except for direct reimbursements authorized by
18 the Director or direct payments made under Section 131.21 or
19 subsection (d) of Section 132.4 of this Code, all financial
20 regulation fees and all financial examination charges
21 collected by the Department shall be paid to the Insurance
22 Financial Regulation Fund.

23 All lodging and travel expenses shall be in accordance with
24 applicable travel regulations published by the Department of
25 Central Management Services and approved by the Governor's
26 Travel Control Board, except that out-of-state lodging and

1 travel expenses related to examinations authorized under
2 Sections 132.1 through 132.7 shall be in accordance with travel
3 rates prescribed under paragraph 301-7.2 of the Federal Travel
4 Regulations, 41 C.F.R. 301-7.2, for reimbursement of
5 subsistence expenses incurred during official travel. All
6 lodging and travel expenses may be reimbursed directly upon the
7 authorization of the Director.

8 In the case of an organization or person not subject to the
9 financial regulation fee, the expenses incurred in any
10 financial examination authorized by law shall be paid by the
11 organization or person being examined. The charge shall be
12 reasonably related to the cost of the examination including,
13 but not limited to, compensation of examiners and other costs
14 described in this subsection.

15 (10) Any company, person, or entity failing to make any
16 payment of \$150 or more as required under this Section shall be
17 subject to the penalty and interest provisions provided for in
18 subsections (4) and (7) of Section 412.

19 (11) Unless otherwise specified, all of the fees collected
20 under this Section shall be paid into the Insurance Financial
21 Regulation Fund.

22 (12) For purposes of this Section:

23 (a) "Domestic company" means a company as defined in
24 Section 2 of this Code which is incorporated or organized
25 under the laws of this State, and in addition includes a
26 not-for-profit corporation authorized under the Dental

1 Service Plan Act or the Voluntary Health Services Plans
2 Act, a health maintenance organization, and a limited
3 health service organization.

4 (b) "Foreign company" means a company as defined in
5 Section 2 of this Code which is incorporated or organized
6 under the laws of any state of the United States other than
7 this State and in addition includes a health maintenance
8 organization and a limited health service organization
9 which is incorporated or organized under the laws of any
10 state of the United States other than this State.

11 (c) "Alien company" means a company as defined in
12 Section 2 of this Code which is incorporated or organized
13 under the laws of any country other than the United States.

14 (d) "Fraternal benefit society" means a corporation,
15 society, order, lodge or voluntary association as defined
16 in Section 282.1 of this Code.

17 (e) "Mutual benefit association" means a company,
18 association or corporation authorized by the Director to do
19 business in this State under the provisions of Article
20 XVIII of this Code.

21 (f) "Burial society" means a person, firm,
22 corporation, society or association of individuals
23 authorized by the Director to do business in this State
24 under the provisions of Article XIX of this Code.

25 (g) "Farm mutual" means a district, county and township
26 mutual insurance company authorized by the Director to do

1 business in this State under the provisions of the Farm
2 Mutual Insurance Company Act of 1986.

3 (Source: P.A. 97-486, eff. 1-1-12; 97-603, eff. 8-26-11;
4 97-813, eff. 7-13-12; 98-463, eff. 8-16-13.)

5 (215 ILCS 5/408.2) (from Ch. 73, par. 1020.2)

6 Sec. 408.2. Statistical Services. Any public record, or any
7 data obtained by the Department of Insurance, which is subject
8 to public inspection or copying and which is maintained on a
9 computer processible medium, may be furnished in a computer
10 processed or computer processible medium upon the written
11 request of any applicant and the payment of a reasonable fee
12 established by the Director sufficient to cover the total cost
13 of the Department for processing, maintaining and generating
14 such computer processible records or data, except to the extent
15 of any salaries or compensation of Department officers or
16 employees.

17 The Director of Insurance is specifically authorized to
18 contract with members of the public at large, enter waiver
19 agreements, or otherwise enter written agreements for the
20 purpose of assuring public access to the Department's computer
21 processible records or data, or for the purpose of restricting,
22 controlling or limiting such access where necessary to protect
23 the confidentiality of individuals, companies or other
24 entities identified by such documents.

25 All fees collected by the Director under this Section 408.2

1 shall be deposited in the Technology Management ~~Statistical~~
2 ~~Services~~ Revolving Fund and credited to the account of the
3 Department of Insurance. Any surplus funds remaining in such
4 account at the close of any fiscal year shall be delivered to
5 the State Treasurer for deposit in the Insurance Financial
6 Regulation Fund.

7 (Source: P.A. 84-989.)

8 (215 ILCS 5/1202) (from Ch. 73, par. 1065.902)

9 Sec. 1202. Duties. The Director shall:

10 (a) determine the relationship of insurance premiums
11 and related income as compared to insurance costs and
12 expenses and provide such information to the General
13 Assembly and the general public;

14 (b) study the insurance system in the State of
15 Illinois, and recommend to the General Assembly what it
16 deems to be the most appropriate and comprehensive cost
17 containment system for the State;

18 (c) respond to the requests by agencies of government
19 and the General Assembly for special studies and analysis
20 of data collected pursuant to this Article. Such reports
21 shall be made available in a form prescribed by the
22 Director. The Director may also determine a fee to be
23 charged to the requesting agency to cover the direct and
24 indirect costs for producing such a report, and shall
25 permit affected insurers the right to review the accuracy

1 of the report before it is released. The fees shall be
2 deposited into the Technology Management ~~Statistical~~
3 ~~Services~~ Revolving Fund and credited to the account of the
4 Department of Insurance;

5 (d) make an interim report to the General Assembly no
6 later than August 15, 1987, and an annual report to the
7 General Assembly no later than July 1 every year thereafter
8 which shall include the Director's findings and
9 recommendations regarding its duties as provided under
10 subsections (a), (b), and (c) of this Section.

11 (Source: P.A. 98-226, eff. 1-1-14; 99-642, eff. 7-28-16.)

12 (215 ILCS 5/1206) (from Ch. 73, par. 1065.906)

13 Sec. 1206. Expenses. The companies required to file reports
14 under this Article shall pay a reasonable fee established by
15 the Director sufficient to cover the total cost of the
16 Department incident to or associated with the administration
17 and enforcement of this Article, including the collection,
18 analysis and distribution of the insurance cost data, the
19 conversion of hard copy reports to tape, and the compilation
20 and analysis of basic reports. The Director may establish a
21 schedule of fees for this purpose. Expenses for additional
22 reports shall be billed to those requesting the reports. Any
23 such fees collected under this Section shall be paid to the
24 Director of Insurance and deposited into the Technology
25 Management ~~Statistical Services~~ Revolving Fund and credited to

1 the account of the Department of Insurance.

2 (Source: P.A. 84-1431.)

3 Section 20-25. The Workers' Compensation Act is amended by
4 changing Section 17 as follows:

5 (820 ILCS 305/17) (from Ch. 48, par. 138.17)

6 Sec. 17. The Commission shall cause to be printed and
7 furnish free of charge upon request by any employer or employee
8 such blank forms as may facilitate or promote efficient
9 administration and the performance of the duties of the
10 Commission. It shall provide a proper record in which shall be
11 entered and indexed the name of any employer who shall file a
12 notice of declination or withdrawal under this Act, and the
13 date of the filing thereof; and a proper record in which shall
14 be entered and indexed the name of any employee who shall file
15 such notice of declination or withdrawal, and the date of the
16 filing thereof; and such other notices as may be required by
17 this Act; and records in which shall be recorded all
18 proceedings, orders and awards had or made by the Commission or
19 by the arbitration committees, and such other books or records
20 as it shall deem necessary, all such records to be kept in the
21 office of the Commission.

22 The Commission may destroy all papers and documents which
23 have been on file for more than 5 years where there is no claim
24 for compensation pending or where more than 2 years have

1 elapsed since the termination of the compensation period.

2 The Commission shall compile and distribute to interested
3 persons aggregate statistics, taken from any records and
4 reports in the possession of the Commission. The aggregate
5 statistics shall not give the names or otherwise identify
6 persons sustaining injuries or disabilities or the employer of
7 any injured person or person with a disability.

8 The Commission is authorized to establish reasonable fees
9 and methods of payment limited to covering only the costs to
10 the Commission for processing, maintaining and generating
11 records or data necessary for the computerized production of
12 documents, records and other materials except to the extent of
13 any salaries or compensation of Commission officers or
14 employees.

15 All fees collected by the Commission under this Section
16 shall be deposited in the Technology Management ~~Statistical~~
17 ~~Services~~ Revolving Fund and credited to the account of the
18 Illinois Workers' Compensation Commission.

19 (Source: P.A. 99-143, eff. 7-27-15.)

20 Section 20-30. The Workers' Occupational Diseases Act is
21 amended by changing Section 17 as follows:

22 (820 ILCS 310/17) (from Ch. 48, par. 172.52)

23 Sec. 17. The Commission shall cause to be printed and shall
24 furnish free of charge upon request by any employer or employee

1 such blank forms as it shall deem requisite to facilitate or
2 promote the efficient administration of this Act, and the
3 performance of the duties of the Commission. It shall provide a
4 proper record in which shall be entered and indexed the name of
5 any employer who shall file a notice of election under this
6 Act, and the date of the filing thereof; and a proper record in
7 which shall be entered and indexed the name of any employee who
8 shall file a notice of election, and the date of the filing
9 thereof; and such other notices as may be required by this Act;
10 and records in which shall be recorded all proceedings, orders
11 and awards had or made by the Commission, or by the arbitration
12 committees, and such other books or records as it shall deem
13 necessary, all such records to be kept in the office of the
14 Commission. The Commission, in its discretion, may destroy all
15 papers and documents except notices of election and waivers
16 which have been on file for more than five years where there is
17 no claim for compensation pending, or where more than two years
18 have elapsed since the termination of the compensation period.

19 The Commission shall compile and distribute to interested
20 persons aggregate statistics, taken from any records and
21 reports in the possession of the Commission. The aggregate
22 statistics shall not give the names or otherwise identify
23 persons sustaining injuries or disabilities or the employer of
24 any injured person or person with a disability.

25 The Commission is authorized to establish reasonable fees
26 and methods of payment limited to covering only the costs to

1 the Commission for processing, maintaining and generating
2 records or data necessary for the computerized production of
3 documents, records and other materials except to the extent of
4 any salaries or compensation of Commission officers or
5 employees.

6 All fees collected by the Commission under this Section
7 shall be deposited in the Technology Management ~~Statistical~~
8 ~~Services~~ Revolving Fund and credited to the account of the
9 Illinois Workers' Compensation Commission.

10 (Source: P.A. 99-143, eff. 7-27-15.)

11 ARTICLE 25. REFUNDING BONDS

12 Section 25-5. The General Obligation Bond Act is amended by
13 changing Sections 2.5, 9, 11, and 16 as follows:

14 (30 ILCS 330/2.5)

15 Sec. 2.5. Limitation on issuance of Bonds.

16 (a) Except as provided in subsection (b), no Bonds may be
17 issued if, after the issuance, in the next State fiscal year
18 after the issuance of the Bonds, the amount of debt service
19 (including principal, whether payable at maturity or pursuant
20 to mandatory sinking fund installments, and interest) on all
21 then-outstanding Bonds, other than Bonds authorized by Public
22 Act 96-43 and other than Bonds authorized by Public Act
23 96-1497, would exceed 7% of the aggregate appropriations from

1 the general funds (which consist of the General Revenue Fund,
2 the Common School Fund, the General Revenue Common School
3 Special Account Fund, and the Education Assistance Fund) and
4 the Road Fund for the fiscal year immediately prior to the
5 fiscal year of the issuance.

6 (b) If the Comptroller and Treasurer each consent in
7 writing, Bonds may be issued even if the issuance does not
8 comply with subsection (a). In addition, \$2,000,000,000 in
9 Bonds for the purposes set forth in Sections 3, 4, 5, 6, and 7,
10 and \$2,000,000,000 in Refunding Bonds under Section 16, may be
11 issued during State fiscal year 2017 without complying with
12 subsection (a). In addition, \$2,000,000,000 in Bonds for the
13 purposes set forth in Sections 3, 4, 5, 6, and 7, and
14 \$2,000,000,000 in Refunding Bonds under Section 16, may be
15 issued during State fiscal year 2018 without complying with
16 subsection (a).

17 (Source: P.A. 99-523, eff. 6-30-16.)

18 (30 ILCS 330/9) (from Ch. 127, par. 659)

19 Sec. 9. Conditions for Issuance and Sale of Bonds -
20 Requirements for Bonds.

21 (a) Except as otherwise provided in this subsection, Bonds
22 shall be issued and sold from time to time, in one or more
23 series, in such amounts and at such prices as may be directed
24 by the Governor, upon recommendation by the Director of the
25 Governor's Office of Management and Budget. Bonds shall be in

1 such form (either coupon, registered or book entry), in such
2 denominations, payable within 25 years from their date, subject
3 to such terms of redemption with or without premium, bear
4 interest payable at such times and at such fixed or variable
5 rate or rates, and be dated as shall be fixed and determined by
6 the Director of the Governor's Office of Management and Budget
7 in the order authorizing the issuance and sale of any series of
8 Bonds, which order shall be approved by the Governor and is
9 herein called a "Bond Sale Order"; provided however, that
10 interest payable at fixed or variable rates shall not exceed
11 that permitted in the Bond Authorization Act, as now or
12 hereafter amended. Bonds shall be payable at such place or
13 places, within or without the State of Illinois, and may be
14 made registrable as to either principal or as to both principal
15 and interest, as shall be specified in the Bond Sale Order.
16 Bonds may be callable or subject to purchase and retirement or
17 tender and remarketing as fixed and determined in the Bond Sale
18 Order. Bonds, other than Bonds issued under Section 3 of this
19 Act for the costs associated with the purchase and
20 implementation of information technology, (i) except for
21 refunding Bonds satisfying the requirements of Section 16 of
22 this Act and sold during fiscal year 2009, 2010, 2011, ~~or~~ 2017,
23 or 2018 must be issued with principal or mandatory redemption
24 amounts in equal amounts, with the first maturity issued
25 occurring within the fiscal year in which the Bonds are issued
26 or within the next succeeding fiscal year and (ii) must mature

1 or be subject to mandatory redemption each fiscal year
2 thereafter up to 25 years, except for refunding Bonds
3 satisfying the requirements of Section 16 of this Act and sold
4 during fiscal year 2009, 2010, or 2011 which must mature or be
5 subject to mandatory redemption each fiscal year thereafter up
6 to 16 years. Bonds issued under Section 3 of this Act for the
7 costs associated with the purchase and implementation of
8 information technology must be issued with principal or
9 mandatory redemption amounts in equal amounts, with the first
10 maturity issued occurring with the fiscal year in which the
11 respective bonds are issued or with the next succeeding fiscal
12 year, with the respective bonds issued maturing or subject to
13 mandatory redemption each fiscal year thereafter up to 10
14 years. Notwithstanding any provision of this Act to the
15 contrary, the Bonds authorized by Public Act 96-43 shall be
16 payable within 5 years from their date and must be issued with
17 principal or mandatory redemption amounts in equal amounts,
18 with payment of principal or mandatory redemption beginning in
19 the first fiscal year following the fiscal year in which the
20 Bonds are issued.

21 Notwithstanding any provision of this Act to the contrary,
22 the Bonds authorized by Public Act 96-1497 shall be payable
23 within 8 years from their date and shall be issued with payment
24 of maturing principal or scheduled mandatory redemptions in
25 accordance with the following schedule, except the following
26 amounts shall be prorated if less than the total additional

1 amount of Bonds authorized by Public Act 96-1497 are issued:

2	Fiscal Year After Issuance	Amount
3	1-2	\$0
4	3	\$110,712,120
5	4	\$332,136,360
6	5	\$664,272,720
7	6-8	\$996,409,080

8 In the case of any series of Bonds bearing interest at a
9 variable interest rate ("Variable Rate Bonds"), in lieu of
10 determining the rate or rates at which such series of Variable
11 Rate Bonds shall bear interest and the price or prices at which
12 such Variable Rate Bonds shall be initially sold or remarketed
13 (in the event of purchase and subsequent resale), the Bond Sale
14 Order may provide that such interest rates and prices may vary
15 from time to time depending on criteria established in such
16 Bond Sale Order, which criteria may include, without
17 limitation, references to indices or variations in interest
18 rates as may, in the judgment of a remarketing agent, be
19 necessary to cause Variable Rate Bonds of such series to be
20 remarketable from time to time at a price equal to their
21 principal amount, and may provide for appointment of a bank,
22 trust company, investment bank, or other financial institution
23 to serve as remarketing agent in that connection. The Bond Sale
24 Order may provide that alternative interest rates or provisions
25 for establishing alternative interest rates, different
26 security or claim priorities, or different call or amortization

1 provisions will apply during such times as Variable Rate Bonds
2 of any series are held by a person providing credit or
3 liquidity enhancement arrangements for such Bonds as
4 authorized in subsection (b) of this Section. The Bond Sale
5 Order may also provide for such variable interest rates to be
6 established pursuant to a process generally known as an auction
7 rate process and may provide for appointment of one or more
8 financial institutions to serve as auction agents and
9 broker-dealers in connection with the establishment of such
10 interest rates and the sale and remarketing of such Bonds.

11 (b) In connection with the issuance of any series of Bonds,
12 the State may enter into arrangements to provide additional
13 security and liquidity for such Bonds, including, without
14 limitation, bond or interest rate insurance or letters of
15 credit, lines of credit, bond purchase contracts, or other
16 arrangements whereby funds are made available to retire or
17 purchase Bonds, thereby assuring the ability of owners of the
18 Bonds to sell or redeem their Bonds. The State may enter into
19 contracts and may agree to pay fees to persons providing such
20 arrangements, but only under circumstances where the Director
21 of the Governor's Office of Management and Budget certifies
22 that he or she reasonably expects the total interest paid or to
23 be paid on the Bonds, together with the fees for the
24 arrangements (being treated as if interest), would not, taken
25 together, cause the Bonds to bear interest, calculated to their
26 stated maturity, at a rate in excess of the rate that the Bonds

1 would bear in the absence of such arrangements.

2 The State may, with respect to Bonds issued or anticipated
3 to be issued, participate in and enter into arrangements with
4 respect to interest rate protection or exchange agreements,
5 guarantees, or financial futures contracts for the purpose of
6 limiting, reducing, or managing interest rate exposure. The
7 authority granted under this paragraph, however, shall not
8 increase the principal amount of Bonds authorized to be issued
9 by law. The arrangements may be executed and delivered by the
10 Director of the Governor's Office of Management and Budget on
11 behalf of the State. Net payments for such arrangements shall
12 constitute interest on the Bonds and shall be paid from the
13 General Obligation Bond Retirement and Interest Fund. The
14 Director of the Governor's Office of Management and Budget
15 shall at least annually certify to the Governor and the State
16 Comptroller his or her estimate of the amounts of such net
17 payments to be included in the calculation of interest required
18 to be paid by the State.

19 (c) Prior to the issuance of any Variable Rate Bonds
20 pursuant to subsection (a), the Director of the Governor's
21 Office of Management and Budget shall adopt an interest rate
22 risk management policy providing that the amount of the State's
23 variable rate exposure with respect to Bonds shall not exceed
24 20%. This policy shall remain in effect while any Bonds are
25 outstanding and the issuance of Bonds shall be subject to the
26 terms of such policy. The terms of this policy may be amended

1 from time to time by the Director of the Governor's Office of
2 Management and Budget but in no event shall any amendment cause
3 the permitted level of the State's variable rate exposure with
4 respect to Bonds to exceed 20%.

5 (d) "Build America Bonds" in this Section means Bonds
6 authorized by Section 54AA of the Internal Revenue Code of
7 1986, as amended ("Internal Revenue Code"), and bonds issued
8 from time to time to refund or continue to refund "Build
9 America Bonds".

10 (e) Notwithstanding any other provision of this Section,
11 Qualified School Construction Bonds shall be issued and sold
12 from time to time, in one or more series, in such amounts and
13 at such prices as may be directed by the Governor, upon
14 recommendation by the Director of the Governor's Office of
15 Management and Budget. Qualified School Construction Bonds
16 shall be in such form (either coupon, registered or book
17 entry), in such denominations, payable within 25 years from
18 their date, subject to such terms of redemption with or without
19 premium, and if the Qualified School Construction Bonds are
20 issued with a supplemental coupon, bear interest payable at
21 such times and at such fixed or variable rate or rates, and be
22 dated as shall be fixed and determined by the Director of the
23 Governor's Office of Management and Budget in the order
24 authorizing the issuance and sale of any series of Qualified
25 School Construction Bonds, which order shall be approved by the
26 Governor and is herein called a "Bond Sale Order"; except that

1 interest payable at fixed or variable rates, if any, shall not
2 exceed that permitted in the Bond Authorization Act, as now or
3 hereafter amended. Qualified School Construction Bonds shall
4 be payable at such place or places, within or without the State
5 of Illinois, and may be made registrable as to either principal
6 or as to both principal and interest, as shall be specified in
7 the Bond Sale Order. Qualified School Construction Bonds may be
8 callable or subject to purchase and retirement or tender and
9 remarketing as fixed and determined in the Bond Sale Order.
10 Qualified School Construction Bonds must be issued with
11 principal or mandatory redemption amounts or sinking fund
12 payments into the General Obligation Bond Retirement and
13 Interest Fund (or subaccount therefor) in equal amounts, with
14 the first maturity issued, mandatory redemption payment or
15 sinking fund payment occurring within the fiscal year in which
16 the Qualified School Construction Bonds are issued or within
17 the next succeeding fiscal year, with Qualified School
18 Construction Bonds issued maturing or subject to mandatory
19 redemption or with sinking fund payments thereof deposited each
20 fiscal year thereafter up to 25 years. Sinking fund payments
21 set forth in this subsection shall be permitted only to the
22 extent authorized in Section 54F of the Internal Revenue Code
23 or as otherwise determined by the Director of the Governor's
24 Office of Management and Budget. "Qualified School
25 Construction Bonds" in this subsection means Bonds authorized
26 by Section 54F of the Internal Revenue Code and for bonds

1 issued from time to time to refund or continue to refund such
2 "Qualified School Construction Bonds".

3 (f) Beginning with the next issuance by the Governor's
4 Office of Management and Budget to the Procurement Policy Board
5 of a request for quotation for the purpose of formulating a new
6 pool of qualified underwriting banks list, all entities
7 responding to such a request for quotation for inclusion on
8 that list shall provide a written report to the Governor's
9 Office of Management and Budget and the Illinois Comptroller.
10 The written report submitted to the Comptroller shall (i) be
11 published on the Comptroller's Internet website and (ii) be
12 used by the Governor's Office of Management and Budget for the
13 purposes of scoring such a request for quotation. The written
14 report, at a minimum, shall:

15 (1) disclose whether, within the past 3 months,
16 pursuant to its credit default swap market-making
17 activities, the firm has entered into any State of Illinois
18 credit default swaps ("CDS");

19 (2) include, in the event of State of Illinois CDS
20 activity, disclosure of the firm's cumulative notional
21 volume of State of Illinois CDS trades and the firm's
22 outstanding gross and net notional amount of State of
23 Illinois CDS, as of the end of the current 3-month period;

24 (3) indicate, pursuant to the firm's proprietary
25 trading activities, disclosure of whether the firm, within
26 the past 3 months, has entered into any proprietary trades

1 for its own account in State of Illinois CDS;

2 (4) include, in the event of State of Illinois
3 proprietary trades, disclosure of the firm's outstanding
4 gross and net notional amount of proprietary State of
5 Illinois CDS and whether the net position is short or long
6 credit protection, as of the end of the current 3-month
7 period;

8 (5) list all time periods during the past 3 months
9 during which the firm held net long or net short State of
10 Illinois CDS proprietary credit protection positions, the
11 amount of such positions, and whether those positions were
12 net long or net short credit protection positions; and

13 (6) indicate whether, within the previous 3 months, the
14 firm released any publicly available research or marketing
15 reports that reference State of Illinois CDS and include
16 those research or marketing reports as attachments.

17 (g) All entities included on a Governor's Office of
18 Management and Budget's pool of qualified underwriting banks
19 list shall, as soon as possible after March 18, 2011 (the
20 effective date of Public Act 96-1554), but not later than
21 January 21, 2011, and on a quarterly fiscal basis thereafter,
22 provide a written report to the Governor's Office of Management
23 and Budget and the Illinois Comptroller. The written reports
24 submitted to the Comptroller shall be published on the
25 Comptroller's Internet website. The written reports, at a
26 minimum, shall:

1 (1) disclose whether, within the past 3 months,
2 pursuant to its credit default swap market-making
3 activities, the firm has entered into any State of Illinois
4 credit default swaps ("CDS");

5 (2) include, in the event of State of Illinois CDS
6 activity, disclosure of the firm's cumulative notional
7 volume of State of Illinois CDS trades and the firm's
8 outstanding gross and net notional amount of State of
9 Illinois CDS, as of the end of the current 3-month period;

10 (3) indicate, pursuant to the firm's proprietary
11 trading activities, disclosure of whether the firm, within
12 the past 3 months, has entered into any proprietary trades
13 for its own account in State of Illinois CDS;

14 (4) include, in the event of State of Illinois
15 proprietary trades, disclosure of the firm's outstanding
16 gross and net notional amount of proprietary State of
17 Illinois CDS and whether the net position is short or long
18 credit protection, as of the end of the current 3-month
19 period;

20 (5) list all time periods during the past 3 months
21 during which the firm held net long or net short State of
22 Illinois CDS proprietary credit protection positions, the
23 amount of such positions, and whether those positions were
24 net long or net short credit protection positions; and

25 (6) indicate whether, within the previous 3 months, the
26 firm released any publicly available research or marketing

1 reports that reference State of Illinois CDS and include
2 those research or marketing reports as attachments.

3 (Source: P.A. 99-523, eff. 6-30-16.)

4 (30 ILCS 330/11) (from Ch. 127, par. 661)

5 Sec. 11. Sale of Bonds. Except as otherwise provided in
6 this Section, Bonds shall be sold from time to time pursuant to
7 notice of sale and public bid or by negotiated sale in such
8 amounts and at such times as is directed by the Governor, upon
9 recommendation by the Director of the Governor's Office of
10 Management and Budget. At least 25%, based on total principal
11 amount, of all Bonds issued each fiscal year shall be sold
12 pursuant to notice of sale and public bid. At all times during
13 each fiscal year, no more than 75%, based on total principal
14 amount, of the Bonds issued each fiscal year, shall have been
15 sold by negotiated sale. Failure to satisfy the requirements in
16 the preceding 2 sentences shall not affect the validity of any
17 previously issued Bonds; provided that all Bonds authorized by
18 Public Act 96-43 and Public Act 96-1497 shall not be included
19 in determining compliance for any fiscal year with the
20 requirements of the preceding 2 sentences; and further provided
21 that refunding Bonds satisfying the requirements of Section 16
22 of this Act and sold during fiscal year 2009, 2010, 2011, ~~or~~
23 2017, or 2018 shall not be subject to the requirements in the
24 preceding 2 sentences.

25 If any Bonds, including refunding Bonds, are to be sold by

1 negotiated sale, the Director of the Governor's Office of
2 Management and Budget shall comply with the competitive request
3 for proposal process set forth in the Illinois Procurement Code
4 and all other applicable requirements of that Code.

5 If Bonds are to be sold pursuant to notice of sale and
6 public bid, the Director of the Governor's Office of Management
7 and Budget may, from time to time, as Bonds are to be sold,
8 advertise the sale of the Bonds in at least 2 daily newspapers,
9 one of which is published in the City of Springfield and one in
10 the City of Chicago. The sale of the Bonds shall also be
11 advertised in the volume of the Illinois Procurement Bulletin
12 that is published by the Department of Central Management
13 Services, and shall be published once at least 10 days prior to
14 the date fixed for the opening of the bids. The Director of the
15 Governor's Office of Management and Budget may reschedule the
16 date of sale upon the giving of such additional notice as the
17 Director deems adequate to inform prospective bidders of such
18 change; provided, however, that all other conditions of the
19 sale shall continue as originally advertised.

20 Executed Bonds shall, upon payment therefor, be delivered
21 to the purchaser, and the proceeds of Bonds shall be paid into
22 the State Treasury as directed by Section 12 of this Act.

23 (Source: P.A. 98-44, eff. 6-28-13; 99-523, eff. 6-30-16.)

24 (30 ILCS 330/16) (from Ch. 127, par. 666)

25 Sec. 16. Refunding Bonds. The State of Illinois is

1 authorized to issue, sell, and provide for the retirement of
2 General Obligation Bonds of the State of Illinois in the amount
3 of \$4,839,025,000, at any time and from time to time
4 outstanding, for the purpose of refunding any State of Illinois
5 general obligation Bonds then outstanding, including the
6 payment of any redemption premium thereon, any reasonable
7 expenses of such refunding, any interest accrued or to accrue
8 to the earliest or any subsequent date of redemption or
9 maturity of such outstanding Bonds and any interest to accrue
10 to the first interest payment on the refunding Bonds; provided
11 that all non-refunding Bonds in an issue that includes
12 refunding Bonds shall mature no later than the final maturity
13 date of Bonds being refunded; provided that no refunding Bonds
14 shall be offered for sale unless the net present value of debt
15 service savings to be achieved by the issuance of the refunding
16 Bonds is 3% or more of the principal amount of the refunding
17 Bonds to be issued; and further provided that, except for
18 refunding Bonds sold in fiscal year 2009, 2010, 2011, ~~or~~ 2017,
19 or 2018, the maturities of the refunding Bonds shall not extend
20 beyond the maturities of the Bonds they refund, so that for
21 each fiscal year in the maturity schedule of a particular issue
22 of refunding Bonds, the total amount of refunding principal
23 maturing and redemption amounts due in that fiscal year and all
24 prior fiscal years in that schedule shall be greater than or
25 equal to the total amount of refunded principal and redemption
26 amounts that had been due over that year and all prior fiscal

1 years prior to the refunding.

2 The Governor shall notify the State Treasurer and
3 Comptroller of such refunding. The proceeds received from the
4 sale of refunding Bonds shall be used for the retirement at
5 maturity or redemption of such outstanding Bonds on any
6 maturity or redemption date and, pending such use, shall be
7 placed in escrow, subject to such terms and conditions as shall
8 be provided for in the Bond Sale Order relating to the
9 Refunding Bonds. Proceeds not needed for deposit in an escrow
10 account shall be deposited in the General Obligation Bond
11 Retirement and Interest Fund. This Act shall constitute an
12 irrevocable and continuing appropriation of all amounts
13 necessary to establish an escrow account for the purpose of
14 refunding outstanding general obligation Bonds and to pay the
15 reasonable expenses of such refunding and of the issuance and
16 sale of the refunding Bonds. Any such escrowed proceeds may be
17 invested and reinvested in direct obligations of the United
18 States of America, maturing at such time or times as shall be
19 appropriate to assure the prompt payment, when due, of the
20 principal of and interest and redemption premium, if any, on
21 the refunded Bonds. After the terms of the escrow have been
22 fully satisfied, any remaining balance of such proceeds and
23 interest, income and profits earned or realized on the
24 investments thereof shall be paid into the General Revenue
25 Fund. The liability of the State upon the Bonds shall continue,
26 provided that the holders thereof shall thereafter be entitled

1 to payment only out of the moneys deposited in the escrow
2 account.

3 Except as otherwise herein provided in this Section, such
4 refunding Bonds shall in all other respects be subject to the
5 terms and conditions of this Act.

6 (Source: P.A. 99-523, eff. 6-30-16.)

7 Section 25-10. The Build Illinois Bond Act is amended by
8 changing Sections 6, 8, and 15 as follows:

9 (30 ILCS 425/6) (from Ch. 127, par. 2806)

10 Sec. 6. Conditions for Issuance and Sale of Bonds -
11 Requirements for Bonds - Master and Supplemental Indentures -
12 Credit and Liquidity Enhancement.

13 (a) Bonds shall be issued and sold from time to time, in
14 one or more series, in such amounts and at such prices as
15 directed by the Governor, upon recommendation by the Director
16 of the Governor's Office of Management and Budget. Bonds shall
17 be payable only from the specific sources and secured in the
18 manner provided in this Act. Bonds shall be in such form, in
19 such denominations, mature on such dates within 25 years from
20 their date of issuance, be subject to optional or mandatory
21 redemption, bear interest payable at such times and at such
22 rate or rates, fixed or variable, and be dated as shall be
23 fixed and determined by the Director of the Governor's Office
24 of Management and Budget in an order authorizing the issuance

1 and sale of any series of Bonds, which order shall be approved
2 by the Governor and is herein called a "Bond Sale Order";
3 provided, however, that interest payable at fixed rates shall
4 not exceed that permitted in "An Act to authorize public
5 corporations to issue bonds, other evidences of indebtedness
6 and tax anticipation warrants subject to interest rate
7 limitations set forth therein", approved May 26, 1970, as now
8 or hereafter amended, and interest payable at variable rates
9 shall not exceed the maximum rate permitted in the Bond Sale
10 Order. Said Bonds shall be payable at such place or places,
11 within or without the State of Illinois, and may be made
12 registrable as to either principal only or as to both principal
13 and interest, as shall be specified in the Bond Sale Order.
14 Bonds may be callable or subject to purchase and retirement or
15 remarketing as fixed and determined in the Bond Sale Order.
16 Bonds (i) except for refunding Bonds satisfying the
17 requirements of Section 15 of this Act and sold during fiscal
18 year 2009, 2010, 2011, ~~or~~ 2017, or 2018, must be issued with
19 principal or mandatory redemption amounts in equal amounts,
20 with the first maturity issued occurring within the fiscal year
21 in which the Bonds are issued or within the next succeeding
22 fiscal year and (ii) must mature or be subject to mandatory
23 redemption each fiscal year thereafter up to 25 years, except
24 for refunding Bonds satisfying the requirements of Section 15
25 of this Act and sold during fiscal year 2009, 2010, or 2011
26 which must mature or be subject to mandatory redemption each

1 fiscal year thereafter up to 16 years.

2 All Bonds authorized under this Act shall be issued
3 pursuant to a master trust indenture ("Master Indenture")
4 executed and delivered on behalf of the State by the Director
5 of the Governor's Office of Management and Budget, such Master
6 Indenture to be in substantially the form approved in the Bond
7 Sale Order authorizing the issuance and sale of the initial
8 series of Bonds issued under this Act. Such initial series of
9 Bonds may, and each subsequent series of Bonds shall, also be
10 issued pursuant to a supplemental trust indenture
11 ("Supplemental Indenture") executed and delivered on behalf of
12 the State by the Director of the Governor's Office of
13 Management and Budget, each such Supplemental Indenture to be
14 in substantially the form approved in the Bond Sale Order
15 relating to such series. The Master Indenture and any
16 Supplemental Indenture shall be entered into with a bank or
17 trust company in the State of Illinois having trust powers and
18 possessing capital and surplus of not less than \$100,000,000.
19 Such indentures shall set forth the terms and conditions of the
20 Bonds and provide for payment of and security for the Bonds,
21 including the establishment and maintenance of debt service and
22 reserve funds, and for other protections for holders of the
23 Bonds. The term "reserve funds" as used in this Act shall
24 include funds and accounts established under indentures to
25 provide for the payment of principal of and premium and
26 interest on Bonds, to provide for the purchase, retirement or

1 defeasance of Bonds, to provide for fees of trustees,
2 registrars, paying agents and other fiduciaries and to provide
3 for payment of costs of and debt service payable in respect of
4 credit or liquidity enhancement arrangements, interest rate
5 swaps or guarantees or financial futures contracts and indexing
6 and remarketing agents' services.

7 In the case of any series of Bonds bearing interest at a
8 variable interest rate ("Variable Rate Bonds"), in lieu of
9 determining the rate or rates at which such series of Variable
10 Rate Bonds shall bear interest and the price or prices at which
11 such Variable Rate Bonds shall be initially sold or remarketed
12 (in the event of purchase and subsequent resale), the Bond Sale
13 Order may provide that such interest rates and prices may vary
14 from time to time depending on criteria established in such
15 Bond Sale Order, which criteria may include, without
16 limitation, references to indices or variations in interest
17 rates as may, in the judgment of a remarketing agent, be
18 necessary to cause Bonds of such series to be remarketable from
19 time to time at a price equal to their principal amount (or
20 compound accreted value in the case of original issue discount
21 Bonds), and may provide for appointment of indexing agents and
22 a bank, trust company, investment bank or other financial
23 institution to serve as remarketing agent in that connection.
24 The Bond Sale Order may provide that alternative interest rates
25 or provisions for establishing alternative interest rates,
26 different security or claim priorities or different call or

1 amortization provisions will apply during such times as Bonds
2 of any series are held by a person providing credit or
3 liquidity enhancement arrangements for such Bonds as
4 authorized in subsection (b) of Section 6 of this Act.

5 (b) In connection with the issuance of any series of Bonds,
6 the State may enter into arrangements to provide additional
7 security and liquidity for such Bonds, including, without
8 limitation, bond or interest rate insurance or letters of
9 credit, lines of credit, bond purchase contracts or other
10 arrangements whereby funds are made available to retire or
11 purchase Bonds, thereby assuring the ability of owners of the
12 Bonds to sell or redeem their Bonds. The State may enter into
13 contracts and may agree to pay fees to persons providing such
14 arrangements, but only under circumstances where the Director
15 of the Bureau of the Budget (now Governor's Office of
16 Management and Budget) certifies that he reasonably expects the
17 total interest paid or to be paid on the Bonds, together with
18 the fees for the arrangements (being treated as if interest),
19 would not, taken together, cause the Bonds to bear interest,
20 calculated to their stated maturity, at a rate in excess of the
21 rate which the Bonds would bear in the absence of such
22 arrangements. Any bonds, notes or other evidences of
23 indebtedness issued pursuant to any such arrangements for the
24 purpose of retiring and discharging outstanding Bonds shall
25 constitute refunding Bonds under Section 15 of this Act. The
26 State may participate in and enter into arrangements with

1 respect to interest rate swaps or guarantees or financial
2 futures contracts for the purpose of limiting or restricting
3 interest rate risk; provided that such arrangements shall be
4 made with or executed through banks having capital and surplus
5 of not less than \$100,000,000 or insurance companies holding
6 the highest policyholder rating accorded insurers by A.M. Best
7 & Co. or any comparable rating service or government bond
8 dealers reporting to, trading with, and recognized as primary
9 dealers by a Federal Reserve Bank and having capital and
10 surplus of not less than \$100,000,000, or other persons whose
11 debt securities are rated in the highest long-term categories
12 by both Moody's Investors' Services, Inc. and Standard & Poor's
13 Corporation. Agreements incorporating any of the foregoing
14 arrangements may be executed and delivered by the Director of
15 the Governor's Office of Management and Budget on behalf of the
16 State in substantially the form approved in the Bond Sale Order
17 relating to such Bonds.

18 (c) "Build America Bonds" in this Section means Bonds
19 authorized by Section 54AA of the Internal Revenue Code of
20 1986, as amended ("Internal Revenue Code"), and bonds issued
21 from time to time to refund or continue to refund "Build
22 America Bonds".

23 (Source: P.A. 99-523, eff. 6-30-16.)

24 (30 ILCS 425/8) (from Ch. 127, par. 2808)

25 Sec. 8. Sale of Bonds. Bonds, except as otherwise provided

1 in this Section, shall be sold from time to time pursuant to
2 notice of sale and public bid or by negotiated sale in such
3 amounts and at such times as are directed by the Governor, upon
4 recommendation by the Director of the Governor's Office of
5 Management and Budget. At least 25%, based on total principal
6 amount, of all Bonds issued each fiscal year shall be sold
7 pursuant to notice of sale and public bid. At all times during
8 each fiscal year, no more than 75%, based on total principal
9 amount, of the Bonds issued each fiscal year shall have been
10 sold by negotiated sale. Failure to satisfy the requirements in
11 the preceding 2 sentences shall not affect the validity of any
12 previously issued Bonds; and further provided that refunding
13 Bonds satisfying the requirements of Section 15 of this Act and
14 sold during fiscal year 2009, 2010, 2011, ~~or~~ 2017, or 2018
15 shall not be subject to the requirements in the preceding 2
16 sentences.

17 If any Bonds are to be sold pursuant to notice of sale and
18 public bid, the Director of the Governor's Office of Management
19 and Budget shall comply with the competitive request for
20 proposal process set forth in the Illinois Procurement Code and
21 all other applicable requirements of that Code.

22 If Bonds are to be sold pursuant to notice of sale and
23 public bid, the Director of the Governor's Office of Management
24 and Budget may, from time to time, as Bonds are to be sold,
25 advertise the sale of the Bonds in at least 2 daily newspapers,
26 one of which is published in the City of Springfield and one in

1 the City of Chicago. The sale of the Bonds shall also be
2 advertised in the volume of the Illinois Procurement Bulletin
3 that is published by the Department of Central Management
4 Services, and shall be published once at least 10 days prior to
5 the date fixed for the opening of the bids. The Director of the
6 Governor's Office of Management and Budget may reschedule the
7 date of sale upon the giving of such additional notice as the
8 Director deems adequate to inform prospective bidders of the
9 change; provided, however, that all other conditions of the
10 sale shall continue as originally advertised. Executed Bonds
11 shall, upon payment therefor, be delivered to the purchaser,
12 and the proceeds of Bonds shall be paid into the State Treasury
13 as directed by Section 9 of this Act. The Governor or the
14 Director of the Governor's Office of Management and Budget is
15 hereby authorized and directed to execute and deliver contracts
16 of sale with underwriters and to execute and deliver such
17 certificates, indentures, agreements and documents, including
18 any supplements or amendments thereto, and to take such actions
19 and do such things as shall be necessary or desirable to carry
20 out the purposes of this Act. Any action authorized or
21 permitted to be taken by the Director of the Governor's Office
22 of Management and Budget pursuant to this Act is hereby
23 authorized to be taken by any person specifically designated by
24 the Governor to take such action in a certificate signed by the
25 Governor and filed with the Secretary of State.

26 (Source: P.A. 98-44, eff. 6-28-13; 99-523, eff. 6-30-16.)

1 (30 ILCS 425/15) (from Ch. 127, par. 2815)

2 Sec. 15. Refunding Bonds. Refunding Bonds are hereby
3 authorized for the purpose of refunding any outstanding Bonds,
4 including the payment of any redemption premium thereon, any
5 reasonable expenses of such refunding, and any interest accrued
6 or to accrue to the earliest or any subsequent date of
7 redemption or maturity of outstanding Bonds; provided that all
8 non-refunding Bonds in an issue that includes refunding Bonds
9 shall mature no later than the final maturity date of Bonds
10 being refunded; provided that no refunding Bonds shall be
11 offered for sale unless the net present value of debt service
12 savings to be achieved by the issuance of the refunding Bonds
13 is 3% or more of the principal amount of the refunding Bonds to
14 be issued; and further provided that, except for refunding
15 Bonds sold in fiscal year 2009, 2010, 2011, ~~or~~ 2017, or 2018,
16 the maturities of the refunding Bonds shall not extend beyond
17 the maturities of the Bonds they refund, so that for each
18 fiscal year in the maturity schedule of a particular issue of
19 refunding Bonds, the total amount of refunding principal
20 maturing and redemption amounts due in that fiscal year and all
21 prior fiscal years in that schedule shall be greater than or
22 equal to the total amount of refunded principal and redemption
23 amounts that had been due over that year and all prior fiscal
24 years prior to the refunding.

25 Refunding Bonds may be sold in such amounts and at such

1 times, as directed by the Governor upon recommendation by the
2 Director of the Governor's Office of Management and Budget. The
3 Governor shall notify the State Treasurer and Comptroller of
4 such refunding. The proceeds received from the sale of
5 refunding Bonds shall be used for the retirement at maturity or
6 redemption of such outstanding Bonds on any maturity or
7 redemption date and, pending such use, shall be placed in
8 escrow, subject to such terms and conditions as shall be
9 provided for in the Bond Sale Order relating to the refunding
10 Bonds. This Act shall constitute an irrevocable and continuing
11 appropriation of all amounts necessary to establish an escrow
12 account for the purpose of refunding outstanding Bonds and to
13 pay the reasonable expenses of such refunding and of the
14 issuance and sale of the refunding Bonds. Any such escrowed
15 proceeds may be invested and reinvested in direct obligations
16 of the United States of America, maturing at such time or times
17 as shall be appropriate to assure the prompt payment, when due,
18 of the principal of and interest and redemption premium, if
19 any, on the refunded Bonds. After the terms of the escrow have
20 been fully satisfied, any remaining balance of such proceeds
21 and interest, income and profits earned or realized on the
22 investments thereof shall be paid into the General Revenue
23 Fund. The liability of the State upon the refunded Bonds shall
24 continue, provided that the holders thereof shall thereafter be
25 entitled to payment only out of the moneys deposited in the
26 escrow account and the refunded Bonds shall be deemed paid,

1 discharged and no longer to be outstanding.

2 Except as otherwise herein provided in this Section, such
3 refunding Bonds shall in all other respects be issued pursuant
4 to and subject to the terms and conditions of this Act and
5 shall be secured by and payable from only the funds and sources
6 which are provided under this Act.

7 (Source: P.A. 99-523, eff. 6-30-16.)

8 ARTICLE 30. SPENDING CAPS

9 Section 30-5. The Illinois Income Tax Act is amended by
10 adding Section 201.6 as follows:

11 (35 ILCS 5/201.6 new)

12 Sec. 201.6. Fiscal Year 2018 spending limitation and tax
13 reduction.

14 (a) If, in State fiscal year 2018, State spending exceeds
15 the State spending limitation set forth in subsection (b) of
16 this Section for that fiscal year, then the tax rates for:

17 (1) individuals, trusts, and estates set forth in
18 paragraphs (5.3) and (5.4) of subsection (b) of Section
19 201, as amended by Senate Bill 9 of the 100th General
20 Assembly, shall be reduced, according to the procedures set
21 forth in this Section, to 3.75% of the taxpayer's net
22 income for that taxable year and for each taxable year
23 thereafter; and

1 (2) corporations set forth in paragraphs (13) and (14)
2 of subsection (b) of Section 201, as amended by Senate Bill
3 9 of the 100th General Assembly, shall be reduced,
4 according to the procedures set forth in this Section, to
5 5.25% of the taxpayer's net income for that taxable year
6 and for each taxable year thereafter.

7 (b) The State spending limitation for fiscal year 2018
8 shall be \$37,316,000,000 except for: increases over amounts
9 appropriated in fiscal year 2018, as required pursuant to
10 certifications of the Boards of Trustees for the General
11 Assembly Retirement System, Judges Retirement System of
12 Illinois, State Employees' Retirement System of Illinois,
13 Teachers' Retirement System of the State of Illinois, and State
14 Universities Retirement System; increases over amounts
15 transferred in fiscal year 2018 in amounts required to be
16 transferred under Section 15 of the General Obligation Bond
17 Act; or increases over payments made in fiscal year 2018 in
18 payments to the Health Insurance Reserve Fund necessary to
19 cover state obligations of the State Employees Group Insurance
20 Act of 1971.

21 (c) Notwithstanding any provision of law to the contrary,
22 the Auditor General shall examine each Public Act authorizing
23 State spending from State general funds and prepare a report no
24 later than 30 days after receiving notification of the Public
25 Act from the Secretary of State or 60 days after the effective
26 date of the Public Act, whichever is earlier. The Auditor

1 General shall file the report with the Secretary of State and
2 copies with the Governor, the State Treasurer, the State
3 Comptroller, the Senate, and the House of Representatives. The
4 report shall indicate: (i) the amount of State spending set
5 forth in the applicable Public Act; (ii) the total amount of
6 State spending authorized by law for the applicable fiscal year
7 as of the date of the report; and (iii) whether State spending
8 exceeds the State spending limitation set forth in subsection
9 (b). The Auditor General may examine multiple Public Acts in
10 one consolidated report, provided that each Public Act is
11 examined within the time period mandated by this subsection
12 (c). The Auditor General shall issue reports in accordance with
13 this Section through June 30, 2018, or the effective date of a
14 reduction as provided for in this Section in the rates of tax
15 set forth in paragraphs (5.3), (5.4), (13), and (14) of
16 subsection (b) of Section 201, as amended by Senate Bill 9 of
17 the 100th General Assembly, whichever is earlier. At the
18 request of the Auditor General, each State agency shall,
19 without delay, make available to the Auditor General or his or
20 her designated representative any record or information
21 requested and shall provide for examination or copying all
22 records, accounts, papers, reports, vouchers, correspondence,
23 books and other documentation in the custody of that agency,
24 including information stored in electronic data processing
25 systems, which is related to or within the scope of a report
26 prepared under this Section. The Auditor General shall report

1 to the Governor each instance in which a State agency fails to
2 cooperate promptly and fully with his or her office as required
3 by this Section. The Auditor General's report shall not be in
4 the nature of a post-audit or examination and shall not lead to
5 the issuance of an opinion as that term is defined in generally
6 accepted government auditing standards.

7 (d) If the Auditor General reports that State spending has
8 exceeded the State spending limitation for the fiscal year set
9 forth in subsection (b) and if the Governor has not been
10 presented with a bill or bills passed by the General Assembly
11 to reduce State spending to a level that does not exceed the
12 State spending limitation within 45 calendar days of receipt of
13 the Auditor General's report, then the Governor may, for the
14 purpose of reducing State spending to a level that does not
15 exceed the State spending limitation for the fiscal year set
16 forth in subsection (b), designate amounts to be set aside as a
17 reserve from the amounts appropriated from the State general
18 funds for all boards, commissions, agencies, institutions,
19 authorities, colleges, universities, and bodies politic and
20 corporate of the State, but not other constitutional officers,
21 the legislative or judicial branch, the office of the Executive
22 Inspector General, or the Executive Ethics Commission. Such a
23 designation must be made within 15 calendar days after the end
24 of that 45-day period. If the Governor designates amounts to be
25 set aside as a reserve, the Governor shall give notice of the
26 designation to the Auditor General, the State Treasurer, the

1 State Comptroller, the Senate, and the House of
2 Representatives. The amounts placed in reserves shall not be
3 transferred, obligated, encumbered, expended, or otherwise
4 committed unless so authorized by law. Any amount placed in
5 reserves is not State spending and shall not be considered when
6 calculating the total amount of State spending for the fiscal
7 year. Any Public Act authorizing the use of amounts placed in
8 reserve by the Governor is considered State spending, unless
9 such Public Act authorizes the use of amounts placed in
10 reserves in response to a fiscal emergency under subsection
11 (g).

12 (e) If the Auditor General reports under subsection (c)
13 that State spending has exceeded the State spending limitation
14 set forth for the fiscal year in subsection (b), then the
15 Auditor General shall issue a supplemental report no sooner
16 than the 61st day and no later than the 65th day after issuing
17 the report pursuant to subsection (c). The supplemental report
18 shall: (i) summarize details of actions taken by the General
19 Assembly and the Governor after the issuance of the initial
20 report to reduce State spending, if any, (ii) indicate whether
21 the level of State spending has changed since the initial
22 report, and (iii) indicate whether State spending exceeds the
23 State spending limitation. The Auditor General shall file the
24 report with the Secretary of State and copies with the
25 Governor, the State Treasurer, the State Comptroller, the
26 Senate, and the House of Representatives. If the supplemental

1 report of the Auditor General indicates that State spending
2 exceeds the State spending limitation for that fiscal year,
3 then the rates of tax set forth in paragraphs (5.3), (5.4),
4 (13), and (14) of subsection (b) of Section 201, as amended by
5 Senate Bill 9 of the 100th General Assembly, are reduced as
6 provided in subsection (a) of this Section, beginning on the
7 first day of the first month to occur not less than 30 days
8 after issuance of the supplemental report.

9 (f) Should the rates of tax be reduced under this Section,
10 the tax imposed by subsections (a) and (b) of Section 201 shall
11 be determined as follows:

12 (1) In the case of an individual, trust, or estate, the
13 tax shall be imposed in an amount equal to the sum of (i)
14 the rate applicable to the taxpayer under subsection (b) of
15 Section 201 (without regard to the provisions of this
16 Section) times the taxpayer's net income for any portion of
17 the taxable year prior to the effective date of the
18 reduction, and (ii) 3.75% of the taxpayer's net income for
19 any portion of the taxable year on or after the effective
20 date of the reduction.

21 (2) In the case of a corporation, the tax shall be
22 imposed in an amount equal to the sum of (i) the rate
23 applicable to the taxpayer under subsection (b) of Section
24 201 (without regard to the provisions of this Section)
25 times the taxpayer's net income for any portion of the
26 taxable year prior to the effective date of the reduction,

1 and (ii) 5.25% of the taxpayer's net income for any portion
2 of the taxable year on or after the effective date of the
3 reduction.

4 (3) For any taxpayer for whom the rate has been reduced
5 under this Section for a portion of a taxable year, the
6 taxpayer shall determine the net income for each portion of
7 the taxable year following the rules set forth in Section
8 202.5, as amended by Senate Bill 9 of the 100th General
9 Assembly, using the effective date of the rate reduction
10 rather than the January 1 dates found in that Section, and
11 the day before the effective date of the rate reduction
12 rather than the December 31 dates found in that Section.

13 (4) If the rate applicable to the taxpayer under
14 subsection (b) of Section 201 (without regard to the
15 provisions of this Section) changes during a portion of the
16 taxable year to which that rate is applied under paragraphs
17 (1) or (2) of this subsection (f), the tax for that portion
18 of the taxable year for purposes of paragraph (1) or (2) of
19 this subsection (f) shall be determined as if that portion
20 of the taxable year were a separate taxable year, following
21 the rules set forth in Section 202.5, as amended by Senate
22 Bill 9 of the 100th General Assembly. If the taxpayer
23 elects to follow the rules set forth in subsection (b) of
24 Section 202.5, as amended by Senate Bill 9 of the 100th
25 General Assembly, then the taxpayer shall follow the rules
26 set forth in subsection (b) of Section 202.5, as amended by

1 Senate Bill 9 of the 100th General Assembly, for all
2 purposes of this Section for that taxable year.

3 (g) Notwithstanding the State spending limitation set
4 forth in subsection (b) of this Section, the Governor may, with
5 the written consent of the State Treasurer and the State
6 Comptroller, declare a fiscal emergency by filing a declaration
7 with the Secretary of State and copies with the State
8 Treasurer, the State Comptroller, the Senate, and the House of
9 Representatives. The declaration: must be limited to only one
10 State fiscal year, must set forth compelling reasons for
11 declaring a fiscal emergency, may reference amounts required to
12 be transferred under Section 15 of the General Obligation Bond
13 Act, and must request a specific dollar amount. State spending
14 authorized by law to address the fiscal emergency in an amount
15 no greater than the dollar amount specified in the declaration
16 shall not be considered "State spending" for purposes of the
17 State spending limitation.

18 (h) As used in this Section:

19 "State general funds" has the meaning provided in Section
20 50-40 of the State Budget Law.

21 "State spending" means (i) the total amount authorized for
22 spending by appropriation or statutory transfer from the State
23 general funds in the applicable fiscal year, and (ii) any
24 amounts the Governor places in reserves in accordance with
25 subsection (d) that are subsequently released from reserves
26 following authorization by a Public Act. For the purpose of

1 this definition, "appropriation" means authority to spend
2 money from a State general fund for a specific amount, purpose,
3 and time period, including any supplemental appropriation or
4 continuing appropriation, but does not include
5 reappropriations from a previous fiscal year. For the purpose
6 of this definition, "statutory transfer" means authority to
7 transfer funds from one State general fund to any other fund in
8 the State treasury, but does not include transfers made from
9 one State general fund to another State general fund.

10 "State spending limitation" means the amount described in
11 subsection (b) of this Section for the applicable fiscal year.

12 ARTICLE 35. TOURISM FUNDS

13 Section 35-5. The Department of Commerce and Economic
14 Opportunity Law of the Civil Administrative Code of Illinois is
15 amended by changing Section 605-710 as follows:

16 (20 ILCS 605/605-710)

17 Sec. 605-710. Regional tourism development organizations.

18 (a) The Department may, subject to appropriation, provide
19 grants from the Tourism Promotion Fund for the administrative
20 costs of not-for-profit regional tourism development
21 organizations that assist the Department in developing tourism
22 throughout a multi-county geographical area designated by the
23 Department. Regional tourism development organizations

1 receiving funds under this Section may be required by the
2 Department to submit to audits of contracts awarded by the
3 Department to determine whether the regional tourism
4 development organization has performed all contractual
5 obligations under those contracts.

6 Every employee of a regional tourism development
7 organization receiving funds under this Section shall disclose
8 to the organization's governing board and to the Department any
9 economic interest that employee may have in any entity with
10 which the regional tourism development organization has
11 contracted or to which the regional tourism development
12 organization has granted funds.

13 (b) The Department, from moneys ~~transferred from the~~
14 ~~General Revenue Fund to the Tourism Promotion Fund and~~
15 appropriated from the Tourism Promotion Fund, shall first
16 provide funding of \$5,000,000 annually to a governmental entity
17 with at least 2,000,000 square feet of exhibition space that
18 has as part of its duties the promotion of cultural, scientific
19 and trade exhibits and events within a county with a population
20 of more than 3,000,000, to be used for any of the governmental
21 entity's general corporate purposes.

22 (Source: P.A. 92-11, eff. 6-11-01; 92-38, eff. 6-28-01; 92-651,
23 eff. 7-11-02.)

24 Section 35-10. The Illinois Promotion Act is amended by
25 changing Sections 4a, 5, and 8 as follows:

1 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

2 Sec. 4a. Funds.

3 (1) All moneys deposited in the Tourism Promotion Fund
4 pursuant to this subsection are allocated to the Department for
5 utilization, as appropriated, in the performance of its powers
6 under Section 4; except that during fiscal year 2013, the
7 Department shall reserve \$9,800,000 of the total funds
8 available for appropriation in the Tourism Promotion Fund for
9 appropriation to the Historic Preservation Agency for the
10 operation of the Abraham Lincoln Presidential Library and
11 Museum and State historic sites.

12 As soon as possible after the first day of each month,
13 beginning July 1, 1997 and ending on June 30, 2017, upon
14 certification of the Department of Revenue, the Comptroller
15 shall order transferred and the Treasurer shall transfer from
16 the General Revenue Fund to the Tourism Promotion Fund an
17 amount equal to 13% of the net revenue realized from the Hotel
18 Operators' Occupation Tax Act plus an amount equal to 13% of
19 the net revenue realized from any tax imposed under Section
20 4.05 of the Chicago World's Fair-1992 Authority Act during the
21 preceding month. "Net revenue realized for a month" means the
22 revenue collected by the State under that Act during the
23 previous month less the amount paid out during that same month
24 as refunds to taxpayers for overpayment of liability under that
25 Act.

1 (1.1) (Blank).

2 (2) As soon as possible after the first day of each month,
3 beginning July 1, 1997 and ending on June 30, 2017, upon
4 certification of the Department of Revenue, the Comptroller
5 shall order transferred and the Treasurer shall transfer from
6 the General Revenue Fund to the Tourism Promotion Fund an
7 amount equal to 8% of the net revenue realized from the Hotel
8 Operators' Occupation Tax plus an amount equal to 8% of the net
9 revenue realized from any tax imposed under Section 4.05 of the
10 Chicago World's Fair-1992 Authority Act during the preceding
11 month. "Net revenue realized for a month" means the revenue
12 collected by the State under that Act during the previous month
13 less the amount paid out during that same month as refunds to
14 taxpayers for overpayment of liability under that Act.

15 All monies deposited in the Tourism Promotion Fund under
16 this subsection (2) shall be used solely as provided in this
17 subsection to advertise and promote tourism throughout
18 Illinois. Appropriations of monies deposited in the Tourism
19 Promotion Fund pursuant to this subsection (2) shall be used
20 solely for advertising to promote tourism, including but not
21 limited to advertising production and direct advertisement
22 costs, but shall not be used to employ any additional staff,
23 finance any individual event, or lease, rent or purchase any
24 physical facilities. The Department shall coordinate its
25 advertising under this subsection (2) with other public and
26 private entities in the State engaged in similar promotion

1 activities. Print or electronic media production made pursuant
2 to this subsection (2) for advertising promotion shall not
3 contain or include the physical appearance of or reference to
4 the name or position of any public officer. "Public officer"
5 means a person who is elected to office pursuant to statute, or
6 who is appointed to an office which is established, and the
7 qualifications and duties of which are prescribed, by statute,
8 to discharge a public duty for the State or any of its
9 political subdivisions.

10 (3) Notwithstanding anything in this Section to the
11 contrary, amounts transferred from the General Revenue Fund to
12 the Tourism Promotion Fund pursuant to this Section shall not
13 exceed \$26,300,000 in State fiscal year 2012.

14 (4) As soon as possible after the first day of each month,
15 beginning July 1, 2017, if the amount of revenue deposited into
16 the Tourism Promotion Fund under subsection (c) of Section 6 of
17 the Hotel Operators' Occupation Tax Act is less than 21% of the
18 net revenue realized from the Hotel Operators' Occupation Tax
19 during the preceding month, then, upon certification of the
20 Department of Revenue, the State Comptroller shall direct and
21 the State Treasurer shall transfer from the General Revenue
22 Fund to the Tourism Promotion Fund an amount equal to the
23 difference between 21% of the net revenue realized from the
24 Hotel Operators' Occupation Tax during the preceding month and
25 the amount of revenue deposited into the Tourism Promotion Fund
26 under subsection (c) of Section 6 of the Hotel Operators'

1 Occupation Tax Act.

2 (5) Beginning on July 1, 2017, moneys deposited into the
3 Tourism Promotion Fund under subsection (c) of Section 6 of the
4 Hotel Operators' Occupation Tax Act may be used by the
5 Department of Commerce and Economic Opportunity for the
6 purposes authorized in the Illinois Promotion Act and for
7 advertising to promote tourism, including but not limited to
8 advertising production and direct advertisement costs.

9 (Source: P.A. 97-641, eff. 12-19-11; 97-732, eff. 6-30-12.)

10 (20 ILCS 665/5) (from Ch. 127, par. 200-25)

11 Sec. 5. Marketing and private sector programs.

12 (a) The Department is authorized to make grants, subject to
13 appropriation, from ~~funds transferred into~~ the Tourism
14 Promotion Fund ~~under subsection (1) of Section 4a~~ to counties,
15 municipalities, not-for-profit organizations, and local
16 promotion groups and to assist such counties, municipalities
17 and local promotion groups in the promotion of tourism
18 attractions and tourism events. The Department, after review of
19 the application and if satisfied that the program and proposed
20 expenditures of the applicant appear to be in accord with the
21 purposes of this Act, must grant to the applicant an amount not
22 to exceed 60% of the proposed expenditures.

23 (b) The Department may make grants, subject to
24 appropriation, from ~~funds transferred into~~ the Tourism
25 Promotion Fund ~~under subsection (1) of Section 4a~~ to counties,

1 municipalities, not-for-profit organizations, local promotion
2 groups, and for-profit businesses to assist in attracting and
3 hosting tourism events matched with funds from sources in the
4 private sector. The Department, after review of the application
5 and if satisfied that the program and proposed expenditures of
6 the applicant appear to be in accord with the purposes of this
7 Act, must grant to the applicant an amount not to exceed 50% of
8 the proposed expenditures.

9 Before any such grant may be made the county, municipality,
10 not-for-profit organization, local promotion group, or
11 for-profit business must make application to the Department for
12 such grant, setting forth the studies, surveys and
13 investigations proposed to be made and other activities
14 proposed to be undertaken. The application shall further state,
15 under oath or affirmation, with evidence thereof satisfactory
16 to the Department, the amount of funds held by, committed to or
17 subscribed to, and proposed to be expended by, the applicant
18 for the purposes herein described and the amount of the grant
19 for which application is made.

20 (Source: P.A. 92-38, eff. 6-28-01.)

21 (20 ILCS 665/8) (from Ch. 127, par. 200-28)

22 Sec. 8. Allocation of appropriations.

23 (1) Amounts ~~transferred under subsection (1) of Section 4a~~
24 that are appropriated from the Tourism Promotion Fund to the
25 Department for the purpose of making grants under Sections 5

1 and 6 of this Act shall be allocated by the Department as
2 follows:

3 (a) 62.5% to local promotion groups, municipalities,
4 and counties not wholly or partially within any county of
5 more than 1 million population;

6 (b) 37.5% to local promotion groups, municipalities,
7 and counties wholly or partially within any county of more
8 than 1 million population.

9 However, if sufficient local funds cannot be raised to
10 match the allocation made under either paragraph (a) or (b) of
11 this subsection, such appropriations may be reallocated, in
12 whole or in part, to any applicant or applicants able to
13 qualify for a grant or may be used by the Department to promote
14 the tourist attractions of the State of Illinois as a whole.

15 (2) Amounts ~~transferred under subsection (1) of Section 4a~~
16 that are appropriated from the Tourism Promotion Fund to the
17 Department for the purpose of making grants under Sections 5
18 and 6 of this Act to match funds from the private sector may be
19 used by the Department in any county of this State.

20 (Source: P.A. 90-26, eff. 7-1-97.)

21 Section 35-20. The Hotel Operators' Occupation Tax Act is
22 amended by changing Section 6 as follows:

23 (35 ILCS 145/6) (from Ch. 120, par. 481b.36)

24 Sec. 6. Filing of returns and distribution of proceeds.

1 Except as provided hereinafter in this Section, on or
2 before the last day of each calendar month, every person
3 engaged in the business of renting, leasing or letting rooms in
4 a hotel in this State during the preceding calendar month shall
5 file a return with the Department, stating:

6 1. The name of the operator;

7 2. His residence address and the address of his
8 principal place of business and the address of the
9 principal place of business (if that is a different
10 address) from which he engages in the business of renting,
11 leasing or letting rooms in a hotel in this State;

12 3. Total amount of rental receipts received by him
13 during the preceding calendar month from renting, leasing
14 or letting rooms during such preceding calendar month;

15 4. Total amount of rental receipts received by him
16 during the preceding calendar month from renting, leasing
17 or letting rooms to permanent residents during such
18 preceding calendar month;

19 5. Total amount of other exclusions from gross rental
20 receipts allowed by this Act;

21 6. Gross rental receipts which were received by him
22 during the preceding calendar month and upon the basis of
23 which the tax is imposed;

24 7. The amount of tax due;

25 8. Such other reasonable information as the Department
26 may require.

1 If the operator's average monthly tax liability to the
2 Department does not exceed \$200, the Department may authorize
3 his returns to be filed on a quarter annual basis, with the
4 return for January, February and March of a given year being
5 due by April 30 of such year; with the return for April, May
6 and June of a given year being due by July 31 of such year; with
7 the return for July, August and September of a given year being
8 due by October 31 of such year, and with the return for
9 October, November and December of a given year being due by
10 January 31 of the following year.

11 If the operator's average monthly tax liability to the
12 Department does not exceed \$50, the Department may authorize
13 his returns to be filed on an annual basis, with the return for
14 a given year being due by January 31 of the following year.

15 Such quarter annual and annual returns, as to form and
16 substance, shall be subject to the same requirements as monthly
17 returns.

18 Notwithstanding any other provision in this Act concerning
19 the time within which an operator may file his return, in the
20 case of any operator who ceases to engage in a kind of business
21 which makes him responsible for filing returns under this Act,
22 such operator shall file a final return under this Act with the
23 Department not more than 1 month after discontinuing such
24 business.

25 Where the same person has more than 1 business registered
26 with the Department under separate registrations under this

1 Act, such person shall not file each return that is due as a
2 single return covering all such registered businesses, but
3 shall file separate returns for each such registered business.

4 In his return, the operator shall determine the value of
5 any consideration other than money received by him in
6 connection with the renting, leasing or letting of rooms in the
7 course of his business and he shall include such value in his
8 return. Such determination shall be subject to review and
9 revision by the Department in the manner hereinafter provided
10 for the correction of returns.

11 Where the operator is a corporation, the return filed on
12 behalf of such corporation shall be signed by the president,
13 vice-president, secretary or treasurer or by the properly
14 accredited agent of such corporation.

15 The person filing the return herein provided for shall, at
16 the time of filing such return, pay to the Department the
17 amount of tax herein imposed. The operator filing the return
18 under this Section shall, at the time of filing such return,
19 pay to the Department the amount of tax imposed by this Act
20 less a discount of 2.1% or \$25 per calendar year, whichever is
21 greater, which is allowed to reimburse the operator for the
22 expenses incurred in keeping records, preparing and filing
23 returns, remitting the tax and supplying data to the Department
24 on request.

25 There shall be deposited in the Build Illinois Fund in the
26 State Treasury for each State fiscal year 40% of the amount of

1 total net proceeds from the tax imposed by subsection (a) of
2 Section 3. Of the remaining 60%, \$5,000,000 shall be deposited
3 in the Illinois Sports Facilities Fund and credited to the
4 Subsidy Account each fiscal year by making monthly deposits in
5 the amount of 1/8 of \$5,000,000 plus cumulative deficiencies in
6 such deposits for prior months, and an additional \$8,000,000
7 shall be deposited in the Illinois Sports Facilities Fund and
8 credited to the Advance Account each fiscal year by making
9 monthly deposits in the amount of 1/8 of \$8,000,000 plus any
10 cumulative deficiencies in such deposits for prior months;
11 provided, that for fiscal years ending after June 30, 2001, the
12 amount to be so deposited into the Illinois Sports Facilities
13 Fund and credited to the Advance Account each fiscal year shall
14 be increased from \$8,000,000 to the then applicable Advance
15 Amount and the required monthly deposits beginning with July
16 2001 shall be in the amount of 1/8 of the then applicable
17 Advance Amount plus any cumulative deficiencies in those
18 deposits for prior months. (The deposits of the additional
19 \$8,000,000 or the then applicable Advance Amount, as
20 applicable, during each fiscal year shall be treated as
21 advances of funds to the Illinois Sports Facilities Authority
22 for its corporate purposes to the extent paid to the Authority
23 or its trustee and shall be repaid into the General Revenue
24 Fund in the State Treasury by the State Treasurer on behalf of
25 the Authority pursuant to Section 19 of the Illinois Sports
26 Facilities Authority Act, as amended. If in any fiscal year the

1 full amount of the then applicable Advance Amount is not repaid
2 into the General Revenue Fund, then the deficiency shall be
3 paid from the amount in the Local Government Distributive Fund
4 that would otherwise be allocated to the City of Chicago under
5 the State Revenue Sharing Act.)

6 For purposes of the foregoing paragraph, the term "Advance
7 Amount" means, for fiscal year 2002, \$22,179,000, and for
8 subsequent fiscal years through fiscal year 2032, 105.615% of
9 the Advance Amount for the immediately preceding fiscal year,
10 rounded up to the nearest \$1,000.

11 Of the remaining 60% of the amount of total net proceeds
12 prior to August 1, 2011 from the tax imposed by subsection (a)
13 of Section 3 after all required deposits in the Illinois Sports
14 Facilities Fund, the amount equal to 8% of the net revenue
15 realized from this Act plus an amount equal to 8% of the net
16 revenue realized from any tax imposed under Section 4.05 of the
17 Chicago World's Fair-1992 Authority Act during the preceding
18 month shall be deposited in the Local Tourism Fund each month
19 for purposes authorized by Section 605-705 of the Department of
20 Commerce and Economic Opportunity Law (20 ILCS 605/605-705). Of
21 the remaining 60% of the amount of total net proceeds beginning
22 on August 1, 2011 from the tax imposed by subsection (a) of
23 Section 3 after all required deposits in the Illinois Sports
24 Facilities Fund, an amount equal to 8% of the net revenue
25 realized from this Act plus an amount equal to 8% of the net
26 revenue realized from any tax imposed under Section 4.05 of the

1 Chicago World's Fair-1992 Authority Act during the preceding
2 month shall be deposited as follows: 18% of such amount shall
3 be deposited into the Chicago Travel Industry Promotion Fund
4 for the purposes described in subsection (n) of Section 5 of
5 the Metropolitan Pier and Exposition Authority Act and the
6 remaining 82% of such amount shall be deposited into the Local
7 Tourism Fund each month for purposes authorized by Section
8 605-705 of the Department of Commerce and Economic Opportunity
9 Law. Beginning on August 1, 1999 and ending on July 31, 2011,
10 an amount equal to 4.5% of the net revenue realized from the
11 Hotel Operators' Occupation Tax Act during the preceding month
12 shall be deposited into the International Tourism Fund for the
13 purposes authorized in Section 605-707 of the Department of
14 Commerce and Economic Opportunity Law. Beginning on August 1,
15 2011, an amount equal to 4.5% of the net revenue realized from
16 this Act during the preceding month shall be deposited as
17 follows: 55% of such amount shall be deposited into the Chicago
18 Travel Industry Promotion Fund for the purposes described in
19 subsection (n) of Section 5 of the Metropolitan Pier and
20 Exposition Authority Act and the remaining 45% of such amount
21 deposited into the International Tourism Fund for the purposes
22 authorized in Section 605-707 of the Department of Commerce and
23 Economic Opportunity Law. "Net revenue realized for a month"
24 means the revenue collected by the State under that Act during
25 the previous month less the amount paid out during that same
26 month as refunds to taxpayers for overpayment of liability

1 under that Act.

2 After making all these deposits, all other proceeds of the
3 tax imposed under subsection (a) of Section 3 shall be
4 deposited in the Tourism Promotion ~~General Revenue~~ Fund in the
5 State Treasury. All moneys received by the Department from the
6 additional tax imposed under subsection (b) of Section 3 shall
7 be deposited into the Build Illinois Fund in the State
8 Treasury.

9 The Department may, upon separate written notice to a
10 taxpayer, require the taxpayer to prepare and file with the
11 Department on a form prescribed by the Department within not
12 less than 60 days after receipt of the notice an annual
13 information return for the tax year specified in the notice.
14 Such annual return to the Department shall include a statement
15 of gross receipts as shown by the operator's last State income
16 tax return. If the total receipts of the business as reported
17 in the State income tax return do not agree with the gross
18 receipts reported to the Department for the same period, the
19 operator shall attach to his annual information return a
20 schedule showing a reconciliation of the 2 amounts and the
21 reasons for the difference. The operator's annual information
22 return to the Department shall also disclose pay roll
23 information of the operator's business during the year covered
24 by such return and any additional reasonable information which
25 the Department deems would be helpful in determining the
26 accuracy of the monthly, quarterly or annual tax returns by

1 such operator as hereinbefore provided for in this Section.

2 If the annual information return required by this Section
3 is not filed when and as required the taxpayer shall be liable
4 for a penalty in an amount determined in accordance with
5 Section 3-4 of the Uniform Penalty and Interest Act until such
6 return is filed as required, the penalty to be assessed and
7 collected in the same manner as any other penalty provided for
8 in this Act.

9 The chief executive officer, proprietor, owner or highest
10 ranking manager shall sign the annual return to certify the
11 accuracy of the information contained therein. Any person who
12 willfully signs the annual return containing false or
13 inaccurate information shall be guilty of perjury and punished
14 accordingly. The annual return form prescribed by the
15 Department shall include a warning that the person signing the
16 return may be liable for perjury.

17 The foregoing portion of this Section concerning the filing
18 of an annual information return shall not apply to an operator
19 who is not required to file an income tax return with the
20 United States Government.

21 (Source: P.A. 97-617, eff. 10-26-11.)

22 ARTICLE 99. MISCELLANEOUS PROVISIONS

23 Section 99-90. The State Mandates Act is amended by adding
24 Section 8.41 as follows:

1 (30 ILCS 805/8.41 new)

2 Sec. 8.41. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 100th General Assembly.

6 Section 99-95. No acceleration or delay. Where this Act
7 makes changes in a statute that is represented in this Act by
8 text that is not yet or no longer in effect (for example, a
9 Section represented by multiple versions), the use of that text
10 does not accelerate or delay the taking effect of (i) the
11 changes made by this Act or (ii) provisions derived from any
12 other Public Act.

13 Section 99-99. Effective date. This Act takes effect upon
14 becoming law.