



Sen. Andy Manar

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LRB100 04925 JWD 26826 a

1 AMENDMENT TO SENATE BILL 42

2 AMENDMENT NO. _____. Amend Senate Bill 42, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "ARTICLE 1. GENERAL PROVISIONS

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

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

11 Section 1-10. Designation of reserves.

12 (a) For the purposes of implementing the budget
13 recommendations for fiscal year 2018 and balancing the State's
14 budget in State fiscal year 2018 only, the Governor may

1 designate, by written notice to the Comptroller, a reserve of
2 not more than 5% from the amounts appropriated from funds held
3 by the Treasurer for State fiscal year 2018 to any State
4 agency. However, the Governor may not designate amounts to be
5 set aside as a reserve from amounts that (i) have been
6 appropriated for payment of debt service, (ii) have been
7 appropriated under a statutory continuing appropriation, (iii)
8 are State general funds, (iv) are in the Supplemental
9 Low-Income Energy Assistance Fund, or (v) are funds received
10 from federal sources.

11 (b) If the Governor designates amounts to be set aside as a
12 reserve, the Governor shall give notice of the designation to
13 the Auditor General, the State Treasurer, the State
14 Comptroller, the Senate, and the House of Representatives.

15 (c) As used in this Section:

16 "State agency" means all boards, commissions, agencies,
17 institutions, authorities, colleges, universities, and bodies
18 politic and corporate of the State, but not other
19 constitutional officers, the legislative or judicial branch,
20 the office of the Executive Inspector General, or the Executive
21 Ethics Commission.

22 "State general funds" has the meaning provided in Section
23 50-40 of the State Budget Law.

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

4 (15 ILCS 20/50-40 new)

5 Sec. 50-40. General funds defined. "General funds" or
6 "State general funds" means the General Revenue Fund, the
7 Common School Fund, the General Revenue Common School Special
8 Account Fund, the Education Assistance Fund, the Fund for the
9 Advancement of Education, the Commitment to Human Services
10 Fund, and the Budget Stabilization Fund.

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

14 (20 ILCS 1705/74 new)

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

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

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

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

1 directed to make distributions as provided in this Section.
2 ~~Expenditures from this fund shall be subject to appropriation~~
3 ~~by the General Assembly and written release by the Governor.~~

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

5 (20 ILCS 1805/22-6 rep.)

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

8 Section 5-15. The State Finance Act is amended by changing
9 Sections 5.857, 6t, 6z-30, 6z-32, 6z-45, 6z-52, 6z-100, 8.3,
10 8.25e, 8g, and 8g-1 as follows:

11 (30 ILCS 105/5.857)

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

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

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

17 (30 ILCS 105/6t) (from Ch. 127, par. 142t)

18 Sec. 6t. The Capital Development Board Contributory Trust
19 Fund is created and there shall be paid into the Capital
20 Development Board Contributory Trust Fund the monies
21 contributed by and received from Public Community College
22 Districts, Elementary, Secondary, and Unit School Districts,

1 and Vocational Education Facilities, provided, however, no
2 monies shall be required from a participating Public Community
3 College District, Elementary, Secondary, or Unit School
4 District, or Vocational Education Facility more than 30 days
5 prior to anticipated need under the particular contract for the
6 Public Community College District, Elementary, Secondary, or
7 Unit School District, or Vocational Education Facility. No
8 monies in any fund in the State Treasury, nor any funds under
9 the control or beneficial control of any state agency,
10 university, college, department, commission, board or any
11 other unit of state government shall be deposited, paid into,
12 or by any other means caused to be placed into the Capital
13 Development Board Contributory Trust Fund, except for federal
14 funds, bid bond forfeitures, and insurance proceeds as provided
15 for below.

16 Except as provided in Section 22-3 of the Military Code of
17 Illinois, there ~~There~~ shall be paid into the Capital
18 Development Board Contributory Trust Fund all federal funds to
19 be utilized for the construction of capital projects under the
20 jurisdiction of the Capital Development Board, and all proceeds
21 resulting from such federal funds. All such funds shall be
22 remitted to the Capital Development Board within 10 working
23 days of their receipt by the receiving authority.

24 There shall also be paid into this Fund all monies
25 designated as gifts, donations or charitable contributions
26 which may be contributed by an individual or entity, whether

1 public or private, for a specific capital improvement project.

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

5 There shall also be paid into this Fund all builders risk
6 insurance policy proceeds and all other funds recovered from
7 contractors, sureties, architects, material suppliers or other
8 persons contracting with the Capital Development Board for
9 capital improvement projects which are received by way of
10 reimbursement for losses resulting from destruction of or
11 damage to capital improvement projects while under
12 construction by the Capital Development Board or received by
13 way of settlement agreement or court order.

14 The monies in the Capital Development Board Contributory
15 Trust Fund shall be expended only for actual contracts let, and
16 then only for the specific project for which funds were
17 received in accordance with the judgment of the Capital
18 Development Board, compatible with the duties and obligations
19 of the Capital Development Board in furtherance of the specific
20 capital improvement for which such funds were received.
21 Contributions, insured-loss reimbursements or other funds
22 received as damages through settlement or judgement for damage,
23 destruction or loss of capital improvement projects shall be
24 expended for the repair of such projects; or if the projects
25 have been or are being repaired before receipt of the funds,
26 the funds may be used to repair other such capital improvement

1 projects. Any funds not expended for a project within 36 months
2 after the date received shall be paid into the General
3 Obligation Bond Retirement and Interest Fund.

4 Contributions or insured-loss reimbursements not expended
5 in furtherance of the project for which they were received
6 within 36 months of the date received, shall be returned to the
7 contributing party. Proceeds from builders risk insurance
8 shall be expended only for the amelioration of damage arising
9 from the incident for which the proceeds were paid to the State
10 or the Capital Development Board Contributory Trust Fund. Any
11 residual amounts remaining after the completion of such
12 repairs, renovation, reconstruction or other work necessary to
13 restore the capital improvement project to acceptable
14 condition shall be returned to the proper fund or entity
15 financing or contributing towards the cost of the capital
16 improvement project. Such returns shall be made in amounts
17 proportionate to the contributions made in furtherance of the
18 project.

19 Any monies received as a gift, donation or charitable
20 contribution for a specific capital improvement which have not
21 been expended in furtherance of that project shall be returned
22 to the contributing party after completion of the project or if
23 the legislature fails to authorize the capital improvement.

24 Except as provided in Section 22-3 of the Military Code of
25 Illinois, the ~~The~~ unused portion of any federal funds received
26 for a capital improvement project which are not contributed,

1 upon its completion, towards the cost of the project, shall
2 remain in the Capital Development Board Contributory Trust Fund
3 and shall be used for capital projects and for no other
4 purpose, subject to appropriation and as directed by the
5 Capital Development Board.

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

7 (30 ILCS 105/6z-30)

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

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

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

17 (1.5) Starting in fiscal year 2011, and continuing
18 through fiscal year 2017, as soon as possible after the
19 beginning of each fiscal year, and in no event later than
20 July 30, the State Comptroller and the State Treasurer
21 shall automatically transfer \$45,000,000 from the General
22 Revenue Fund to the University of Illinois Hospital
23 Services Fund; except that, in fiscal year 2012 only, the
24 State Comptroller and the State Treasurer shall transfer
25 \$90,000,000 from the General Revenue Fund to the University

1 of Illinois Hospital Services Fund under this paragraph,
2 and, in fiscal year 2013 only, the State Comptroller and
3 the State Treasurer shall transfer no amounts from the
4 General Revenue Fund to the University of Illinois Hospital
5 Services Fund under this paragraph.

6 (1.7) Starting in fiscal year 2018, at the direction of
7 and upon notification from the Director of Healthcare and
8 Family Services, the State Comptroller shall direct and the
9 State Treasurer shall transfer an amount of at least
10 \$20,000,000 but not exceeding a total of \$45,000,000 from
11 the General Revenue Fund to the University of Illinois
12 Hospital Services Fund in each fiscal year.

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

18 (3) All federal matching funds received by the
19 Department of Healthcare and Family Services (formerly
20 Illinois Department of Public Aid) as a result of
21 expenditures made by the Department that are attributable
22 to moneys that were deposited in the Fund.

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

25 (b) Moneys in the fund may be used by the Department of
26 Healthcare and Family Services, subject to appropriation and to

1 an interagency agreement between that Department and the Board
2 of Trustees of the University of Illinois, to reimburse the
3 University of Illinois Hospital for hospital and pharmacy
4 services, to reimburse practitioners who are employed by the
5 University of Illinois, to reimburse other health care
6 facilities and health plans operated by the University of
7 Illinois, and to pass through to the University of Illinois
8 federal financial participation earned by the State as a result
9 of expenditures made by the University of Illinois.

10 (c) (Blank).

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

12 (30 ILCS 105/6z-32)

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

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

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

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

10 (2) To establish and protect a system of ecosystems in
11 public and private ownership through conservation
12 easements, incentives to public and private landowners,
13 natural resource restoration and preservation, water
14 quality protection and improvement, land use and watershed
15 planning, technical assistance and grants, and land
16 acquisition provided these mechanisms are all voluntary on
17 the part of the landowner and do not involve the use of
18 eminent domain.

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

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

26 (5) To partner with private landowners and with units

1 of State, federal, and local government and with
 2 not-for-profit organizations in order to integrate State
 3 and federal programs with Illinois' natural resource
 4 protection and restoration efforts and to meet
 5 requirements to obtain federal and other funds for
 6 conservation or protection of natural resources.

7 (b) The State Comptroller and State Treasurer shall
 8 automatically transfer on the last day of each month, beginning
 9 on September 30, 1995 and ending on June 30, 2021, from the
 10 General Revenue Fund to the Partners for Conservation Fund, an
 11 amount equal to 1/10 of the amount set forth below in fiscal
 12 year 1996 and an amount equal to 1/12 of the amount set forth
 13 below in each of the other specified fiscal years:

14 Fiscal Year	Amount
15 1996	\$ 3,500,000
16 1997	\$ 9,000,000
17 1998	\$10,000,000
18 1999	\$11,000,000
19 2000	\$12,500,000
20 2001 through 2004	\$14,000,000
21 2005	\$7,000,000
22 2006	\$11,000,000
23 2007	\$0
24 2008 through 2011	\$14,000,000
25 2012	\$12,200,000
26 2013 through <u>2017</u> 2021	\$14,000,000

1	<u>2018</u>	<u>\$1,500,000</u>
2	<u>2019 through 2021</u>	<u>\$14,000,000</u>

3 (c) Notwithstanding any other provision of law to the
4 contrary and in addition to any other transfers that may be
5 provided for by law, on the last day of each month beginning on
6 July 31, 2006 and ending on June 30, 2007, or as soon
7 thereafter as may be practical, the State Comptroller shall
8 direct and the State Treasurer shall transfer \$1,000,000 from
9 the Open Space Lands Acquisition and Development Fund to the
10 Partners for Conservation Fund (formerly known as the
11 Conservation 2000 Fund).

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

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

16 (30 ILCS 105/6z-45)

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

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

20 In addition to any other deposits authorized by law,
21 beginning January 1, 2000, on the first day of each month, or
22 as soon thereafter as may be practical, the State Treasurer and
23 State Comptroller shall transfer the sum of \$5,000,000 from the
24 General Revenue Fund to the School Infrastructure Fund, except
25 that, notwithstanding any other provision of law, and in

1 addition to any other transfers that may be provided for by
2 law, before June 30, 2012, the Comptroller and the Treasurer
3 shall transfer \$45,000,000 from the General Revenue Fund into
4 the School Infrastructure Fund, and, for fiscal year 2013 only,
5 the Treasurer and the Comptroller shall transfer \$1,250,000
6 from the General Revenue Fund to the School Infrastructure Fund
7 on the first day of each month; provided, however, that no such
8 transfers shall be made from July 1, 2001 through June 30,
9 2003.

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

16 (b) Subject to the transfer provisions set forth below,
17 money in the School Infrastructure Fund shall, if and when the
18 State of Illinois incurs any bonded indebtedness for the
19 construction of school improvements under subsection (e) of
20 Section 5 of the General Obligation Bond Act ~~the School~~
21 ~~Construction Law~~, be set aside and used for the purpose of
22 paying and discharging annually the principal and interest on
23 that bonded indebtedness then due and payable, and for no other
24 purpose.

25 In addition to other transfers to the General Obligation
26 Bond Retirement and Interest Fund made pursuant to Section 15

1 of the General Obligation Bond Act, upon each delivery of bonds
2 issued for construction of school improvements under the School
3 Construction Law, the State Comptroller shall compute and
4 certify to the State Treasurer the total amount of principal
5 of, interest on, and premium, if any, on such bonds during the
6 then current and each succeeding fiscal year. With respect to
7 the interest payable on variable rate bonds, such
8 certifications shall be calculated at the maximum rate of
9 interest that may be payable during the fiscal year, after
10 taking into account any credits permitted in the related
11 indenture or other instrument against the amount of such
12 interest required to be appropriated for that period.

13 On or before the last day of each month, the State
14 Treasurer and State Comptroller shall transfer from the School
15 Infrastructure Fund to the General Obligation Bond Retirement
16 and Interest Fund an amount sufficient to pay the aggregate of
17 the principal of, interest on, and premium, if any, on the
18 bonds payable on their next payment date, divided by the number
19 of monthly transfers occurring between the last previous
20 payment date (or the delivery date if no payment date has yet
21 occurred) and the next succeeding payment date. Interest
22 payable on variable rate bonds shall be calculated at the
23 maximum rate of interest that may be payable for the relevant
24 period, after taking into account any credits permitted in the
25 related indenture or other instrument against the amount of
26 such interest required to be appropriated for that period.

1 Interest for which moneys have already been deposited into the
2 capitalized interest account within the General Obligation
3 Bond Retirement and Interest Fund shall not be included in the
4 calculation of the amounts to be transferred under this
5 subsection. Beginning July 1, 2017 through June 30, 2020, no
6 transfers shall be required under this subsection (b) from the
7 School Infrastructure Fund to the General Obligation Bond
8 Retirement and Interest Fund.

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

14 (c) The surplus, if any, in the School Infrastructure Fund
15 after payments made pursuant to subsections (a-5), (b), and
16 (b-5) of this Section shall, subject to appropriation, be used
17 as follows:

18 First - to make 3 payments to the School Technology
19 Revolving Loan Fund as follows:

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

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

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

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

1 Second ~~Third~~ - to pay any amounts due for grants for school
2 construction projects and debt service under the School
3 Construction Law.

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

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

7 (30 ILCS 105/6z-52)

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

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

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

15 (1) For payments for reimbursement or coverage for
16 prescription drugs and other pharmacy products provided to
17 a recipient of medical assistance under the Illinois Public
18 Aid Code, the Children's Health Insurance Program Act, the
19 Covering ALL KIDS Health Insurance Act, and the Veterans'
20 Health Insurance Program Act of 2008.

21 (1.5) For payments to managed care organizations as
22 defined in Section 5-30.1 of the Illinois Public Aid Code.

23 (2) For reimbursement of moneys collected by the
24 Department of Healthcare and Family Services (formerly
25 Illinois Department of Public Aid) through error or

1 mistake.

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

5 (4) For payments of operational and administrative
6 expenses related to providing and managing coverage for
7 prescription drugs and other pharmacy products provided to
8 a recipient of medical assistance under the Illinois Public
9 Aid Code, the Children's Health Insurance Program Act, the
10 Covering ALL KIDS Health Insurance Act, and the Veterans'
11 Health Insurance Program Act of 2008, ~~and the Senior
12 Citizens and Disabled Persons Property Tax Relief and
13 Pharmaceutical Assistance Act.~~

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

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

1 to such receipts.

2 (2) All federal matching funds received by the Illinois
3 Department as a result of expenditures made by the
4 Department that are attributable to moneys deposited in the
5 Fund.

6 (3) Any premium collected by the Illinois Department
7 from participants under a waiver approved by the federal
8 government relating to provision of pharmaceutical
9 services.

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

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

14 (30 ILCS 105/6z-100)

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

16 Sec. 6z-100. Capital Development Board Revolving Fund;
17 payments into and use. All monies received by the Capital
18 Development Board for publications or copies issued by the
19 Board, and all monies received for contract administration
20 fees, charges, or reimbursements owing to the Board shall be
21 deposited into a special fund known as the Capital Development
22 Board Revolving Fund, which is hereby created in the State
23 treasury. The monies in this Fund shall be used by the Capital
24 Development Board, as appropriated, for expenditures for
25 personal services, retirement, social security, contractual

1 services, legal services, travel, commodities, printing,
2 equipment, electronic data processing, or telecommunications.
3 Unexpended moneys in the Fund shall not be transferred or
4 allocated by the Comptroller or Treasurer to any other fund,
5 nor shall the Governor authorize the transfer or allocation of
6 those moneys to any other fund. This Section is repealed July
7 1, 2018 ~~2017~~.

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

9 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

10 Sec. 8.3. Money in the Road Fund shall, if and when the
11 State of Illinois incurs any bonded indebtedness for the
12 construction of permanent highways, be set aside and used for
13 the purpose of paying and discharging annually the principal
14 and interest on that bonded indebtedness then due and payable,
15 and for no other purpose. The surplus, if any, in the Road Fund
16 after the payment of principal and interest on that bonded
17 indebtedness then annually due shall be used as follows:

18 first -- to pay the cost of administration of Chapters
19 2 through 10 of the Illinois Vehicle Code, except the cost
20 of administration of Articles I and II of Chapter 3 of that
21 Code; and

22 secondly -- for expenses of the Department of
23 Transportation for construction, reconstruction,
24 improvement, repair, maintenance, operation, and
25 administration of highways in accordance with the

1 provisions of laws relating thereto, or for any purpose
2 related or incident to and connected therewith, including
3 the separation of grades of those highways with railroads
4 and with highways and including the payment of awards made
5 by the Illinois Workers' Compensation Commission under the
6 terms of the Workers' Compensation Act or Workers'
7 Occupational Diseases Act for injury or death of an
8 employee of the Division of Highways in the Department of
9 Transportation; or for the acquisition of land and the
10 erection of buildings for highway purposes, including the
11 acquisition of highway right-of-way or for investigations
12 to determine the reasonably anticipated future highway
13 needs; or for making of surveys, plans, specifications and
14 estimates for and in the construction and maintenance of
15 flight strips and of highways necessary to provide access
16 to military and naval reservations, to defense industries
17 and defense-industry sites, and to the sources of raw
18 materials and for replacing existing highways and highway
19 connections shut off from general public use at military
20 and naval reservations and defense-industry sites, or for
21 the purchase of right-of-way, except that the State shall
22 be reimbursed in full for any expense incurred in building
23 the flight strips; or for the operating and maintaining of
24 highway garages; or for patrolling and policing the public
25 highways and conserving the peace; or for the operating
26 expenses of the Department relating to the administration

1 of public transportation programs; or, during fiscal year
2 2012 only, for the purposes of a grant not to exceed
3 \$8,500,000 to the Regional Transportation Authority on
4 behalf of PACE for the purpose of ADA/Para-transit
5 expenses; or, during fiscal year 2013 only, for the
6 purposes of a grant not to exceed \$3,825,000 to the
7 Regional Transportation Authority on behalf of PACE for the
8 purpose of ADA/Para-transit expenses; or, during fiscal
9 year 2014 only, for the purposes of a grant not to exceed
10 \$3,825,000 to the Regional Transportation Authority on
11 behalf of PACE for the purpose of ADA/Para-transit
12 expenses; or, during fiscal year 2015 only, for the
13 purposes of a grant not to exceed \$3,825,000 to the
14 Regional Transportation Authority on behalf of PACE for the
15 purpose of ADA/Para-transit expenses; or, during fiscal
16 year 2016 only, for the purposes of a grant not to exceed
17 \$3,825,000 to the Regional Transportation Authority on
18 behalf of PACE for the purpose of ADA/Para-transit
19 expenses; or, during fiscal year 2017 only, for the
20 purposes of a grant not to exceed \$3,825,000 to the
21 Regional Transportation Authority on behalf of PACE for the
22 purpose of ADA/Para-transit expenses; or for any of those
23 purposes or any other purpose that may be provided by law.

24 Appropriations for any of those purposes are payable from
25 the Road Fund. Appropriations may also be made from the Road
26 Fund for the administrative expenses of any State agency that

1 are related to motor vehicles or arise from the use of motor
2 vehicles.

3 Beginning with fiscal year 1980 and thereafter, no Road
4 Fund monies shall be appropriated to the following Departments
5 or agencies of State government for administration, grants, or
6 operations; but this limitation is not a restriction upon
7 appropriating for those purposes any Road Fund monies that are
8 eligible for federal reimbursement;

9 1. Department of Public Health;

10 2. Department of Transportation, only with respect to
11 subsidies for one-half fare Student Transportation and
12 Reduced Fare for Elderly, except during fiscal year 2012
13 only when no more than \$40,000,000 may be expended and
14 except during fiscal year 2013 only when no more than
15 \$17,570,300 may be expended and except during fiscal year
16 2014 only when no more than \$17,570,000 may be expended and
17 except during fiscal year 2015 only when no more than
18 \$17,570,000 may be expended and except during fiscal year
19 2016 only when no more than \$17,570,000 may be expended and
20 except during fiscal year 2017 only when no more than
21 \$17,570,000 may be expended;

22 3. Department of Central Management Services, except
23 for expenditures incurred for group insurance premiums of
24 appropriate personnel;

25 4. Judicial Systems and Agencies.

26 Beginning with fiscal year 1981 and thereafter, no Road

1 Fund monies shall be appropriated to the following Departments
2 or agencies of State government for administration, grants, or
3 operations; but this limitation is not a restriction upon
4 appropriating for those purposes any Road Fund monies that are
5 eligible for federal reimbursement:

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

8 2. Department of Transportation, only with respect to
9 Intercity Rail Subsidies, except during fiscal year 2012
10 only when no more than \$40,000,000 may be expended and
11 except during fiscal year 2013 only when no more than
12 \$26,000,000 may be expended and except during fiscal year
13 2014 only when no more than \$38,000,000 may be expended and
14 except during fiscal year 2015 only when no more than
15 \$42,000,000 may be expended and except during fiscal year
16 2016 only when no more than \$38,300,000 may be expended and
17 except during fiscal year 2017 only when no more than
18 \$50,000,000 may be expended and except during fiscal year
19 2018 only when no more than \$52,000,000 may be expended,
20 and Rail Freight Services.

21 Beginning with fiscal year 1982 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: Department of Central

1 Management Services, except for awards made by the Illinois
2 Workers' Compensation Commission under the terms of the
3 Workers' Compensation Act or Workers' Occupational Diseases
4 Act for injury or death of an employee of the Division of
5 Highways in the Department of Transportation.

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

- 12 1. Department of State Police, except not more than 40%
13 of the funds appropriated for the Division of Operations;
- 14 2. State Officers.

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

25 Money in the Road Fund shall, if and when the State of
26 Illinois incurs any bonded indebtedness for the construction of

1 permanent highways, be set aside and used for the purpose of
2 paying and discharging during each fiscal year the principal
3 and interest on that bonded indebtedness as it becomes due and
4 payable as provided in the Transportation Bond Act, and for no
5 other purpose. The surplus, if any, in the Road Fund after the
6 payment of principal and interest on that bonded indebtedness
7 then annually due shall be used as follows:

8 first -- to pay the cost of administration of Chapters
9 2 through 10 of the Illinois Vehicle Code; and

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

1 municipality collecting those monies, or during fiscal
2 year 2012 only for the purposes of a grant not to exceed
3 \$8,500,000 to the Regional Transportation Authority on
4 behalf of PACE for the purpose of ADA/Para-transit
5 expenses, or during fiscal year 2013 only for the purposes
6 of a grant not to exceed \$3,825,000 to the Regional
7 Transportation Authority on behalf of PACE for the purpose
8 of ADA/Para-transit expenses, or during fiscal year 2014
9 only for the purposes of a grant not to exceed \$3,825,000
10 to the Regional Transportation Authority on behalf of PACE
11 for the purpose of ADA/Para-transit expenses, or during
12 fiscal year 2015 only for the purposes of a grant not to
13 exceed \$3,825,000 to the Regional Transportation Authority
14 on behalf of PACE for the purpose of ADA/Para-transit
15 expenses, or during fiscal year 2016 only for the purposes
16 of a grant not to exceed \$3,825,000 to the Regional
17 Transportation Authority on behalf of PACE for the purpose
18 of ADA/Para-transit expenses, or during fiscal year 2017
19 only for the purposes of a grant not to exceed \$3,825,000
20 to the Regional Transportation Authority on behalf of PACE
21 for the purpose of ADA/Para-transit expenses, and the costs
22 for patrolling and policing the public highways (by State,
23 political subdivision, or municipality collecting that
24 money) for enforcement of traffic laws. The separation of
25 grades of such highways with railroads and costs associated
26 with protection of at-grade highway and railroad crossing

1 shall also be permissible.

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

5 Except as provided in this paragraph, beginning with fiscal
6 year 1991 and thereafter, no Road Fund monies shall be
7 appropriated to the Department of State Police for the purposes
8 of this Section in excess of its total fiscal year 1990 Road
9 Fund appropriations for those purposes unless otherwise
10 provided in Section 5g of this Act. For fiscal years 2003,
11 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be
12 appropriated to the Department of State Police for the purposes
13 of this Section in excess of \$97,310,000. For fiscal year 2008
14 only, no Road Fund monies shall be appropriated to the
15 Department of State Police for the purposes of this Section in
16 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund
17 monies shall be appropriated to the Department of State Police
18 for the purposes of this Section in excess of \$114,700,000.
19 Beginning in fiscal year 2010, no road fund moneys shall be
20 appropriated to the Department of State Police. It shall not be
21 lawful to circumvent this limitation on appropriations by
22 governmental reorganization or other methods unless otherwise
23 provided in Section 5g of this Act.

24 In fiscal year 1994, no Road Fund monies shall be
25 appropriated to the Secretary of State for the purposes of this
26 Section in excess of the total fiscal year 1991 Road Fund

1 appropriations to the Secretary of State for those purposes,
2 plus \$9,800,000. It shall not be lawful to circumvent this
3 limitation on appropriations by governmental reorganization or
4 other method.

5 Beginning with fiscal year 1995 and thereafter, no Road
6 Fund monies shall be appropriated to the Secretary of State for
7 the purposes of this Section in excess of the total fiscal year
8 1994 Road Fund appropriations to the Secretary of State for
9 those purposes. It shall not be lawful to circumvent this
10 limitation on appropriations by governmental reorganization or
11 other methods.

12 Beginning with fiscal year 2000, total Road Fund
13 appropriations to the Secretary of State for the purposes of
14 this Section shall not exceed the amounts specified for the
15 following fiscal years:

16	Fiscal Year 2000	\$80,500,000;
17	Fiscal Year 2001	\$80,500,000;
18	Fiscal Year 2002	\$80,500,000;
19	Fiscal Year 2003	\$130,500,000;
20	Fiscal Year 2004	\$130,500,000;
21	Fiscal Year 2005	\$130,500,000;
22	Fiscal Year 2006	\$130,500,000;
23	Fiscal Year 2007	\$130,500,000;
24	Fiscal Year 2008	\$130,500,000;
25	Fiscal Year 2009	\$130,500,000.

26 For fiscal year 2010, no road fund moneys shall be

1 appropriated to the Secretary of State.

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

7 It shall not be lawful to circumvent this limitation on
8 appropriations by governmental reorganization or other
9 methods.

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

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

18 The additional amounts authorized for expenditure in this
19 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
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 The additional amounts authorized for expenditure by the
26 Secretary of State and the Department of State Police in this

1 Section by this amendatory Act of the 94th General Assembly
2 shall be repaid to the Road Fund from the General Revenue Fund
3 in the next succeeding fiscal year that the General Revenue
4 Fund has a positive budgetary balance, as determined by
5 generally accepted accounting principles applicable to
6 government.

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

9 (30 ILCS 105/8.25e) (from Ch. 127, par. 144.25e)

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

1 amount deposited into such fund exceeds the amount of
2 pari-mutuel tax deposited into such fund during fiscal year
3 1986.

4 (b) The State Comptroller and the State Treasurer shall
5 automatically transfer on the last day of each month, beginning
6 on October 1, 1989 and ending on June 30, 2017, from the
7 General Revenue Fund to the Metropolitan Exposition,
8 Auditorium and Office Building Fund, the amount of \$2,750,000
9 plus any cumulative deficiencies in such transfers for prior
10 months, until the sum of \$16,500,000 has been transferred for
11 the fiscal year beginning July 1, 1989 and until the sum of
12 \$22,000,000 has been transferred for each fiscal year
13 thereafter.

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

21 (c) After the transfer of funds from the Metropolitan
22 Exposition, Auditorium and Office Building Fund to the Bond
23 Retirement Fund pursuant to subsection (b) of Section 15
24 ~~Section 15(b)~~ of the Metropolitan Civic Center Support Act, the
25 State Comptroller and the State Treasurer shall automatically
26 transfer on the last day of each month, beginning on October 1,

1 1989 and ending on June 30, 2017, from the Metropolitan
2 Exposition, Auditorium and Office Building Fund to the Park and
3 Conservation Fund the amount of \$1,250,000 plus any cumulative
4 deficiencies in such transfers for prior months, until the sum
5 of \$7,500,000 has been transferred for the fiscal year
6 beginning July 1, 1989 and until the sum of \$10,000,000 has
7 been transferred for each fiscal year thereafter.

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

9 (30 ILCS 105/8g)

10 Sec. 8g. Fund transfers.

11 (a) In addition to any other transfers that may be provided
12 for by law, as soon as may be practical after the effective
13 date of this amendatory Act of the 91st General Assembly, the
14 State Comptroller shall direct and the State Treasurer shall
15 transfer the sum of \$10,000,000 from the General Revenue Fund
16 to the Motor Vehicle License Plate Fund created by Senate Bill
17 1028 of the 91st General Assembly.

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

25 (c) In addition to any other transfers that may be provided

1 for by law, on August 30 of each fiscal year's license period,
2 the Illinois Liquor Control Commission shall direct and the
3 State Comptroller and State Treasurer shall transfer from the
4 General Revenue Fund to the Youth Alcoholism and Substance
5 Abuse Prevention Fund an amount equal to the number of retail
6 liquor licenses issued for that fiscal year multiplied by \$50.

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

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

1 Illinois Veterans' Rehabilitation Fund. Except that, during
 2 State fiscal year 2018 only, the State Comptroller shall direct
 3 and the State Treasurer shall transfer amounts from the General
 4 Revenue Fund to the designated funds not exceeding the
 5 following amounts:

6	<u>Agricultural Premium Fund</u>	<u>\$0</u>
7	<u>Fair and Exposition Fund</u>	<u>0</u>
8	<u>Illinois Standardbred Breeders Fund</u>	<u>0</u>
9	<u>Illinois Thoroughbred Breeders Fund</u>	<u>0</u>
10	<u>Illinois Veterans' Rehabilitation Fund</u>	<u>0</u>

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

18 (f) In addition to any other transfers that may be provided
 19 for by law, as soon as may be practical after the effective
 20 date of this amendatory Act of the 91st General Assembly, but
 21 in no event later than June 30, 2000, the State Comptroller
 22 shall direct and the State Treasurer shall transfer the sum of
 23 \$70,000,000 from the General Revenue Fund to the Long-Term Care
 24 Provider Fund.

25 (f-1) In fiscal year 2002, in addition to any other
 26 transfers that may be provided for by law, at the direction of

1 and upon notification from the Governor, the State Comptroller
2 shall direct and the State Treasurer shall transfer amounts not
3 exceeding a total of \$160,000,000 from the General Revenue Fund
4 to the Long-Term Care Provider Fund.

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

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

15 (i) On or after July 1, 2001 and until May 1, 2002, in
16 addition to any other transfers that may be provided for by
17 law, at the direction of and upon notification from the
18 Governor, the State Comptroller shall direct and the State
19 Treasurer shall transfer amounts not exceeding a total of
20 \$80,000,000 from the General Revenue Fund to the Tobacco
21 Settlement Recovery Fund. Any amounts so transferred shall be
22 re-transferred by the State Comptroller and the State Treasurer
23 from the Tobacco Settlement Recovery Fund to the General
24 Revenue Fund at the direction of and upon notification from the
25 Governor, but in any event on or before June 30, 2002.

26 (i-1) On or after July 1, 2002 and until May 1, 2003, in

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

11 (j) On or after July 1, 2001 and no later than June 30,
 12 2002, in addition to any other transfers that may be provided
 13 for by law, at the direction of and upon notification from the
 14 Governor, the State Comptroller shall direct and the State
 15 Treasurer shall transfer amounts not to exceed the following
 16 sums into the Statistical Services Revolving Fund:

17	From the General Revenue Fund	\$8,450,000
18	From the Public Utility Fund	1,700,000
19	From the Transportation Regulatory Fund	2,650,000
20	From the Title III Social Security and	
21	Employment Fund	3,700,000
22	From the Professions Indirect Cost Fund	4,050,000
23	From the Underground Storage Tank Fund	550,000
24	From the Agricultural Premium Fund	750,000
25	From the State Pensions Fund	200,000
26	From the Road Fund	2,000,000

1	From the Health Facilities	
2	Planning Fund	1,000,000
3	From the Savings and Residential Finance	
4	Regulatory Fund	130,800
5	From the Appraisal Administration Fund	28,600
6	From the Pawnbroker Regulation Fund	3,600
7	From the Auction Regulation	
8	Administration Fund	35,800
9	From the Bank and Trust Company Fund.....	634,800
10	From the Real Estate License	
11	Administration Fund	313,600

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

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

24 (k-2) In addition to any other transfers that may be
25 provided for by law, on July 1, 2003, or as soon as may be
26 practical thereafter, the State Comptroller shall direct and

1 the State Treasurer shall transfer the sum of \$2,000,000 from
2 the General Revenue Fund to the Teachers Health Insurance
3 Security Fund.

4 (k-3) On or after July 1, 2002 and no later than June 30,
5 2003, in addition to any other transfers that may be provided
6 for by law, at the direction of and upon notification from the
7 Governor, the State Comptroller shall direct and the State
8 Treasurer shall transfer amounts not to exceed the following
9 sums into the Statistical Services Revolving Fund:

10	Appraisal Administration Fund	\$150,000
11	General Revenue Fund	10,440,000
12	Savings and Residential Finance	
13	Regulatory Fund	200,000
14	State Pensions Fund	100,000
15	Bank and Trust Company Fund	100,000
16	Professions Indirect Cost Fund	3,400,000
17	Public Utility Fund	2,081,200
18	Real Estate License Administration Fund	150,000
19	Title III Social Security and	
20	Employment Fund	1,000,000
21	Transportation Regulatory Fund	3,052,100
22	Underground Storage Tank Fund	50,000

23 (l) In addition to any other transfers that may be provided
24 for by law, on July 1, 2002, or as soon as may be practical
25 thereafter, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$3,000,000 from the General

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

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

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

15 (o) On or after July 1, 2003, and no later than June 30,
16 2004, in addition to any other transfers that may be provided
17 for by law, at the direction of and upon notification from the
18 Governor, the State Comptroller shall direct and the State
19 Treasurer shall transfer amounts not to exceed the following
20 sums into the Vehicle Inspection Fund:

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

22 (p) On or after July 1, 2003 and until May 1, 2004, in
23 addition to any other transfers that may be provided for by
24 law, at the direction of and upon notification from the
25 Governor, the State Comptroller shall direct and the State
26 Treasurer shall transfer amounts not exceeding a total of

1 \$80,000,000 from the General Revenue Fund to the Tobacco
2 Settlement Recovery Fund. Any amounts so transferred shall be
3 re-transferred from the Tobacco Settlement Recovery Fund to the
4 General Revenue Fund at the direction of and upon notification
5 from the Governor, but in any event on or before June 30, 2004.

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

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

17 (s) In addition to any other transfers that may be provided
18 for by law, on or after July 1, 2003, the State Comptroller
19 shall direct and the State Treasurer shall transfer the sum of
20 \$4,800,000 from the Statewide Economic Development Fund to the
21 General Revenue Fund.

22 (t) In addition to any other transfers that may be provided
23 for by law, on or after July 1, 2003, the State Comptroller
24 shall direct and the State Treasurer shall transfer the sum of
25 \$50,000,000 from the General Revenue Fund to the Budget
26 Stabilization Fund.

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

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

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

23 (x) In addition to any other transfers that may be provided
24 for by law, on January 15, 2005, or as soon thereafter as may
25 be practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer to the General Revenue Fund the

1 following sums:

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

3 From the State Police Wireless Service Emergency Fund,
4 \$200,000;

5 From the State Offender DNA Identification System
6 Fund, \$800,000; and

7 From the State Police Whistleblower Reward and
8 Protection Fund, \$500,000.

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

17 (1) the Keep Illinois Beautiful Fund;

18 (2) the Metropolitan Fair and Exposition Authority
19 Reconstruction Fund;

20 (3) the New Technology Recovery Fund;

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

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

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

24 (7) the State Postsecondary Review Program Fund;

25 (8) the Tourism Attraction Development Matching Grant
26 Fund;

- 1 (9) the Patent and Copyright Fund;
- 2 (10) the Credit Enhancement Development Fund;
- 3 (11) the Community Mental Health and Developmental
4 Disabilities Services Provider Participation Fee Trust
5 Fund;
- 6 (12) the Nursing Home Grant Assistance Fund;
- 7 (13) the By-product Material Safety Fund;
- 8 (14) the Illinois Student Assistance Commission Higher
9 EdNet Fund;
- 10 (15) the DORS State Project Fund;
- 11 (16) the School Technology Revolving Fund;
- 12 (17) the Energy Assistance Contribution Fund;
- 13 (18) the Illinois Building Commission Revolving Fund;
- 14 (19) the Illinois Aquaculture Development Fund;
- 15 (20) the Homelessness Prevention Fund;
- 16 (21) the DCFS Refugee Assistance Fund;
- 17 (22) the Illinois Century Network Special Purposes
18 Fund; and
- 19 (23) the Build Illinois Purposes Fund.
- 20 (z) In addition to any other transfers that may be provided
21 for by law, on July 1, 2005, or as soon as may be practical
22 thereafter, the State Comptroller shall direct and the State
23 Treasurer shall transfer the sum of \$1,200,000 from the General
24 Revenue Fund to the Violence Prevention Fund.
- 25 (aa) In addition to any other transfers that may be
26 provided for by law, on July 1, 2005, or as soon as may be

1 practical thereafter, the State Comptroller shall direct and
2 the State Treasurer shall transfer the sum of \$9,000,000 from
3 the General Revenue Fund to the Presidential Library and Museum
4 Operating Fund.

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

11 (cc) In addition to any other transfers that may be
12 provided for by law, on or after July 1, 2005 and until May 1,
13 2006, at the direction of and upon notification from the
14 Governor, the State Comptroller shall direct and the State
15 Treasurer shall transfer amounts not exceeding a total of
16 \$80,000,000 from the General Revenue Fund to the Tobacco
17 Settlement Recovery Fund. Any amounts so transferred shall be
18 re-transferred by the State Comptroller and the State Treasurer
19 from the Tobacco Settlement Recovery Fund to the General
20 Revenue Fund at the direction of and upon notification from the
21 Governor, but in any event on or before June 30, 2006.

22 (dd) In addition to any other transfers that may be
23 provided for by law, on April 1, 2005, or as soon thereafter as
24 may be practical, at the direction of the Director of Public
25 Aid (now Director of Healthcare and Family Services), the State
26 Comptroller shall direct and the State Treasurer shall transfer

1 from the Public Aid Recoveries Trust Fund amounts not to exceed
2 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

3 (ee) Notwithstanding any other provision of law, on July 1,
4 2006, or as soon thereafter as practical, the State Comptroller
5 shall direct and the State Treasurer shall transfer the
6 remaining balance from the Illinois Civic Center Bond Fund to
7 the Illinois Civic Center Bond Retirement and Interest Fund.

8 (ff) In addition to any other transfers that may be
9 provided for by law, on and after July 1, 2006 and until June
10 30, 2007, at the direction of and upon notification from the
11 Director of the Governor's Office of Management and Budget, the
12 State Comptroller shall direct and the State Treasurer shall
13 transfer amounts not exceeding a total of \$1,900,000 from the
14 General Revenue Fund to the Illinois Capital Revolving Loan
15 Fund.

16 (gg) In addition to any other transfers that may be
17 provided for by law, on and after July 1, 2006 and until May 1,
18 2007, at the direction of and upon notification from the
19 Governor, the State Comptroller shall direct and the State
20 Treasurer shall transfer amounts not exceeding a total of
21 \$80,000,000 from the General Revenue Fund to the Tobacco
22 Settlement Recovery Fund. Any amounts so transferred shall be
23 retransferred by the State Comptroller and the State Treasurer
24 from the Tobacco Settlement Recovery Fund to the General
25 Revenue Fund at the direction of and upon notification from the
26 Governor, but in any event on or before June 30, 2007.

1 (hh) In addition to any other transfers that may be
 2 provided for by law, on and after July 1, 2006 and until June
 3 30, 2007, at the direction of and upon notification from the
 4 Governor, the State Comptroller shall direct and the State
 5 Treasurer shall transfer amounts from the Illinois Affordable
 6 Housing Trust Fund to the designated funds not exceeding the
 7 following amounts:

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

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

25 (jj) In addition to any other transfers that may be
 26 provided for by law, on July 1, 2006, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$8,250,000 from the General
3 Revenue Fund to the Presidential Library and Museum Operating
4 Fund.

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

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

22 (nn) 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 \$3,000,000 from the General
26 Revenue Fund to the African-American HIV/AIDS Response Fund.

1 (oo) In addition to any other transfers that may be
2 provided for by law, on and after July 1, 2006 and until June
3 30, 2007, at the direction of and upon notification from the
4 Governor, the State Comptroller shall direct and the State
5 Treasurer shall transfer amounts identified as net receipts
6 from the sale of all or part of the Illinois Student Assistance
7 Commission loan portfolio from the Student Loan Operating Fund
8 to the General Revenue Fund. The maximum amount that may be
9 transferred pursuant to this Section is \$38,800,000. In
10 addition, no transfer may be made pursuant to this Section that
11 would have the effect of reducing the available balance in the
12 Student Loan Operating Fund to an amount less than the amount
13 remaining unexpended and unreserved from the total
14 appropriations from the Fund estimated to be expended for the
15 fiscal year. The State Treasurer and Comptroller shall transfer
16 the amounts designated under this Section as soon as may be
17 practical after receiving the direction to transfer from the
18 Governor.

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

24 (qq) In addition to any other transfers that may be
25 provided for by law, on and after July 1, 2007 and until May 1,
26 2008, 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, 2008.

9 (rr) In addition to any other transfers that may be
 10 provided for by law, on and after July 1, 2007 and until June
 11 30, 2008, at the direction of and upon notification from the
 12 Governor, the State Comptroller shall direct and the State
 13 Treasurer shall transfer amounts from the Illinois Affordable
 14 Housing Trust Fund to the designated funds not exceeding the
 15 following amounts:

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

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

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

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

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

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

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

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

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

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

11 (aaa) In addition to any other transfers that may be
12 provided for by law, on and after July 1, 2008 and until May 1,
13 2009, at the direction of and upon notification from the
14 Governor, the State Comptroller shall direct and the State
15 Treasurer shall transfer amounts not exceeding a total of
16 \$80,000,000 from the General Revenue Fund to the Tobacco
17 Settlement Recovery Fund. Any amounts so transferred shall be
18 retransferred by the State Comptroller and the State Treasurer
19 from the Tobacco Settlement Recovery Fund to the General
20 Revenue Fund at the direction of and upon notification from the
21 Governor, but in any event on or before June 30, 2009.

22 (bbb) In addition to any other transfers that may be
23 provided for by law, on and after July 1, 2008 and until June
24 30, 2009, at the direction of and upon notification from the
25 Governor, the State Comptroller shall direct and the State
26 Treasurer shall transfer amounts from the Illinois Affordable

1 Housing Trust Fund to the designated funds not exceeding the
2 following amounts:

- 3 DCFS Children's Services Fund \$2,200,000
- 4 Department of Corrections Reimbursement
- 5 and Education Fund \$1,500,000
- 6 Supplemental Low-Income Energy
- 7 Assistance Fund..... \$75,000

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

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

19 (eee) In addition to any other transfers that may be
20 provided for by law, on July 1, 2009, 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 (fff) In addition to any other transfers that may be
25 provided for by law, on and after July 1, 2009 and until May 1,
26 2010, 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, 2010.

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

15 (hhh) In addition to any other transfers that may be
16 provided for by law, on July 1, 2009, 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 (iii) In addition to any other transfers that may be
21 provided for by law, on July 1, 2009, or as soon thereafter as
22 practical, the State Comptroller shall direct and the State
23 Treasurer shall transfer the sum of \$100,000 from the General
24 Revenue Fund to the Heartsaver AED Fund.

25 (jjj) In addition to any other transfers that may be
26 provided for by law, on and after July 1, 2009 and until June

1 30, 2010, at the direction of and upon notification from the
2 Governor, the State Comptroller shall direct and the State
3 Treasurer shall transfer amounts not exceeding a total of
4 \$17,000,000 from the General Revenue Fund to the DCFS
5 Children's Services Fund.

6 (lll) 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 \$5,000,000 from the General
10 Revenue Fund to the Communications Revolving Fund.

11 (mmm) 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 \$9,700,000 from the General
15 Revenue Fund to the Senior Citizens Real Estate Deferred Tax
16 Revolving Fund.

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

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

1 Fund.

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

7 (qqq) In addition to any other transfers that may be
8 provided for by law, on and after July 1, 2010 and until May 1,
9 2011, 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, 2011.

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

24 (sss) In addition to any other transfers that may be
25 provided for by law, on July 1, 2010, or as soon thereafter as
26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$1,400,000 from the General
2 Revenue Fund to the Violence Prevention Fund.

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

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

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

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

23 (xxx) In addition to any other transfers that may be
24 provided for by law, on July 1, 2010, or as soon thereafter as
25 practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$2,000,000 from the Digital

1 Divide Elimination Infrastructure Fund, of which \$1,000,000
2 shall go to the Workforce, Technology, and Economic Development
3 Fund and \$1,000,000 to the Public Utility Fund.

4 (yyy) In addition to any other transfers that may be
5 provided for by law, on and after July 1, 2011 and until May 1,
6 2012, at the direction of and upon notification from the
7 Governor, the State Comptroller shall direct and the State
8 Treasurer shall transfer amounts not exceeding a total of
9 \$80,000,000 from the General Revenue Fund to the Tobacco
10 Settlement Recovery Fund. Any amounts so transferred shall be
11 retransferred by the State Comptroller and the State Treasurer
12 from the Tobacco Settlement Recovery Fund to the General
13 Revenue Fund at the direction of and upon notification from the
14 Governor, but in any event on or before June 30, 2012.

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

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

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

1 provided for by law, on July 1, 2011, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$1,400,000 from the General
4 Revenue Fund to the Violence Prevention Fund.

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

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

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

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

22 (30 ILCS 105/8g-1)

23 Sec. 8g-1. Fund transfers.

24 (a) In addition to any other transfers that may be provided
25 for by law, on and after July 1, 2012 and until May 1, 2013, at

1 the direction of and upon notification from the Governor, the
2 State Comptroller shall direct and the State Treasurer shall
3 transfer amounts not exceeding a total of \$80,000,000 from the
4 General Revenue Fund to the Tobacco Settlement Recovery Fund.
5 Any amounts so transferred shall be retransferred by the State
6 Comptroller and the State Treasurer from the Tobacco Settlement
7 Recovery Fund to the General Revenue Fund at the direction of
8 and upon notification from the Governor, but in any event on or
9 before June 30, 2013.

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

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

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

1 for by law, on July 1, 2013, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$1,500,000 from the General
4 Revenue Fund to the Illinois Veterans Assistance Fund.

5 (e) In addition to any other transfers that may be provided
6 for by law, on July 1, 2013, or as soon thereafter as
7 practical, the State Comptroller shall direct and the State
8 Treasurer shall transfer the sum of \$500,000 from the General
9 Revenue Fund to the Senior Citizens Real Estate Deferred Tax
10 Revolving Fund.

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

16 (g) In addition to any other transfers that may be provided
17 for by law, on July 1, 2013, or as soon thereafter as
18 practical, the State Comptroller shall direct and the State
19 Treasurer shall transfer the sum of \$5,000,000 from the General
20 Revenue Fund to the Communications Revolving Fund.

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

1 (i) In addition to any other transfers that may be provided
2 for by law, on and after July 1, 2014 and until May 1, 2015, 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, 2015.

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

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

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

25 Section 5-20. The State Revenue Sharing Act is amended by

1 changing Section 12 as follows:

2 (30 ILCS 115/12) (from Ch. 85, par. 616)

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

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

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

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

1 certification, the Treasurer and the Comptroller shall
2 transfer the amount so certified from the Personal Property Tax
3 Replacement Fund into the General Revenue Fund.

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

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

1 As soon as may be after the effective date of this
2 amendatory Act of 1980, the Department of Revenue shall certify
3 to the Treasurer the amount of net replacement revenue paid
4 into the General Revenue Fund prior to that effective date from
5 the additional tax imposed by Section 2a.1 of the Messages Tax
6 Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of
7 the Public Utilities Revenue Act; Section 3 of the Water
8 Company Invested Capital Tax Act; amounts collected by the
9 Department of Revenue under the Telecommunications
10 Infrastructure Maintenance Fee Act; and the additional
11 personal property tax replacement income tax imposed by the
12 Illinois Income Tax Act, as amended by Public Act 81-1st
13 Special Session-1. Net replacement revenue shall be defined as
14 the total amount paid into and remaining in the General Revenue
15 Fund as a result of those Acts minus the amount outstanding and
16 obligated from the General Revenue Fund in state vouchers or
17 warrants prior to the effective date of this amendatory Act of
18 1980 as refunds to taxpayers for overpayment of liability under
19 those Acts.

20 All interest earned by monies accumulated in the Personal
21 Property Tax Replacement Fund shall be deposited in such Fund.
22 All amounts allocated pursuant to this Section are appropriated
23 on a continuing basis.

24 Prior to December 31, 1980, as soon as may be after the end
25 of each quarter beginning with the quarter ending December 31,
26 1979, and on and after December 31, 1980, as soon as may be

1 after January 1, March 1, April 1, May 1, July 1, August 1,
2 October 1 and December 1 of each year, the Department of
3 Revenue shall allocate to each taxing district as defined in
4 Section 1-150 of the Property Tax Code, in accordance with the
5 provisions of paragraph (2) of this Section the portion of the
6 funds held in the Personal Property Tax Replacement Fund which
7 is required to be distributed, as provided in paragraph (1),
8 for each quarter. Provided, however, under no circumstances
9 shall any taxing district during each of the first two years of
10 distribution of the taxes imposed by this amendatory Act of
11 1979 be entitled to an annual allocation which is less than the
12 funds such taxing district collected from the 1978 personal
13 property tax. Provided further that under no circumstances
14 shall any taxing district during the third year of distribution
15 of the taxes imposed by this amendatory Act of 1979 receive
16 less than 60% of the funds such taxing district collected from
17 the 1978 personal property tax. In the event that the total of
18 the allocations made as above provided for all taxing
19 districts, during either of such 3 years, exceeds the amount
20 available for distribution the allocation of each taxing
21 district shall be proportionately reduced. Except as provided
22 in Section 13 of this Act, the Department shall then certify,
23 pursuant to appropriation, such allocations to the State
24 Comptroller who shall pay over to the several taxing districts
25 the respective amounts allocated to them.

26 Any township which receives an allocation based in whole or

1 in part upon personal property taxes which it levied pursuant
2 to Section 6-507 or 6-512 of the Illinois Highway Code and
3 which was previously required to be paid over to a municipality
4 shall immediately pay over to that municipality a proportionate
5 share of the personal property replacement funds which such
6 township receives.

7 Any municipality or township, other than a municipality
8 with a population in excess of 500,000, which receives an
9 allocation based in whole or in part on personal property taxes
10 which it levied pursuant to Sections 3-1, 3-4 and 3-6 of the
11 Illinois Local Library Act and which was previously required to
12 be paid over to a public library shall immediately pay over to
13 that library a proportionate share of the personal property tax
14 replacement funds which such municipality or township
15 receives; provided that if such a public library has converted
16 to a library organized under The Illinois Public Library
17 District Act, regardless of whether such conversion has
18 occurred on, after or before January 1, 1988, such
19 proportionate share shall be immediately paid over to the
20 library district which maintains and operates the library.
21 However, any library that has converted prior to January 1,
22 1988, and which hitherto has not received the personal property
23 tax replacement funds, shall receive such funds commencing on
24 January 1, 1988.

25 Any township which receives an allocation based in whole or
26 in part on personal property taxes which it levied pursuant to

1 Section 1c of the Public Graveyards Act and which taxes were
2 previously required to be paid over to or used for such public
3 cemetery or cemeteries shall immediately pay over to or use for
4 such public cemetery or cemeteries a proportionate share of the
5 personal property tax replacement funds which the township
6 receives.

7 Any taxing district which receives an allocation based in
8 whole or in part upon personal property taxes which it levied
9 for another governmental body or school district in Cook County
10 in 1976 or for another governmental body or school district in
11 the remainder of the State in 1977 shall immediately pay over
12 to that governmental body or school district the amount of
13 personal property replacement funds which such governmental
14 body or school district would receive directly under the
15 provisions of paragraph (2) of this Section, had it levied its
16 own taxes.

17 (1) The portion of the Personal Property Tax
18 Replacement Fund required to be distributed as of the time
19 allocation is required to be made shall be the amount
20 available in such Fund as of the time allocation is
21 required to be made.

22 The amount available for distribution shall be the
23 total amount in the fund at such time minus the necessary
24 administrative and other authorized expenses as limited by
25 the appropriation and the amount determined by: (a) \$2.8
26 million for fiscal year 1981; (b) for fiscal year 1982,

1 .54% of the funds distributed from the fund during the
2 preceding fiscal year; (c) for fiscal year 1983 through
3 fiscal year 1988, .54% of the funds distributed from the
4 fund during the preceding fiscal year less .02% of such
5 fund for fiscal year 1983 and less .02% of such funds for
6 each fiscal year thereafter; (d) for fiscal year 1989
7 through fiscal year 2011 no more than 105% of the actual
8 administrative expenses of the prior fiscal year; (e) for
9 fiscal year 2012 and beyond, a sufficient amount to pay (i)
10 stipends, additional compensation, salary reimbursements,
11 and other amounts directed to be paid out of this Fund for
12 local officials as authorized or required by statute and
13 (ii) ~~no more than 105% of the actual administrative~~
14 ~~expenses of the prior fiscal year, including payment of the~~
15 ordinary and contingent expenses of the Property Tax Appeal
16 Board and ~~payment of~~ the expenses of the Department of
17 Revenue incurred in administering the collection and
18 distribution of moneys paid into the Fund; ~~or~~ (f) for
19 fiscal years 2012 and 2013 only, a sufficient amount to pay
20 stipends, additional compensation, salary reimbursements,
21 and other amounts directed to be paid out of this Fund for
22 regional offices and officials as authorized or required by
23 statute; or (g) for fiscal year 2018 only, a sufficient
24 amount to pay amounts directed to be paid out of this Fund
25 for public community college base operating grants and
26 local health protection grants to certified local health

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

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

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

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

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

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

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

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

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

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

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

1 assessed value of each resulting taxing district.

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

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

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

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

1 (Source: P.A. 97-72, eff. 7-1-11; 97-619, eff. 11-14-11;
2 97-732, eff. 6-30-12; 98-24, eff. 6-19-13; 98-674, eff.
3 6-30-14.)

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

6 (30 ILCS 330/15) (from Ch. 127, par. 665)

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

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

1 this Act. With respect to the interest payable, such
2 certifications shall include the amounts certified by the
3 Director of the Governor's Office of Management and Budget
4 under subsection (b) of Section 9 of this Act.

5 On or before the last day of each month the State Treasurer
6 and Comptroller shall transfer from (1) the Road Fund with
7 respect to Bonds issued under paragraph (a) of Section 4 of
8 this Act, or Bonds issued under authorization in Public Act
9 98-781, or Bonds issued for the purpose of refunding such
10 bonds, and from (2) the General Revenue Fund, with respect to
11 all other Bonds issued under this Act, to the General
12 Obligation Bond Retirement and Interest Fund an amount
13 sufficient to pay the aggregate of the principal of, interest
14 on, and premium, if any, on Bonds payable, by their terms on
15 the next payment date divided by the number of full calendar
16 months between the date of such Bonds and the first such
17 payment date, and thereafter, divided by the number of months
18 between each succeeding payment date after the first. Such
19 computations and transfers shall be made for each series of
20 Bonds issued and delivered. Interest payable on variable rate
21 bonds shall be calculated at the maximum rate of interest that
22 may be payable for the relevant period, after taking into
23 account any credits permitted in the related indenture or other
24 instrument against the amount of such interest required to be
25 appropriated for such period pursuant to subsection (c) of
26 Section 14 of this Act. Computations of interest shall include

1 the amounts certified by the Director of the Governor's Office
2 of Management and Budget under subsection (b) of Section 9 of
3 this Act. Interest for which moneys have already been deposited
4 into the capitalized interest account within the General
5 Obligation Bond Retirement and Interest Fund shall not be
6 included in the calculation of the amounts to be transferred
7 under this subsection. Notwithstanding any other provision in
8 this Section, the transfer provisions provided in this
9 paragraph shall not apply to transfers made in fiscal year 2010
10 or fiscal year 2011 with respect to Bonds issued in fiscal year
11 2010 or fiscal year 2011 pursuant to Section 7.2 of this Act.
12 In the case of transfers made in fiscal year 2010 or fiscal
13 year 2011 with respect to the Bonds issued in fiscal year 2010
14 or fiscal year 2011 pursuant to Section 7.2 of this Act, on or
15 before the 15th day of the month prior to the required debt
16 service payment, the State Treasurer and Comptroller shall
17 transfer from the General Revenue Fund to the General
18 Obligation Bond Retirement and Interest Fund an amount
19 sufficient to pay the aggregate of the principal of, interest
20 on, and premium, if any, on the Bonds payable in that next
21 month.

22 The transfer of monies herein and above directed is not
23 required if monies in the General Obligation Bond Retirement
24 and Interest Fund are more than the amount otherwise to be
25 transferred as herein above provided, and if the Governor or
26 his authorized representative notifies the State Treasurer and

1 Comptroller of such fact in writing.

2 (b) After the effective date of this Act, the balance of,
3 and monies directed to be included in the Capital Development
4 Bond Retirement and Interest Fund, Anti-Pollution Bond
5 Retirement and Interest Fund, Transportation Bond, Series A
6 Retirement and Interest Fund, Transportation Bond, Series B
7 Retirement and Interest Fund, and Coal Development Bond
8 Retirement and Interest Fund shall be transferred to and
9 deposited in the General Obligation Bond Retirement and
10 Interest Fund. This Fund shall be used to make debt service
11 payments on the State's general obligation Bonds heretofore
12 issued which are now outstanding and payable from the Funds
13 herein listed as well as on Bonds issued under this Act.

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

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

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

4 (30 ILCS 420/9a) (from Ch. 127, par. 759a)

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

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

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

20 (30 ILCS 730/3) (from Ch. 96 1/2, par. 8203)

21 Sec. 3. Transfers to Coal Technology Development
22 Assistance Fund.

1 (a) As soon as may be practicable after the first day of
2 each month, the Department of Revenue shall certify to the
3 Treasurer an amount equal to 1/64 of the revenue realized from
4 the tax imposed by the Electricity Excise Tax Law, Section 2 of
5 the Public Utilities Revenue Act, Section 2 of the Messages Tax
6 Act, and Section 2 of the Gas Revenue Tax Act, during the
7 preceding month. Upon receipt of the certification, the
8 Treasurer shall transfer the amount shown on such certification
9 from the General Revenue Fund to the Coal Technology
10 Development Assistance Fund, which is hereby created as a
11 special fund in the State treasury, except that no transfer
12 shall be made in any month in which the Fund has reached the
13 following balance:

14 (1) \$7,000,000 during fiscal year 1994.

15 (2) \$8,500,000 during fiscal year 1995.

16 (3) \$10,000,000 during fiscal years 1996 and 1997.

17 (4) During fiscal year 1998 through fiscal year 2004,
18 an amount equal to the sum of \$10,000,000 plus additional
19 moneys deposited into the Coal Technology Development
20 Assistance Fund from the Renewable Energy Resources and
21 Coal Technology Development Assistance Charge under
22 Section 6.5 of the Renewable Energy, Energy Efficiency, and
23 Coal Resources Development Law of 1997.

24 (5) During fiscal year 2005, an amount equal to the sum
25 of \$7,000,000 plus additional moneys deposited into the
26 Coal Technology Development Assistance Fund from the

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

5 (6) During fiscal year 2006 through fiscal year 2017
6 ~~and each fiscal year thereafter~~, an amount equal to the sum
7 of \$10,000,000 plus additional moneys deposited into the
8 Coal Technology Development Assistance Fund from the
9 Renewable Energy Resources and Coal Technology Development
10 Assistance Charge under Section 6.5 of the Renewable
11 Energy, Energy Efficiency, and Coal Resources Development
12 Law of 1997.

13 (b) Beginning in fiscal year 2018 and each fiscal year
14 thereafter, the Treasurer shall make no further transfers from
15 the General Revenue Fund to the Coal Technology Development
16 Assistance Fund.

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

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

20 (30 ILCS 740/2-2.04) (from Ch. 111 2/3, par. 662.04)

21 Sec. 2-2.04. "Eligible operating expenses" means all
22 expenses required for public transportation, including
23 employee wages and benefits, materials, fuels, supplies,
24 rental of facilities, taxes other than income taxes, payment

1 made for debt service (including principal and interest) on
2 publicly owned equipment or facilities, and any other
3 expenditure which is an operating expense according to standard
4 accounting practices for the providing of public
5 transportation. Eligible operating expenses shall not include
6 allowances: (a) for depreciation whether funded or unfunded;
7 (b) for amortization of any intangible costs; (c) for debt
8 service on capital acquired with the assistance of capital
9 grant funds provided by the State of Illinois; (d) for profits
10 or return on investment; (e) for excessive payment to
11 associated entities; (f) for Comprehensive Employment Training
12 Act expenses; (g) for costs reimbursed under Sections 6 and 8
13 of the "Urban Mass Transportation Act of 1964", as amended; (h)
14 for entertainment expenses; (i) for charter expenses; (j) for
15 fines and penalties; (k) for charitable donations; (l) for
16 interest expense on long term borrowing and debt retirement
17 other than on publicly owned equipment or facilities; (m) for
18 income taxes; or (n) for such other expenses as the Department
19 may determine consistent with federal Department of
20 Transportation regulations or requirements. In consultation
21 with participants, the Department shall, by October 2008,
22 promulgate or update rules, pursuant to the Illinois
23 Administrative Procedure Act, concerning eligible expenses to
24 ensure consistent application of the Act, and the Department
25 shall provide written copies of those rules to all eligible
26 recipients. The Department shall review this process in the

1 same manner no less frequently than every 5 years.

2 With respect to participants other than any Metro-East
3 Transit District participant and those receiving federal
4 research development and demonstration funds pursuant to
5 Section 6 of the "Urban Mass Transportation Act of 1964", as
6 amended, during the fiscal year ending June 30, 1979, the
7 maximum eligible operating expenses for any such participant in
8 any fiscal year after Fiscal Year 1980 shall be the amount
9 appropriated for such participant for the fiscal year ending
10 June 30, 1980, plus in each year a 10% increase over the
11 maximum established for the preceding fiscal year. For Fiscal
12 Year 1980 the maximum eligible operating expenses for any such
13 participant shall be the amount of projected operating expenses
14 upon which the appropriation for such participant for Fiscal
15 Year 1980 is based.

16 With respect to participants receiving federal research
17 development and demonstration operating assistance funds for
18 operating assistance pursuant to Section 6 of the "Urban Mass
19 Transportation Act of 1964", as amended, during the fiscal year
20 ending June 30, 1979, the maximum eligible operating expenses
21 for any such participant in any fiscal year after Fiscal Year
22 1980 shall not exceed such participant's eligible operating
23 expenses for the fiscal year ending June 30, 1980, plus in each
24 year a 10% increase over the maximum established for the
25 preceding fiscal year. For Fiscal Year 1980, the maximum
26 eligible operating expenses for any such participant shall be

1 the eligible operating expenses incurred during such fiscal
2 year, or projected operating expenses upon which the
3 appropriation for such participant for the Fiscal Year 1980 is
4 based; whichever is less.

5 With respect to all participants other than any Metro-East
6 Transit District participant, the maximum eligible operating
7 expenses for any such participant in any fiscal year after
8 Fiscal Year 1985 (except Fiscal Year 2008 and Fiscal Year 2009)
9 shall be the amount appropriated for such participant for the
10 fiscal year ending June 30, 1985, plus in each year a 10%
11 increase over the maximum established for the preceding year.
12 For Fiscal Year 1985, the maximum eligible operating expenses
13 for any such participant shall be the amount of projected
14 operating expenses upon which the appropriation for such
15 participant for Fiscal Year 1985 is based.

16 With respect to any mass transit district participant that
17 has increased its district boundaries by annexing counties
18 since 1998 and is maintaining a level of local financial
19 support, including all income and revenues, equal to or greater
20 than the level in the State fiscal year ending June 30, 2001,
21 the maximum eligible operating expenses for any State fiscal
22 year after 2002 (except State fiscal years 2006 through 2009)
23 shall be the amount appropriated for that participant for the
24 State fiscal year ending June 30, 2002, plus, in each State
25 fiscal year, a 10% increase over the preceding State fiscal
26 year. For State fiscal year 2002, the maximum eligible

1 operating expenses for any such participant shall be the amount
2 of projected operating expenses upon which the appropriation
3 for that participant for State fiscal year 2002 is based. For
4 that participant, eligible operating expenses for State fiscal
5 year 2002 in excess of the eligible operating expenses for the
6 State fiscal year ending June 30, 2001, plus 10%, must be
7 attributed to the provision of services in the newly annexed
8 counties. The 10% mandatory appropriation increase for each
9 State fiscal year shall not be applied in State fiscal year
10 2018.

11 With respect to a participant that receives an initial
12 appropriation in State fiscal year 2002 or thereafter, the
13 maximum eligible operating expenses for any State fiscal year
14 after 2003 (except State fiscal years 2006 through 2009) shall
15 be the amount appropriated for that participant for the State
16 fiscal year in which it received its initial appropriation,
17 plus, in each year, a 10% increase over the preceding year. For
18 the initial State fiscal year in which a participant received
19 an appropriation, the maximum eligible operating expenses for
20 any such participant shall be the amount of projected operating
21 expenses upon which the appropriation for that participant for
22 that State fiscal year is based. The 10% mandatory
23 appropriation increase for each State fiscal year shall not be
24 applied in State fiscal year 2018.

25 With respect to the District serving primarily the counties
26 of Monroe and St. Clair, beginning July 1, 2005, the St. Clair

1 County Transit District shall no longer be included for new
2 appropriation 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 District serving primarily Madison
9 County, beginning July 1, 2008, the Madison County Transit
10 District shall no longer be included for new appropriation
11 funding purposes as part of the Metro-East Public
12 Transportation Fund and instead shall be included for new
13 appropriation funding purposes as part of the Downstate Public
14 Transportation Fund; provided, however, that nothing herein
15 shall alter the eligibility of that District for previously
16 appropriated funds to which it would otherwise be entitled.

17 With respect to the fiscal year beginning July 1, 2007, and
18 thereafter, the following shall be included for new
19 appropriation funding purposes as part of the Downstate Public
20 Transportation Fund: Bond County; Bureau County; Coles County;
21 Edgar County; Stephenson County and the City of Freeport; Henry
22 County; Jo Daviess County; Kankakee and McLean Counties; Peoria
23 County; Piatt County; Shelby County; Tazewell and Woodford
24 Counties; Vermilion County; Williamson County; and Kendall
25 County.

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

1 (30 ILCS 740/2-3) (from Ch. 111 2/3, par. 663)

2 Sec. 2-3. (a) Except as otherwise provided in subsection
3 (f), as ~~As~~ soon as possible after the first day of each month,
4 beginning July 1, 1984, upon certification of the Department of
5 Revenue, the Comptroller shall order transferred, and the
6 Treasurer shall transfer, from the General Revenue Fund to a
7 special fund in the State Treasury which is hereby created, to
8 be known as the "Downstate Public Transportation Fund", an
9 amount equal to 2/32 (beginning July 1, 2005, 3/32) of the net
10 revenue realized from the "Retailers' Occupation Tax Act", as
11 now or hereafter amended, the "Service Occupation Tax Act", as
12 now or hereafter amended, the "Use Tax Act", as now or
13 hereafter amended, and the "Service Use Tax Act", as now or
14 hereafter amended, from persons incurring municipal or county
15 retailers' or service occupation tax liability for the benefit
16 of any municipality or county located wholly within the
17 boundaries of each participant other than any Metro-East
18 Transit District participant certified pursuant to subsection
19 (c) of this Section during the preceding month, except that the
20 Department shall pay into the Downstate Public Transportation
21 Fund 2/32 (beginning July 1, 2005, 3/32) of 80% of the net
22 revenue realized under the State tax Acts named above within
23 any municipality or county located wholly within the boundaries
24 of each participant, other than any Metro-East participant, for
25 tax periods beginning on or after January 1, 1990. Net revenue

1 realized for a month shall be the revenue collected by the
2 State pursuant to such Acts during the previous month from
3 persons incurring municipal or county retailers' or service
4 occupation tax liability for the benefit of any municipality or
5 county located wholly within the boundaries of a participant,
6 less the amount paid out during that same month as refunds or
7 credit memoranda to taxpayers for overpayment of liability
8 under such Acts for the benefit of any municipality or county
9 located wholly within the boundaries of a participant.

10 (b) As soon as possible after the first day of each month,
11 beginning July 1, 1989, upon certification of the Department of
12 Revenue, the Comptroller shall order transferred, and the
13 Treasurer shall transfer, from the General Revenue Fund to a
14 special fund in the State Treasury which is hereby created, to
15 be known as the "Metro-East Public Transportation Fund", an
16 amount equal to $\frac{2}{32}$ of the net revenue realized, as above,
17 from within the boundaries of Madison, Monroe, and St. Clair
18 Counties, except that the Department shall pay into the
19 Metro-East Public Transportation Fund $\frac{2}{32}$ of 80% of the net
20 revenue realized under the State tax Acts specified in
21 subsection (a) of this Section within the boundaries of
22 Madison, Monroe and St. Clair Counties for tax periods
23 beginning on or after January 1, 1990. A local match equivalent
24 to an amount which could be raised by a tax levy at the rate of
25 .05% on the assessed value of property within the boundaries of
26 Madison County is required annually to cause a total of $\frac{2}{32}$ of

1 the net revenue to be deposited in the Metro-East Public
2 Transportation Fund. Failure to raise the required local match
3 annually shall result in only 1/32 being deposited into the
4 Metro-East Public Transportation Fund after July 1, 1989, or
5 1/32 of 80% of the net revenue realized for tax periods
6 beginning on or after January 1, 1990.

7 (b-5) Except as otherwise provided in subsection (f), as ~~As~~
8 soon as possible after the first day of each month, beginning
9 July 1, 2005, upon certification of the Department of Revenue,
10 the Comptroller shall order transferred, and the Treasurer
11 shall transfer, from the General Revenue Fund to the Downstate
12 Public Transportation Fund, an amount equal to 3/32 of 80% of
13 the net revenue realized from within the boundaries of Monroe
14 and St. Clair Counties under the State Tax Acts specified in
15 subsection (a) of this Section and provided further that,
16 beginning July 1, 2005, the provisions of subsection (b) shall
17 no longer apply with respect to such tax receipts from Monroe
18 and St. Clair Counties.

19 (b-6) Except as otherwise provided in subsection (f), as ~~As~~
20 soon as possible after the first day of each month, beginning
21 July 1, 2008, upon certification by the Department of Revenue,
22 the Comptroller shall order transferred and the Treasurer shall
23 transfer, from the General Revenue Fund to the Downstate Public
24 Transportation Fund, an amount equal to 3/32 of 80% of the net
25 revenue realized from within the boundaries of Madison County
26 under the State Tax Acts specified in subsection (a) of this

1 Section and provided further that, beginning July 1, 2008, the
2 provisions of subsection (b) shall no longer apply with respect
3 to such tax receipts from Madison County.

4 (c) The Department shall certify to the Department of
5 Revenue the eligible participants under this Article and the
6 territorial boundaries of such participants for the purposes of
7 the Department of Revenue in subsections (a) and (b) of this
8 Section.

9 (d) For the purposes of this Article, beginning in fiscal
10 year 2009, for fiscal years other than State fiscal year 2018,
11 the General Assembly shall appropriate an amount from the
12 Downstate Public Transportation Fund equal to the sum total
13 funds projected to be paid to the participants pursuant to
14 Section 2-7. If the General Assembly fails to make
15 appropriations sufficient to cover the amounts projected to be
16 paid pursuant to Section 2-7, this Act shall constitute an
17 irrevocable and continuing appropriation from the Downstate
18 Public Transportation Fund of all amounts necessary for those
19 purposes.

20 (e) Notwithstanding anything in this Section to the
21 contrary, amounts transferred from the General Revenue Fund to
22 the Downstate Public Transportation Fund pursuant to this
23 Section shall not exceed \$169,000,000 in State fiscal year
24 2012.

25 (f) Notwithstanding anything in this Section to the
26 contrary, during each month of State fiscal year 2018, in lieu

1 of the transfers required under subsections (a), (b-5), and
2 (b-6), the Comptroller shall order transferred and the
3 Treasurer shall transfer, from the General Revenue Fund to the
4 Downstate Public Transportation Fund, an amount equal to the
5 amount transferred from the General Revenue Fund to the
6 Downstate Public Transportation Fund in the same month of the
7 previous calendar year, including any deficiencies in
8 transfers from prior months.

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

10 (30 ILCS 740/2-6) (from Ch. 111 2/3, par. 666)

11 Sec. 2-6. Allocation of funds.

12 (a) With respect to all participants other than any
13 Metro-East Transit District participant, the Department shall
14 allocate the funds to be made available to each participant
15 under this Article for the following fiscal year and shall
16 notify the chief official of each participant not later than
17 the first day of the fiscal year of this amount. For Fiscal
18 Year 1975, notification shall be made not later than January 1,
19 1975, of the amount of such allocation. In determining the
20 allocation for each participant, the Department shall estimate
21 the funds available to the participant from the Downstate
22 Public Transportation Fund for the purposes of this Article
23 during the succeeding fiscal year, and shall allocate to each
24 participant the amount attributable to it which shall be the
25 amount paid into the Downstate Public Transportation Fund under

1 Section 2-3 from within its boundaries. Said allocations may be
2 exceeded for participants receiving assistance equal to
3 one-third of their eligible operating expenses, only if an
4 allocation is less than one-third of such participant's
5 eligible operating expenses, provided, however, that no other
6 participant is denied its one-third of eligible operating
7 expenses. Beginning in Fiscal Year 1997, said allocation may be
8 exceeded for participants receiving assistance equal to the
9 percentage of their eligible operating expenses provided for in
10 paragraph (b) of Section 2-7, only if allocation is less than
11 the percentage of such participant's eligible operating
12 expenses provided for in paragraph (b) of Section 2-7, provided
13 however, that no other participant is denied its percentage of
14 eligible operating expenses.

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

26 (c) With respect to State fiscal year 2018, if the amount

1 of required allocations to participants under this Section
2 exceeds moneys available in the Downstate Public
3 Transportation Fund for those purposes, then moneys available
4 in the Downstate Public Transportation Fund shall be allocated
5 to participants on a pro-rata basis.

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

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

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

10 Sec. 901. Collection authority.

11 (a) In general.

12 The Department shall collect the taxes imposed by this Act.
13 The Department shall collect certified past due child support
14 amounts under Section 2505-650 of the Department of Revenue Law
15 (20 ILCS 2505/2505-650). Except as provided in subsections (c),
16 (e), (f), (g), and (h) of this Section, money collected
17 pursuant to subsections (a) and (b) of Section 201 of this Act
18 shall be paid into the General Revenue Fund in the State
19 treasury; money collected pursuant to subsections (c) and (d)
20 of Section 201 of this Act shall be paid into the Personal
21 Property Tax Replacement Fund, a special fund in the State
22 Treasury; and money collected under Section 2505-650 of the
23 Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid
24 into the Child Support Enforcement Trust Fund, a special fund

1 outside the State Treasury, or to the State Disbursement Unit
2 established under Section 10-26 of the Illinois Public Aid
3 Code, as directed by the Department of Healthcare and Family
4 Services.

5 (b) Local Government Distributive Fund.

6 Beginning August 1, 1969, and continuing through June 30,
7 1994, the Treasurer shall transfer each month from the General
8 Revenue Fund to a special fund in the State treasury, to be
9 known as the "Local Government Distributive Fund", an amount
10 equal to 1/12 of the net revenue realized from the tax imposed
11 by subsections (a) and (b) of Section 201 of this Act during
12 the preceding month. Beginning July 1, 1994, and continuing
13 through June 30, 1995, the Treasurer shall transfer each month
14 from the General Revenue Fund to the Local Government
15 Distributive Fund an amount equal to 1/11 of the net revenue
16 realized from the tax imposed by subsections (a) and (b) of
17 Section 201 of this Act during the preceding month. Beginning
18 July 1, 1995 and continuing through January 31, 2011, the
19 Treasurer shall transfer each month from the General Revenue
20 Fund to the Local Government Distributive Fund an amount equal
21 to the net of (i) 1/10 of the net revenue realized from the tax
22 imposed by subsections (a) and (b) of Section 201 of the
23 Illinois Income Tax Act during the preceding month (ii) minus,
24 beginning July 1, 2003 and ending June 30, 2004, \$6,666,666,
25 and beginning July 1, 2004, zero. Beginning February 1, 2011,
26 and continuing through January 31, 2015, the Treasurer shall

1 transfer each month from the General Revenue Fund to the Local
2 Government Distributive Fund an amount equal to the sum of (i)
3 6% (10% of the ratio of the 3% individual income tax rate prior
4 to 2011 to the 5% individual income tax rate after 2010) of the
5 net revenue realized from the tax imposed by subsections (a)
6 and (b) of Section 201 of this Act upon individuals, trusts,
7 and estates during the preceding month and (ii) 6.86% (10% of
8 the ratio of the 4.8% corporate income tax rate prior to 2011
9 to the 7% corporate income tax rate after 2010) of the net
10 revenue realized from the tax imposed by subsections (a) and
11 (b) of Section 201 of this Act upon corporations during the
12 preceding month. Beginning February 1, 2015 and continuing
13 through January 31, 2025 (but not including the period
14 beginning on July 1, 2017 and ending on June 30, 2018), the
15 Treasurer shall transfer each month from the General Revenue
16 Fund to the Local Government Distributive Fund an amount equal
17 to the sum of (i) 8% (10% of the ratio of the 3% individual
18 income tax rate prior to 2011 to the 3.75% individual income
19 tax rate after 2014) of the net revenue realized from the tax
20 imposed by subsections (a) and (b) of Section 201 of this Act
21 upon individuals, trusts, and estates during the preceding
22 month and (ii) 9.14% (10% of the ratio of the 4.8% corporate
23 income tax rate prior to 2011 to the 5.25% corporate income tax
24 rate after 2014) of the net revenue realized from the tax
25 imposed by subsections (a) and (b) of Section 201 of this Act
26 upon corporations during the preceding month. Beginning July 1,

1 2017 and continuing through June 30, 2018, the Treasurer shall
2 transfer each month from the General Revenue Fund to the Local
3 Government Distributive Fund an amount equal to the amount
4 transferred from the General Revenue Fund to the Local
5 Government Distributive Fund in the same month of the previous
6 calendar year, including any deficiencies in transfers from
7 prior months. Beginning February 1, 2025, the Treasurer shall
8 transfer each month from the General Revenue Fund to the Local
9 Government Distributive Fund an amount equal to the sum of (i)
10 9.23% (10% of the ratio of the 3% individual income tax rate
11 prior to 2011 to the 3.25% individual income tax rate after
12 2024) of the net revenue realized from the tax imposed by
13 subsections (a) and (b) of Section 201 of this Act upon
14 individuals, trusts, and estates during the preceding month and
15 (ii) 10% of the net revenue realized from the tax imposed by
16 subsections (a) and (b) of Section 201 of this Act upon
17 corporations during the preceding month. Net revenue realized
18 for a month shall be defined as the revenue from the tax
19 imposed by subsections (a) and (b) of Section 201 of this Act
20 which is deposited in the General Revenue Fund, the Education
21 Assistance Fund, the Income Tax Surcharge Local Government
22 Distributive Fund, the Fund for the Advancement of Education,
23 and the Commitment to Human Services Fund during the month
24 minus the amount paid out of the General Revenue Fund in State
25 warrants during that same month as refunds to taxpayers for
26 overpayment of liability under the tax imposed by subsections

1 (a) and (b) of Section 201 of this Act.

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

7 (c) Deposits Into Income Tax Refund Fund.

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

1 fiscal year 2009, the Annual Percentage shall be 9.75%. For
2 fiscal year 2010, the Annual Percentage shall be 9.75%. For
3 fiscal year 2011, the Annual Percentage shall be 8.75%. For
4 fiscal year 2012, the Annual Percentage shall be 8.75%. For
5 fiscal year 2013, the Annual Percentage shall be 9.75%. For
6 fiscal year 2014, the Annual Percentage shall be 9.5%. For
7 fiscal year 2015, the Annual Percentage shall be 10%. For
8 fiscal year 2018, the Annual Percentage shall be 9.8%. For
9 all other fiscal years, the Annual Percentage shall be
10 calculated as a fraction, the numerator of which shall be
11 the amount of refunds approved for payment by the
12 Department during the preceding fiscal year as a result of
13 overpayment of tax liability under subsections (a) and
14 (b)(1), (2), and (3) of Section 201 of this Act plus the
15 amount of such refunds remaining approved but unpaid at the
16 end of the preceding fiscal year, minus the amounts
17 transferred into the Income Tax Refund Fund from the
18 Tobacco Settlement Recovery Fund, and the denominator of
19 which shall be the amounts which will be collected pursuant
20 to subsections (a) and (b)(1), (2), and (3) of Section 201
21 of this Act during the preceding fiscal year; except that
22 in State fiscal year 2002, the Annual Percentage shall in
23 no event exceed 7.6%. The Director of Revenue shall certify
24 the Annual Percentage to the Comptroller on the last
25 business day of the fiscal year immediately preceding the
26 fiscal year for which it is to be effective.

1 (2) Beginning on January 1, 1989 and thereafter, the
2 Department shall deposit a percentage of the amounts
3 collected pursuant to subsections (a) and (b)(6), (7), and
4 (8), (c) and (d) of Section 201 of this Act into a fund in
5 the State treasury known as the Income Tax Refund Fund. The
6 Department shall deposit 18% of such amounts during the
7 period beginning January 1, 1989 and ending on June 30,
8 1989. Beginning with State fiscal year 1990 and for each
9 fiscal year thereafter, the percentage deposited into the
10 Income Tax Refund Fund during a fiscal year shall be the
11 Annual Percentage. For fiscal years 1999, 2000, and 2001,
12 the Annual Percentage shall be 19%. For fiscal year 2003,
13 the Annual Percentage shall be 27%. For fiscal year 2004,
14 the Annual Percentage shall be 32%. Upon the effective date
15 of this amendatory Act of the 93rd General Assembly, the
16 Annual Percentage shall be 24% for fiscal year 2005. For
17 fiscal year 2006, the Annual Percentage shall be 20%. For
18 fiscal year 2007, the Annual Percentage shall be 17.5%. For
19 fiscal year 2008, the Annual Percentage shall be 15.5%. For
20 fiscal year 2009, the Annual Percentage shall be 17.5%. For
21 fiscal year 2010, the Annual Percentage shall be 17.5%. For
22 fiscal year 2011, the Annual Percentage shall be 17.5%. For
23 fiscal year 2012, the Annual Percentage shall be 17.5%. For
24 fiscal year 2013, the Annual Percentage shall be 14%. For
25 fiscal year 2014, the Annual Percentage shall be 13.4%. For
26 fiscal year 2015, the Annual Percentage shall be 14%. For

1 fiscal year 2018, the Annual Percentage shall be 17.5%. For
2 all other fiscal years, the Annual Percentage shall be
3 calculated as a fraction, the numerator of which shall be
4 the amount of refunds approved for payment by the
5 Department during the preceding fiscal year as a result of
6 overpayment of tax liability under subsections (a) and
7 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
8 Act plus the amount of such refunds remaining approved but
9 unpaid at the end of the preceding fiscal year, and the
10 denominator of which shall be the amounts which will be
11 collected pursuant to subsections (a) and (b) (6), (7), and
12 (8), (c) and (d) of Section 201 of this Act during the
13 preceding fiscal year; except that in State fiscal year
14 2002, the Annual Percentage shall in no event exceed 23%.
15 The Director of Revenue shall certify the Annual Percentage
16 to the Comptroller on the last business day of the fiscal
17 year immediately preceding the fiscal year for which it is
18 to be effective.

19 (3) The Comptroller shall order transferred and the
20 Treasurer shall transfer from the Tobacco Settlement
21 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000
22 in January, 2001, (ii) \$35,000,000 in January, 2002, and
23 (iii) \$35,000,000 in January, 2003.

24 (d) Expenditures from Income Tax Refund Fund.

25 (1) Beginning January 1, 1989, money in the Income Tax
26 Refund Fund shall be expended exclusively for the purpose

1 of paying refunds resulting from overpayment of tax
2 liability under Section 201 of this Act, for paying rebates
3 under Section 208.1 in the event that the amounts in the
4 Homeowners' Tax Relief Fund are insufficient for that
5 purpose, and for making transfers pursuant to this
6 subsection (d).

7 (2) The Director shall order payment of refunds
8 resulting from overpayment of tax liability under Section
9 201 of this Act from the Income Tax Refund Fund only to the
10 extent that amounts collected pursuant to Section 201 of
11 this Act and transfers pursuant to this subsection (d) and
12 item (3) of subsection (c) have been deposited and retained
13 in the Fund.

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

26 (4) As soon as possible after the end of each fiscal

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

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

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

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

1 On July 1, 1991, and thereafter, of the amounts collected
2 pursuant to subsections (a) and (b) of Section 201 of this Act,
3 minus deposits into the Income Tax Refund Fund, the Department
4 shall deposit 7.3% into the Education Assistance Fund in the
5 State Treasury. Beginning July 1, 1991, and continuing through
6 January 31, 1993, of the amounts collected pursuant to
7 subsections (a) and (b) of Section 201 of the Illinois Income
8 Tax Act, minus deposits into the Income Tax Refund Fund, the
9 Department shall deposit 3.0% into the Income Tax Surcharge
10 Local Government Distributive Fund in the State Treasury.
11 Beginning February 1, 1993 and continuing through June 30,
12 1993, of the amounts collected pursuant to subsections (a) and
13 (b) of Section 201 of the Illinois Income Tax Act, minus
14 deposits into the Income Tax Refund Fund, the Department shall
15 deposit 4.4% into the Income Tax Surcharge Local Government
16 Distributive Fund in the State Treasury. Beginning July 1,
17 1993, and continuing through June 30, 1994, of the amounts
18 collected under subsections (a) and (b) of Section 201 of this
19 Act, minus deposits into the Income Tax Refund Fund, the
20 Department shall deposit 1.475% into the Income Tax Surcharge
21 Local Government Distributive Fund in the State Treasury.

22 (f) Deposits into the Fund for the Advancement of
23 Education. Beginning February 1, 2015, the Department shall
24 deposit the following portions of the revenue realized from the
25 tax imposed upon individuals, trusts, and estates by
26 subsections (a) and (b) of Section 201 of this Act during the

1 preceding month, minus deposits into the Income Tax Refund
2 Fund, into the Fund for the Advancement of Education:

3 (1) beginning February 1, 2015, and prior to February
4 1, 2025, 1/30; and

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

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

10 (g) Deposits into the Commitment to Human Services Fund.
11 Beginning February 1, 2015, the Department shall deposit the
12 following portions of the revenue realized from the tax imposed
13 upon individuals, trusts, and estates by subsections (a) and
14 (b) of Section 201 of this Act during the preceding month,
15 minus deposits into the Income Tax Refund Fund, into the
16 Commitment to Human Services Fund:

17 (1) beginning February 1, 2015, and prior to February
18 1, 2025, 1/30; and

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

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

24 (h) Deposits into the Tax Compliance and Administration
25 Fund. Beginning on the first day of the first calendar month to
26 occur on or after August 26, 2014 (the effective date of Public

1 Act 98-1098), each month the Department shall pay into the Tax
2 Compliance and Administration Fund, to be used, subject to
3 appropriation, to fund additional auditors and compliance
4 personnel at the Department, an amount equal to 1/12 of 5% of
5 the cash receipts collected during the preceding fiscal year by
6 the Audit Bureau of the Department from the tax imposed by
7 subsections (a), (b), (c), and (d) of Section 201 of this Act,
8 net of deposits into the Income Tax Refund Fund made from those
9 cash receipts.

10 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14;
11 98-1052, eff. 8-26-14; 98-1098, eff. 8-26-14; 99-78, eff.
12 7-20-15.)

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

15 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

16 Sec. 4.09. Public Transportation Fund and the Regional
17 Transportation Authority Occupation and Use Tax Replacement
18 Fund.

19 (a) (1) Except as otherwise provided in paragraph (4), as ~~As~~
20 soon as possible after the first day of each month, beginning
21 July 1, 1984, upon certification of the Department of Revenue,
22 the Comptroller shall order transferred and the Treasurer shall
23 transfer from the General Revenue Fund to a special fund in the
24 State Treasury to be known as the Public Transportation Fund an

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

1 and (iii) one-third of the proceeds of any tax imposed by the
2 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
3 Lake, McHenry, and Will, all pursuant to Section 4.03, and 25%
4 of the net revenue realized from any tax imposed by the
5 Authority pursuant to Section 4.03.1, and 25% of the amounts
6 deposited into the Regional Transportation Authority tax fund
7 created by Section 4.03 of this Act from the County and Mass
8 Transit District Fund as provided in Section 6z-20 of the State
9 Finance Act, and 25% of the amounts deposited into the Regional
10 Transportation Authority Occupation and Use Tax Replacement
11 Fund from the State and Local Sales Tax Reform Fund as provided
12 in Section 6z-17 of the State Finance Act. As used in this
13 Section, net revenue realized for a month shall be the revenue
14 collected by the State pursuant to Sections 4.03 and 4.03.1
15 during the previous month from within the metropolitan region,
16 less the amount paid out during that same month as refunds to
17 taxpayers for overpayment of liability in the metropolitan
18 region under Sections 4.03 and 4.03.1.

19 (2) (Blank). ~~On the first day of the month following the~~
20 ~~effective date of this amendatory Act of the 95th General~~
21 ~~Assembly and each month thereafter, upon certification by the~~
22 ~~Department of Revenue, the Comptroller shall order transferred~~
23 ~~and the Treasurer shall transfer from the General Revenue Fund~~
24 ~~to the Public Transportation Fund an amount equal to 5% of the~~
25 ~~net revenue, before the deduction of the serviceman and~~
26 ~~retailer discounts pursuant to Section 9 of the Service~~

1 ~~Occupation Tax Act and Section 3 of the Retailers' Occupation~~
2 ~~Tax Act, realized from any tax imposed by the Authority~~
3 ~~pursuant to Sections 4.03 and 4.03.1 and certified by the~~
4 ~~Department of Revenue under Section 4.03(n) of this Act to be~~
5 ~~paid to the Authority and 5% of the amounts deposited into the~~
6 ~~Regional Transportation Authority tax fund created by Section~~
7 ~~4.03 of this Act from the County and Mass Transit District Fund~~
8 ~~as provided in Section 6z-20 of the State Finance Act, and 5%~~
9 ~~of the amounts deposited into the Regional Transportation~~
10 ~~Authority Occupation and Use Tax Replacement Fund from the~~
11 ~~State and Local Sales Tax Reform Fund as provided in Section~~
12 ~~6z-17 of the State Finance Act, and 5% of the revenue realized~~
13 ~~by the Chicago Transit Authority as financial assistance from~~
14 ~~the City of Chicago from the proceeds of any tax imposed by the~~
15 ~~City of Chicago under Section 8-3-19 of the Illinois Municipal~~
16 ~~Code.~~

17 (3) Except as otherwise provided in paragraph (4), as ~~As~~
18 soon as possible after the first day of January, 2009 and each
19 month thereafter, upon certification of the Department of
20 Revenue with respect to the taxes collected under Section 4.03,
21 the Comptroller shall order transferred and the Treasurer shall
22 transfer from the General Revenue Fund to the Public
23 Transportation Fund an amount equal to 25% of the net revenue,
24 before the deduction of the serviceman and retailer discounts
25 pursuant to Section 9 of the Service Occupation Tax Act and
26 Section 3 of the Retailers' Occupation Tax Act, realized from

1 (i) 20% of the proceeds of any tax imposed by the Authority at
2 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
3 tax imposed by the Authority at the rate of 1% in Cook County,
4 and (iii) one-third of the proceeds of any tax imposed by the
5 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
6 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
7 Comptroller shall order transferred and the Treasurer shall
8 transfer from the General Revenue Fund to the Public
9 Transportation Fund (iv) an amount equal to 25% of the revenue
10 realized by the Chicago Transit Authority as financial
11 assistance from the City of Chicago from the proceeds of any
12 tax imposed by the City of Chicago under Section 8-3-19 of the
13 Illinois Municipal Code.

14 (4) Notwithstanding any provision of law to the contrary,
15 during State fiscal year 2018 only, of the transfers to be made
16 under paragraphs (1) and (3) of this subsection (a) from the
17 General Revenue Fund to the Public Transportation Fund, the
18 first \$100,000,000 that would have otherwise been transferred
19 from the General Revenue Fund shall be transferred from the
20 Road Fund. The remaining balance of such transfers shall be
21 made from the General Revenue Fund.

22 (b) (1) All moneys deposited in the Public Transportation
23 Fund and the Regional Transportation Authority Occupation and
24 Use Tax Replacement Fund, whether deposited pursuant to this
25 Section or otherwise, are allocated to the Authority. The
26 Comptroller, as soon as possible after each monthly transfer

1 provided in this Section and after each deposit into the Public
2 Transportation Fund, shall order the Treasurer to pay to the
3 Authority out of the Public Transportation Fund the amount so
4 transferred or deposited. Any Additional State Assistance and
5 Additional Financial Assistance paid to the Authority under
6 this Section shall be expended by the Authority for its
7 purposes as provided in this Act. The balance of the amounts
8 paid to the Authority from the Public Transportation Fund shall
9 be expended by the Authority as provided in Section 4.03.3. The
10 Comptroller, as soon as possible after each deposit into the
11 Regional Transportation Authority Occupation and Use Tax
12 Replacement Fund provided in this Section and Section 6z-17 of
13 the State Finance Act, shall order the Treasurer to pay to the
14 Authority out of the Regional Transportation Authority
15 Occupation and Use Tax Replacement Fund the amount so
16 deposited. Such amounts paid to the Authority may be expended
17 by it for its purposes as provided in this Act. The provisions
18 directing the distributions from the Public Transportation
19 Fund and the Regional Transportation Authority Occupation and
20 Use Tax Replacement Fund provided for in this Section shall
21 constitute an irrevocable and continuing appropriation of all
22 amounts as provided herein. The State Treasurer and State
23 Comptroller are hereby authorized and directed to make
24 distributions as provided in this Section. (2) Provided,
25 however, no moneys deposited under subsection (a) of this
26 Section shall be paid from the Public Transportation Fund to

1 the Authority or its assignee for any fiscal year until the
2 Authority has certified to the Governor, the Comptroller, and
3 the Mayor of the City of Chicago that it has adopted for that
4 fiscal year an Annual Budget and Two-Year Financial Plan
5 meeting the requirements in Section 4.01(b).

6 (c) In recognition of the efforts of the Authority to
7 enhance the mass transportation facilities under its control,
8 the State shall provide financial assistance ("Additional
9 State Assistance") in excess of the amounts transferred to the
10 Authority from the General Revenue Fund under subsection (a) of
11 this Section. Additional State Assistance shall be calculated
12 as provided in subsection (d), but shall in no event exceed the
13 following specified amounts with respect to the following State
14 fiscal years:

15	1990	\$5,000,000;
16	1991	\$5,000,000;
17	1992	\$10,000,000;
18	1993	\$10,000,000;
19	1994	\$20,000,000;
20	1995	\$30,000,000;
21	1996	\$40,000,000;
22	1997	\$50,000,000;
23	1998	\$55,000,000; and
24	each year thereafter	\$55,000,000.

25 (c-5) The State shall provide financial assistance
26 ("Additional Financial Assistance") in addition to the

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

8	2000	\$0;
9	2001	\$16,000,000;
10	2002	\$35,000,000;
11	2003	\$54,000,000;
12	2004	\$73,000,000;
13	2005	\$93,000,000; and
14	each year thereafter	\$100,000,000.

15 (d) Beginning with State fiscal year 1990 and continuing
16 for each State fiscal year thereafter, the Authority shall
17 annually certify to the State Comptroller and State Treasurer,
18 separately with respect to each of subdivisions (g)(2) and
19 (g)(3) of Section 4.04 of this Act, the following amounts:

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

25 (2) An estimate of the amount necessary and required to
26 pay its obligations for debt service for any bonds or notes

1 which the Authority anticipates it will issue under
2 subdivisions (g) (2) and (g) (3) of Section 4.04 during that
3 State fiscal year.

4 (3) Its debt service savings during the preceding State
5 fiscal year from refunding or advance refunding of bonds or
6 notes issued under subdivisions (g) (2) and (g) (3) of
7 Section 4.04.

8 (4) The amount of interest, if any, earned by the
9 Authority during the previous State fiscal year on the
10 proceeds of bonds or notes issued pursuant to subdivisions
11 (g) (2) and (g) (3) of Section 4.04, other than refunding or
12 advance refunding bonds or notes.

13 The certification shall include a specific schedule of debt
14 service payments, including the date and amount of each payment
15 for all outstanding bonds or notes and an estimated schedule of
16 anticipated debt service for all bonds and notes it intends to
17 issue, if any, during that State fiscal year, including the
18 estimated date and estimated amount of each payment.

19 Immediately upon the issuance of bonds for which an
20 estimated schedule of debt service payments was prepared, the
21 Authority shall file an amended certification with respect to
22 item (2) above, to specify the actual schedule of debt service
23 payments, including the date and amount of each payment, for
24 the remainder of the State fiscal year.

25 On the first day of each month of the State fiscal year in
26 which there are bonds outstanding with respect to which the

1 certification is made, the State Comptroller shall order
2 transferred and the State Treasurer shall transfer from the
3 Road General Revenue Fund to the Public Transportation Fund the
4 Additional State Assistance and Additional Financial
5 Assistance in an amount equal to the aggregate of (i)
6 one-twelfth of the sum of the amounts certified under items (1)
7 and (3) above less the amount certified under item (4) above,
8 plus (ii) the amount required to pay debt service on bonds and
9 notes issued during the fiscal year, if any, divided by the
10 number of months remaining in the fiscal year after the date of
11 issuance, or some smaller portion as may be necessary under
12 subsection (c) or (c-5) of this Section for the relevant State
13 fiscal year, plus (iii) any cumulative deficiencies in
14 transfers for prior months, until an amount equal to the sum of
15 the amounts certified under items (1) and (3) above, plus the
16 actual debt service certified under item (2) above, less the
17 amount certified under item (4) above, has been transferred;
18 except that these transfers are subject to the following
19 limits:

20 (A) 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) (2) of Section 4.04
23 exceed the lesser of the annual maximum amount specified in
24 subsection (c) 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 (B) In no event shall the total transfers in any State
4 fiscal year relating to outstanding bonds and notes issued
5 by the Authority under subdivision (g) (3) of Section 4.04
6 exceed the lesser of the annual maximum amount specified in
7 subsection (c-5) or the sum of the amounts certified under
8 items (1) and (3) above, plus the actual debt service
9 certified under item (2) above, less the amount certified
10 under item (4) above, with respect to those bonds and
11 notes.

12 The term "outstanding" does not include bonds or notes for
13 which refunding or advance refunding bonds or notes have been
14 issued.

15 (e) Neither Additional State Assistance nor Additional
16 Financial Assistance may be pledged, either directly or
17 indirectly as general revenues of the Authority, as security
18 for any bonds issued by the Authority. The Authority may not
19 assign its right to receive Additional State Assistance or
20 Additional Financial Assistance, or direct payment of
21 Additional State Assistance or Additional Financial
22 Assistance, to a trustee or any other entity for the payment of
23 debt service on its bonds.

24 (f) The certification required under subsection (d) with
25 respect to outstanding bonds and notes of the Authority shall
26 be filed as early as practicable before the beginning of the

1 State fiscal year to which it relates. The certification shall
2 be revised as may be necessary to accurately state the debt
3 service requirements of the Authority.

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

6 (i) whether the aggregate of all system generated
7 revenues for public transportation in the metropolitan
8 region which is provided by, or under grant or purchase of
9 service contracts with, the Service Boards equals 50% of
10 the aggregate of all costs of providing such public
11 transportation. "System generated revenues" include all
12 the proceeds of fares and charges for services provided,
13 contributions received in connection with public
14 transportation from units of local government other than
15 the Authority, except for contributions received by the
16 Chicago Transit Authority from a real estate transfer tax
17 imposed under subsection (i) of Section 8-3-19 of the
18 Illinois Municipal Code, and from the State pursuant to
19 subsection (i) of Section 2705-305 of the Department of
20 Transportation Law (20 ILCS 2705/2705-305), and all other
21 revenues properly included consistent with generally
22 accepted accounting principles but may not include: the
23 proceeds from any borrowing, and, beginning with the 2007
24 fiscal year, all revenues and receipts, including but not
25 limited to fares and grants received from the federal,
26 State or any unit of local government or other entity,

1 derived from providing ADA paratransit service pursuant to
2 Section 2.30 of the Regional Transportation Authority Act.
3 "Costs" include all items properly included as operating
4 costs consistent with generally accepted accounting
5 principles, including administrative costs, but do not
6 include: depreciation; payment of principal and interest
7 on bonds, notes or other evidences of obligations for
8 borrowed money of the Authority; payments with respect to
9 public transportation facilities made pursuant to
10 subsection (b) of Section 2.20; any payments with respect
11 to rate protection contracts, credit enhancements or
12 liquidity agreements made under Section 4.14; any other
13 cost as to which it is reasonably expected that a cash
14 expenditure will not be made; costs for passenger security
15 including grants, contracts, personnel, equipment and
16 administrative expenses, except in the case of the Chicago
17 Transit Authority, in which case the term does not include
18 costs spent annually by that entity for protection against
19 crime as required by Section 27a of the Metropolitan
20 Transit Authority Act; the costs of Debt Service paid by
21 the Chicago Transit Authority, as defined in Section 12c of
22 the Metropolitan Transit Authority Act, or bonds or notes
23 issued pursuant to that Section; the payment by the
24 Commuter Rail Division of debt service on bonds issued
25 pursuant to Section 3B.09; expenses incurred by the
26 Suburban Bus Division for the cost of new public

1 transportation services funded from grants pursuant to
2 Section 2.01e of this amendatory Act of the 95th General
3 Assembly for a period of 2 years from the date of
4 initiation of each such service; costs as exempted by the
5 Board for projects pursuant to Section 2.09 of this Act;
6 or, beginning with the 2007 fiscal year, expenses related
7 to providing ADA paratransit service pursuant to Section
8 2.30 of the Regional Transportation Authority Act; or in
9 fiscal years 2008 through 2012 inclusive, costs in the
10 amount of \$200,000,000 in fiscal year 2008, reducing by
11 \$40,000,000 in each fiscal year thereafter until this
12 exemption is eliminated. If said system generated revenues
13 are less than 50% of said costs, the Board shall remit an
14 amount equal to the amount of the deficit to the State. The
15 Treasurer shall deposit any such payment in the Road
16 ~~General Revenue~~ Fund; and

17 (ii) whether, beginning with the 2007 fiscal year, the
18 aggregate of all fares charged and received for ADA
19 paratransit services equals the system generated ADA
20 paratransit services revenue recovery ratio percentage of
21 the aggregate of all costs of providing such ADA
22 paratransit services.

23 (h) If the Authority makes any payment to the State under
24 paragraph (g), the Authority shall reduce the amount provided
25 to a Service Board from funds transferred under paragraph (a)
26 in proportion to the amount by which that Service Board failed

1 to meet its required system generated revenues recovery ratio.
2 A Service Board which is affected by a reduction in funds under
3 this paragraph shall submit to the Authority concurrently with
4 its next due quarterly report a revised budget incorporating
5 the reduction in funds. The revised budget must meet the
6 criteria specified in clauses (i) through (vi) of Section
7 4.11(b)(2). The Board shall review and act on the revised
8 budget as provided in Section 4.11(b)(3).

9 (Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08;
10 95-906, eff. 8-26-08.)

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

13 (110 ILCS 805/5-11) (from Ch. 122, par. 105-11)

14 Sec. 5-11. Any public community college which subsequent to
15 July 1, 1972 but before July 1, 2016, commenced construction of
16 any facilities approved by the State Board and the Illinois
17 Board of Higher Education may, after completion thereof, apply
18 to the State for a grant for expenditures made by the community
19 college from its own funds for building purposes for such
20 facilities in excess of 25% of the cost of such facilities as
21 approved by the State Board and the Illinois Board of Higher
22 Education. Any public community college that, on or after July
23 1, 2016, commenced construction of any facilities approved by
24 the State Board may, after completion thereof, apply to the

1 State for a grant for expenditures made by the community
2 college from its own funds for building purposes for such
3 facilities in excess of 25% of the cost of such facilities as
4 approved by the State Board. A grant shall be contingent upon
5 said community college having otherwise complied with Sections
6 5-3, 5-4, 5-5 and 5-10 of this Act.

7 If any payments or contributions of any kind which are
8 based upon, or are to be applied to, the cost of such
9 construction are received from the Federal government, or an
10 agency thereof, subsequent to receipt of the grant herein
11 provided, the amount of such subsequent payment or
12 contributions shall be paid over to the Capital Development
13 Board by the community college for deposit in the Capital
14 Development Board Contributory Trust ~~Bond Interest and~~
15 ~~Retirement~~ Fund.

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

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

19 (225 ILCS 65/70-50) (was 225 ILCS 65/20-40)

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

21 Sec. 70-50. Fund.

22 (a) There is hereby created within the State Treasury the
23 Nursing Dedicated and Professional Fund. The monies in the Fund
24 may be used by and at the direction of the Department for the

1 administration and enforcement of this Act, including but not
2 limited to:

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

4 (2) Employment of secretarial, nursing,
5 administrative, enforcement, and other staff for the
6 administration of this Act.

7 (b) Disposition of fees:

8 (1) \$5 of every licensure fee shall be placed in a fund
9 for assistance to nurses enrolled in a diversionary program
10 as approved by the Department.

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

14 (3) Each fiscal year, the moneys deposited in the
15 Nursing Dedicated and Professional Fund shall be
16 appropriated to the Department for expenses of the
17 Department and the Board in the administration of this Act.
18 All earnings received from investment of moneys in the
19 Nursing Dedicated and Professional Fund shall be deposited
20 in the Nursing Dedicated and Professional Fund and shall be
21 used for the same purposes as fees deposited in the Fund.

22 (4) For the fiscal year beginning July 1, 2009 and for
23 each fiscal year thereafter, \$2,000,000 of the moneys
24 deposited in the Nursing Dedicated and Professional Fund
25 each year shall be set aside and appropriated to the
26 Department of Public Health for nursing scholarships

1 awarded pursuant to the Nursing Education Scholarship Law.
2 Representatives of the Department and the Nursing
3 Education Scholarship Program Advisory Council shall
4 review this requirement and the scholarship awards every 2
5 years.

6 (5) Moneys in the Fund may be transferred to the
7 Professions Indirect Cost Fund as authorized under Section
8 2105-300 of the Department of Professional Regulation Law
9 (20 ILCS 2105/2105-300).

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

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

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

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

24 (305 ILCS 5/5-5.4i new)

1 Sec. 5-5.4i. Rates and reimbursements. On or before July 1,
2 2018, the Department shall increase rates and reimbursements to
3 fund a minimum of a \$0.50 per hour wage increase for front-line
4 personnel, including, but not limited to, direct support
5 persons, aides, front-line supervisors, qualified intellectual
6 disabilities professionals, nurses, and non-administrative
7 support staff working in community-based provider
8 organizations serving individuals with developmental
9 disabilities.

10 ARTICLE 10. RETIREMENT CONTRIBUTIONS

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

13 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

14 Sec. 8.12. State Pensions Fund.

15 (a) The moneys in the State Pensions Fund shall be used
16 exclusively for the administration of the Uniform Disposition
17 of Unclaimed Property Act and for the expenses incurred by the
18 Auditor General for administering the provisions of Section
19 2-8.1 of the Illinois State Auditing Act and for the funding of
20 the unfunded liabilities of the designated retirement systems.
21 Beginning in State fiscal year 2019 ~~2018~~, payments to the
22 designated retirement systems under this Section shall be in
23 addition to, and not in lieu of, any State contributions

1 required under the Illinois Pension Code.

2 "Designated retirement systems" means:

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

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

7 (3) the State Universities Retirement System;

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

9 (5) the General Assembly Retirement System.

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

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

25 Each month, the Director of Financial Institutions shall
26 certify to the State Treasurer the actual expenditures that the

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

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

1 certified by each of those designated retirement systems.

2 (c-5) For fiscal years 2006 through 2018 ~~2017~~, the General
3 Assembly shall appropriate from the State Pensions Fund to the
4 State Universities Retirement System the amount estimated to be
5 available during the fiscal year in the State Pensions Fund;
6 provided, however, that the amounts appropriated under this
7 subsection (c-5) shall not reduce the amount in the State
8 Pensions Fund below \$5,000,000.

9 (c-6) For fiscal year 2019 ~~2018~~ and each fiscal year
10 thereafter, as soon as may be practical after any money is
11 deposited into the State Pensions Fund from the Unclaimed
12 Property Trust Fund, the State Treasurer shall apportion the
13 deposited amount among the designated retirement systems as
14 defined in subsection (a) to reduce their actuarial reserve
15 deficiencies. The State Comptroller and State Treasurer shall
16 pay the apportioned amounts to the designated retirement
17 systems to fund the unfunded liabilities of the designated
18 retirement systems. The amount apportioned to each designated
19 retirement system shall constitute a portion of the amount
20 estimated to be available for appropriation from the State
21 Pensions Fund that is the same as that retirement system's
22 portion of the total actual reserve deficiency of the systems,
23 as determined annually by the Governor's Office of Management
24 and Budget at the request of the State Treasurer. The amounts
25 apportioned under this subsection shall not reduce the amount
26 in the State Pensions Fund below \$5,000,000.

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

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

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

4 (Source: P.A. 98-24, eff. 6-19-13; 98-463, eff. 8-16-13;
5 98-674, eff. 6-30-14; 98-1081, eff. 1-1-15; 99-8, eff. 7-9-15;
6 99-78, eff. 7-20-15; 99-523, eff. 6-30-16.)

7 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

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

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

1 shall be paid under the continuing appropriation for this
2 purpose contained in the State Pension Funds Continuing
3 Appropriation Act.

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

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

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

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

1 salary to an employee under the personal services line item
2 from the General Revenue Fund.

3 (a-4) In fiscal years 2012 through 2018 ~~2017~~ only, at the
4 time of each payment of salary to an employee under the
5 personal services line item from a fund other than the General
6 Revenue Fund, payment shall be made for deposit into the State
7 Employees' Retirement System of Illinois from the amount
8 appropriated for State contributions to the State Employees'
9 Retirement System of Illinois of an amount calculated at the
10 rate certified for the applicable fiscal year by the Board of
11 Trustees of the State Employees' Retirement System of Illinois
12 under Section 14-135.08 of the Illinois Pension Code. In fiscal
13 years 2012 through 2018 ~~2017~~ only, no payment from
14 appropriations for State contributions shall be made in
15 conjunction with payment of salary to an employee under the
16 personal services line item from the General Revenue Fund.

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

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

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

1 Illinois, the Comptroller shall promptly so notify the
2 retirement system.

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

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

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

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

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

24 (40 ILCS 5/14-131)

1 Sec. 14-131. Contributions by State.

2 (a) The State shall make contributions to the System by
3 appropriations of amounts which, together with other employer
4 contributions from trust, federal, and other funds, employee
5 contributions, investment income, and other income, will be
6 sufficient to meet the cost of maintaining and administering
7 the System on a 90% funded basis in accordance with actuarial
8 recommendations.

9 For the purposes of this Section and Section 14-135.08,
10 references to State contributions refer only to employer
11 contributions and do not include employee contributions that
12 are picked up or otherwise paid by the State or a department on
13 behalf of the employee.

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

18 The Board shall also determine a State contribution rate
19 for each fiscal year, expressed as a percentage of payroll,
20 based on the total required State contribution for that fiscal
21 year (less the amount received by the System from
22 appropriations under Section 8.12 of the State Finance Act and
23 Section 1 of the State Pension Funds Continuing Appropriation
24 Act, if any, for the fiscal year ending on the June 30
25 immediately preceding the applicable November 15 certification
26 deadline), the estimated payroll (including all forms of

1 compensation) for personal services rendered by eligible
2 employees, and the recommendations of the actuary.

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

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

24 (c-1) Notwithstanding subsection (c) of this Section, for
25 fiscal years 2010, 2012, 2013, 2014, 2015, 2016, ~~and 2017~~, and
26 2018 only, contributions by the several departments are not

1 required to be made for General Revenue Funds payrolls
2 processed by the Comptroller. Payrolls paid by the several
3 departments from all other State funds must continue to be
4 processed pursuant to subsection (c) of this Section.

5 (c-2) For State fiscal years 2010, 2012, 2013, 2014, 2015,
6 2016, ~~and 2017,~~ and 2018 only, on or as soon as possible after
7 the 15th day of each month, the Board shall submit vouchers for
8 payment of State contributions to the System, in a total
9 monthly amount of one-twelfth of the fiscal year General
10 Revenue Fund contribution as certified by the System pursuant
11 to Section 14-135.08 of the Illinois Pension Code.

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

26 (e) For State fiscal years 2012 through 2045, the minimum

1 contribution to the System to be made by the State for each
2 fiscal year shall be an amount determined by the System to be
3 sufficient to bring the total assets of the System up to 90% of
4 the total actuarial liabilities of the System by the end of
5 State fiscal year 2045. In making these determinations, the
6 required State contribution shall be calculated each year as a
7 level percentage of payroll over the years remaining to and
8 including fiscal year 2045 and shall be determined under the
9 projected unit credit actuarial cost method.

10 For State fiscal years 1996 through 2005, the State
11 contribution to the System, as a percentage of the applicable
12 employee payroll, shall be increased in equal annual increments
13 so that by State fiscal year 2011, the State is contributing at
14 the rate required under this Section; except that (i) for State
15 fiscal year 1998, for all purposes of this Code and any other
16 law of this State, the certified percentage of the applicable
17 employee payroll shall be 5.052% for employees earning eligible
18 creditable service under Section 14-110 and 6.500% for all
19 other employees, notwithstanding any contrary certification
20 made under Section 14-135.08 before the effective date of this
21 amendatory Act of 1997, and (ii) in the following specified
22 State fiscal years, the State contribution to the System shall
23 not be less than the following indicated percentages of the
24 applicable employee payroll, even if the indicated percentage
25 will produce a State contribution in excess of the amount
26 otherwise required under this subsection and subsection (a):

1 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY
2 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

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

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

9 For each of State fiscal years 2008 through 2009, the State
10 contribution to the System, as a percentage of the applicable
11 employee payroll, shall be increased in equal annual increments
12 from the required State contribution for State fiscal year
13 2007, so that by State fiscal year 2011, the State is
14 contributing at the rate otherwise required under this Section.

15 Notwithstanding any other provision of this Article, the
16 total required State General Revenue Fund contribution for
17 State fiscal year 2010 is \$723,703,100 and shall be made from
18 the proceeds of bonds sold in fiscal year 2010 pursuant to
19 Section 7.2 of the General Obligation Bond Act, less (i) the
20 pro rata share of bond sale expenses determined by the System's
21 share of total bond proceeds, (ii) any amounts received from
22 the General Revenue Fund in fiscal year 2010, and (iii) any
23 reduction in bond proceeds due to the issuance of discounted
24 bonds, if applicable.

25 Notwithstanding any other provision of this Article, the
26 total required State General Revenue Fund contribution for

1 State fiscal year 2011 is the amount recertified by the System
2 on or before April 1, 2011 pursuant to Section 14-135.08 and
3 shall be made from the proceeds of bonds sold in fiscal year
4 2011 pursuant to Section 7.2 of the General Obligation Bond
5 Act, less (i) the pro rata share of bond sale expenses
6 determined by the System's share of total bond proceeds, (ii)
7 any amounts received from the General Revenue Fund in fiscal
8 year 2011, and (iii) any reduction in bond proceeds due to the
9 issuance of discounted bonds, if applicable.

10 Beginning in State fiscal year 2046, the minimum State
11 contribution for each fiscal year shall be the amount needed to
12 maintain the total assets of the System at 90% of the total
13 actuarial liabilities of the System.

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

26 Notwithstanding any other provision of this Section, the

1 required State contribution for State fiscal year 2005 and for
2 fiscal year 2008 and each fiscal year thereafter, as calculated
3 under this Section and certified under Section 14-135.08, shall
4 not exceed an amount equal to (i) the amount of the required
5 State contribution that would have been calculated under this
6 Section for that fiscal year if the System had not received any
7 payments under subsection (d) of Section 7.2 of the General
8 Obligation Bond Act, minus (ii) the portion of the State's
9 total debt service payments for that fiscal year on the bonds
10 issued in fiscal year 2003 for the purposes of that Section
11 7.2, as determined and certified by the Comptroller, that is
12 the same as the System's portion of the total moneys
13 distributed under subsection (d) of Section 7.2 of the General
14 Obligation Bond Act. In determining this maximum for State
15 fiscal years 2008 through 2010, however, the amount referred to
16 in item (i) shall be increased, as a percentage of the
17 applicable employee payroll, in equal increments calculated
18 from the sum of the required State contribution for State
19 fiscal year 2007 plus the applicable portion of the State's
20 total debt service payments for fiscal year 2007 on the bonds
21 issued in fiscal year 2003 for the purposes of Section 7.2 of
22 the General Obligation Bond Act, so that, by State fiscal year
23 2011, the State is contributing at the rate otherwise required
24 under this Section.

25 (f) After the submission of all payments for eligible
26 employees from personal services line items in fiscal year 2004

1 have been made, the Comptroller shall provide to the System a
2 certification of the sum of all fiscal year 2004 expenditures
3 for personal services that would have been covered by payments
4 to the System under this Section if the provisions of this
5 amendatory Act of the 93rd General Assembly had not been
6 enacted. Upon receipt of the certification, the System shall
7 determine the amount due to the System based on the full rate
8 certified by the Board under Section 14-135.08 for fiscal year
9 2004 in order to meet the State's obligation under this
10 Section. The System shall compare this amount due to the amount
11 received by the System in fiscal year 2004 through payments
12 under this Section and under Section 6z-61 of the State Finance
13 Act. If the amount due is more than the amount received, the
14 difference shall be termed the "Fiscal Year 2004 Shortfall" for
15 purposes of this Section, and the Fiscal Year 2004 Shortfall
16 shall be satisfied under Section 1.2 of the State Pension Funds
17 Continuing Appropriation Act. If the amount due is less than
18 the amount received, the difference shall be termed the "Fiscal
19 Year 2004 Overpayment" for purposes of this Section, and the
20 Fiscal Year 2004 Overpayment shall be repaid by the System to
21 the Pension Contribution Fund as soon as practicable after the
22 certification.

23 (g) For purposes of determining the required State
24 contribution to the System, the value of the System's assets
25 shall be equal to the actuarial value of the System's assets,
26 which shall be calculated as follows:

1 As of June 30, 2008, the actuarial value of the System's
2 assets shall be equal to the market value of the assets as of
3 that date. In determining the actuarial value of the System's
4 assets for fiscal years after June 30, 2008, any actuarial
5 gains or losses from investment return incurred in a fiscal
6 year shall be recognized in equal annual amounts over the
7 5-year period following that fiscal year.

8 (h) For purposes of determining the required State
9 contribution to the System for a particular year, the actuarial
10 value of assets shall be assumed to earn a rate of return equal
11 to the System's actuarially assumed rate of return.

12 (i) After the submission of all payments for eligible
13 employees from personal services line items paid from the
14 General Revenue Fund in fiscal year 2010 have been made, the
15 Comptroller shall provide to the System a certification of the
16 sum of all fiscal year 2010 expenditures for personal services
17 that would have been covered by payments to the System under
18 this Section if the provisions of this amendatory Act of the
19 96th General Assembly had not been enacted. Upon receipt of the
20 certification, the System shall determine the amount due to the
21 System based on the full rate certified by the Board under
22 Section 14-135.08 for fiscal year 2010 in order to meet the
23 State's obligation under this Section. The System shall compare
24 this amount due to the amount received by the System in fiscal
25 year 2010 through payments under this Section. If the amount
26 due is more than the amount received, the difference shall be

1 termed the "Fiscal Year 2010 Shortfall" for purposes of this
2 Section, and the Fiscal Year 2010 Shortfall shall be satisfied
3 under Section 1.2 of the State Pension Funds Continuing
4 Appropriation Act. If the amount due is less than the amount
5 received, the difference shall be termed the "Fiscal Year 2010
6 Overpayment" for purposes of this Section, and the Fiscal Year
7 2010 Overpayment shall be repaid by the System to the General
8 Revenue Fund as soon as practicable after the certification.

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

1 Appropriation Act. If the amount due is less than the amount
2 received, the difference shall be termed the "Fiscal Year 2011
3 Overpayment" for purposes of this Section, and the Fiscal Year
4 2011 Overpayment shall be repaid by the System to the General
5 Revenue Fund as soon as practicable after the certification.

6 (k) For fiscal years 2012 through 2018 ~~2017~~ only, after the
7 submission of all payments for eligible employees from personal
8 services line items paid from the General Revenue Fund in the
9 fiscal year have been made, the Comptroller shall provide to
10 the System a certification of the sum of all expenditures in
11 the fiscal year for personal services. Upon receipt of the
12 certification, the System shall determine the amount due to the
13 System based on the full rate certified by the Board under
14 Section 14-135.08 for the fiscal year in order to meet the
15 State's obligation under this Section. The System shall compare
16 this amount due to the amount received by the System for the
17 fiscal year. If the amount due is more than the amount
18 received, the difference shall be termed the "Prior Fiscal Year
19 Shortfall" for purposes of this Section, and the Prior Fiscal
20 Year Shortfall shall be satisfied under Section 1.2 of the
21 State Pension Funds Continuing Appropriation Act. If the amount
22 due is less than the amount received, the difference shall be
23 termed the "Prior Fiscal Year Overpayment" for purposes of this
24 Section, and the Prior Fiscal Year Overpayment shall be repaid
25 by the System to the General Revenue Fund as soon as
26 practicable after the certification.

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

3 Section 10-15. The State Pension Funds Continuing
4 Appropriation Act is amended by changing Section 1.2 as
5 follows:

6 (40 ILCS 15/1.2)

7 Sec. 1.2. Appropriations for the State Employees'
8 Retirement System.

9 (a) From each fund from which an amount is appropriated for
10 personal services to a department or other employer under
11 Article 14 of the Illinois Pension Code, there is hereby
12 appropriated to that department or other employer, on a
13 continuing annual basis for each State fiscal year, an
14 additional amount equal to the amount, if any, by which (1) an
15 amount equal to the percentage of the personal services line
16 item for that department or employer from that fund for that
17 fiscal year that the Board of Trustees of the State Employees'
18 Retirement System of Illinois has certified under Section
19 14-135.08 of the Illinois Pension Code to be necessary to meet
20 the State's obligation under Section 14-131 of the Illinois
21 Pension Code for that fiscal year, exceeds (2) the amounts
22 otherwise appropriated to that department or employer from that
23 fund for State contributions to the State Employees' Retirement
24 System for that fiscal year. From the effective date of this

1 amendatory Act of the 93rd General Assembly through the final
2 payment from a department or employer's personal services line
3 item for fiscal year 2004, payments to the State Employees'
4 Retirement System that otherwise would have been made under
5 this subsection (a) shall be governed by the provisions in
6 subsection (a-1).

7 (a-1) If a Fiscal Year 2004 Shortfall is certified under
8 subsection (f) of Section 14-131 of the Illinois Pension Code,
9 there is hereby appropriated to the State Employees' Retirement
10 System of Illinois on a continuing basis from the General
11 Revenue Fund an additional aggregate amount equal to the Fiscal
12 Year 2004 Shortfall.

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

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

25 (a-4) If a Prior Fiscal Year Shortfall is certified under
26 subsection (k) of Section 14-131 of the Illinois Pension Code,

1 there is hereby appropriated to the State Employees' Retirement
2 System of Illinois on a continuing basis from the General
3 Revenue Fund an additional aggregate amount equal to the Fiscal
4 Year 2017 Shortfall.

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

7 (c) Beginning in Fiscal Year 2005, any continuing
8 appropriation under this Section arising out of an
9 appropriation for personal services from the Road Fund to the
10 Department of State Police or the Secretary of State shall be
11 payable from the General Revenue Fund rather than the Road
12 Fund.

13 (d) For State fiscal year 2010 only, a continuing
14 appropriation is provided to the State Employees' Retirement
15 System equal to the amount certified by the System on or before
16 December 31, 2008, less the gross proceeds of the bonds sold in
17 fiscal year 2010 under the authorization contained in
18 subsection (a) of Section 7.2 of the General Obligation Bond
19 Act.

20 (e) For State fiscal year 2011 only, the continuing
21 appropriation under this Section provided to the State
22 Employees' Retirement System is limited to an amount equal to
23 the amount certified by the System on or before December 31,
24 2009, less any amounts received pursuant to subsection (a-3) of
25 Section 14.1 of the State Finance Act.

26 (f) For State fiscal year 2011 only, a continuing

1 appropriation is provided to the State Employees' Retirement
2 System equal to the amount certified by the System on or before
3 April 1, 2011, less the gross proceeds of the bonds sold in
4 fiscal year 2011 under the authorization contained in
5 subsection (a) of Section 7.2 of the General Obligation Bond
6 Act.

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

8 Section 10-20. The Uniform Disposition of Unclaimed
9 Property Act is amended by changing Section 18 as follows:

10 (765 ILCS 1025/18) (from Ch. 141, par. 118)

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

12 (a) The State Treasurer shall retain all funds received
13 under this Act, including the proceeds from the sale of
14 abandoned property under Section 17, in a trust fund known as
15 the Unclaimed Property Trust Fund. The State Treasurer may
16 deposit any amount in the Unclaimed Property Trust Fund into
17 the State Pensions Fund during the fiscal year at his or her
18 discretion; however, he or she shall, on April 15 and October
19 15 of each year, deposit any amount in the Unclaimed Property
20 Trust Fund exceeding \$2,500,000 into the State Pensions Fund.
21 If on either April 15 or October 15, the State Treasurer
22 determines that a balance of \$2,500,000 is insufficient for the
23 prompt payment of unclaimed property claims authorized under
24 this Act, the Treasurer may retain more than \$2,500,000 in the

1 Unclaimed Property Trust Fund in order to ensure the prompt
2 payment of claims. Beginning in State fiscal year 2019 ~~2018~~,
3 all amounts that are deposited into the State Pensions Fund
4 from the Unclaimed Property Trust Fund shall be apportioned to
5 the designated retirement systems as provided in subsection
6 (c-6) of Section 8.12 of the State Finance Act to reduce their
7 actuarial reserve deficiencies. He or she shall make prompt
8 payment of claims he or she duly allows as provided for in this
9 Act for the Unclaimed Property Trust Fund. Before making the
10 deposit the State Treasurer shall record the name and last
11 known address of each person appearing from the holders'
12 reports to be entitled to the abandoned property. The record
13 shall be available for public inspection during reasonable
14 business hours.

15 (b) Before making any deposit to the credit of the State
16 Pensions Fund, the State Treasurer may deduct: (1) any costs in
17 connection with sale of abandoned property, (2) any costs of
18 mailing and publication in connection with any abandoned
19 property, and (3) any costs in connection with the maintenance
20 of records or disposition of claims made pursuant to this Act.
21 The State Treasurer shall semiannually file an itemized report
22 of all such expenses with the Legislative Audit Commission.

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

1 ARTICLE 20. TECHNOLOGY MANAGEMENT

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

6 (20 ILCS 405/405-20) (was 20 ILCS 405/35.7)

7 Sec. 405-20. Fiscal policy information to Governor;
8 information technology ~~statistical research~~ planning.

9 (a) The Department shall be responsible for providing the
10 Governor with timely, comprehensive, and meaningful
11 information pertinent to the formulation and execution of
12 fiscal policy. In performing this responsibility the
13 Department shall have the power and duty to do the following:

14 (1) Control the procurement, retention, installation,
15 maintenance, and operation, as specified by the Director,
16 of information technology ~~electronic data processing~~
17 equipment and software used by State agencies in such a
18 manner as to achieve maximum economy and provide adequate
19 assistance in the development of information suitable for
20 management analysis.

21 (2) Establish principles and standards of information
22 technology ~~statistical~~ reporting by State agencies and
23 priorities for completion of research by those agencies in
24 accordance with the requirements for management analysis

1 as specified by the Director.

2 (3) Establish, through the Director, charges for
3 information technology ~~statistical~~ services requested by
4 State agencies and rendered by the Department. The
5 Department is likewise empowered through the Director to
6 establish prices or charges for information technology
7 services rendered by the Department for ~~all statistical~~
8 ~~reports purchased by~~ agencies and individuals not
9 connected with State government.

10 (4) Instruct all State agencies as the Director may
11 require to report regularly to the Department, in the
12 manner the Director may prescribe, their usage of
13 information technology ~~electronic information~~ devices and
14 services, the cost incurred, the information produced, and
15 the procedures followed in obtaining the information. All
16 State agencies shall request of the Director any
17 information technology resources ~~statistical services~~
18 requiring the use of electronic devices and shall conform
19 to the priorities assigned by the Director in using those
20 electronic devices.

21 (5) Examine the accounts, use of information
22 technology resources, and statistical data of any
23 organization, body, or agency receiving appropriations
24 from the General Assembly.

25 (6) Install and operate a modern information system
26 utilizing equipment adequate to satisfy the requirements

1 for analysis and review as specified by the Director.
2 Expenditures for information technology ~~statistical~~
3 services rendered shall be reimbursed by the recipients.
4 The reimbursement shall be determined by the Director as
5 amounts sufficient to reimburse the Technology Management
6 ~~Statistical Services~~ Revolving Fund for expenditures
7 incurred in rendering the services.

8 (b) In addition to the other powers and duties listed in
9 this Section, the Department shall analyze the present and
10 future aims, needs, and requirements of information technology
11 ~~statistical research~~ and planning in order to provide for the
12 formulation of overall policy relative to the use of electronic
13 data processing equipment and software by the State of
14 Illinois. In making this analysis, the Department under the
15 Director shall formulate a master plan for the use of
16 information technology ~~statistical research~~, utilizing
17 electronic equipment, software and services most
18 advantageously, and advising whether electronic data
19 processing equipment and software should be leased or purchased
20 by the State. The Department under the Director shall prepare
21 and submit interim reports of meaningful developments and
22 proposals for legislation to the Governor on or before January
23 30 each year. The Department under the Director shall engage in
24 a continuing analysis and evaluation of the master plan so
25 developed, and it shall be the responsibility of the Department
26 to recommend from time to time any needed amendments and

1 modifications of any master plan enacted by the General
2 Assembly.

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

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

8 (20 ILCS 405/405-250) (was 20 ILCS 405/35.7a)

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

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

2 (20 ILCS 405/405-410)

3 Sec. 405-410. Transfer of Information Technology
4 functions.

5 (a) Notwithstanding any other law to the contrary, the
6 Director of Central Management Services, working in
7 cooperation with the Director of any other agency, department,
8 board, or commission directly responsible to the Governor, may
9 direct the transfer, to the Department of Central Management
10 Services, of those information technology functions at that
11 agency, department, board, or commission that are suitable for
12 centralization.

13 Upon receipt of the written direction to transfer
14 information technology functions to the Department of Central
15 Management Services, the personnel, equipment, and property
16 (both real and personal) directly relating to the transferred
17 functions shall be transferred to the Department of Central
18 Management Services, and the relevant documents, records, and
19 correspondence shall be transferred or copied, as the Director
20 may prescribe.

21 (b) Upon receiving written direction from the Director of
22 Central Management Services, the Comptroller and Treasurer are
23 authorized to transfer the unexpended balance of any
24 appropriations related to the information technology functions
25 transferred to the Department of Central Management Services

1 and shall make the necessary fund transfers from any special
2 fund in the State Treasury or from any other federal or State
3 trust fund held by the Treasurer to the General Revenue Fund or
4 ~~r~~ the Technology Management ~~Statistical Services~~ Revolving
5 Fund, ~~or the Communications Revolving Fund~~, as designated by
6 the Director of Central Management Services, for use by the
7 Department of Central Management Services in support of
8 information technology functions or any other related costs or
9 expenses of the Department of Central Management Services.

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

14 (d) The functions transferred to the Department of Central
15 Management Services by this Section shall be vested in and
16 shall be exercised by the Department of Central Management
17 Services. Each act done in the exercise of those functions
18 shall have the same legal effect as if done by the agencies,
19 offices, divisions, departments, bureaus, boards and
20 commissions from which they were transferred.

21 Every person or other entity shall be subject to the same
22 obligations and duties and any penalties, civil or criminal,
23 arising therefrom, and shall have the same rights arising from
24 the exercise of such rights, powers, and duties as had been
25 exercised by the agencies, offices, divisions, departments,
26 bureaus, boards, and commissions from which they were

1 transferred.

2 Whenever reports or notices are now required to be made or
3 given or papers or documents furnished or served by any person
4 in regards to the functions transferred to or upon the
5 agencies, offices, divisions, departments, bureaus, boards,
6 and commissions from which the functions were transferred, the
7 same shall be made, given, furnished or served in the same
8 manner to or upon the Department of Central Management
9 Services.

10 This Section does not affect any act done, ratified, or
11 cancelled or any right occurring or established or any action
12 or proceeding had or commenced in an administrative, civil, or
13 criminal cause regarding the functions transferred, but those
14 proceedings may be continued by the Department of Central
15 Management Services.

16 This Section does not affect the legality of any rules in
17 the Illinois Administrative Code regarding the functions
18 transferred in this Section that are in force on the effective
19 date of this Section. If necessary, however, the affected
20 agencies shall propose, adopt, or repeal rules, rule
21 amendments, and rule recodifications as appropriate to
22 effectuate this Section.

23 (Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04;
24 93-1067, eff. 1-15-05.)

25 Section 20-10. The State Finance Act is amended by changing

1 Sections 5.12, 5.55, 6p-1, 6p-2, 6z-34, and 8.16a as follows:

2 (30 ILCS 105/5.12) (from Ch. 127, par. 141.12)

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

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

6 (30 ILCS 105/5.55) (from Ch. 127, par. 141.55)

7 Sec. 5.55. The Technology Management ~~Statistical Services~~
8 Revolving Fund.

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

10 (30 ILCS 105/6p-1) (from Ch. 127, par. 142p1)

11 Sec. 6p-1. The Technology Management Revolving Fund
12 (formerly known as the Statistical Services Revolving Fund)
13 shall be initially financed by a transfer of funds from the
14 General Revenue Fund. Thereafter, all fees and other monies
15 received by the Department of Central Management Services in
16 payment for statistical services rendered pursuant to Section
17 405-20 of the Department of Central Management Services Law (20
18 ILCS 405/405-20) shall be paid into the Technology Management
19 ~~Statistical Services~~ Revolving Fund. On and after July 1, 2017,
20 or after sufficient moneys have been received in the
21 Communications Revolving Fund to pay all Fiscal Year 2017
22 obligations payable from the Fund, whichever is later, all fees
23 and other moneys received by the Department of Central

1 Management Services in payment for communications services
2 rendered pursuant to the Department of Central Management
3 Services Law of the Civil Administrative Code of Illinois or
4 sale of surplus State communications equipment shall be paid
5 into the Technology Management Revolving Fund. The money in
6 this fund shall be used by the Department of Central Management
7 Services as reimbursement for expenditures incurred in
8 rendering statistical services and, beginning July 1, 2017, as
9 reimbursement for expenditures incurred in relation to
10 communications services.

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

12 (30 ILCS 105/6p-2) (from Ch. 127, par. 142p2)

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

25 On the effective date of this amendatory Act of the 93rd

1 General Assembly, or as soon as practicable thereafter, the
2 State Comptroller shall order transferred and the State
3 Treasurer shall transfer \$3,000,000 from the Communications
4 Revolving Fund to the Emergency Public Health Fund to be used
5 for the purposes specified in Section 55.6a of the
6 Environmental Protection Act.

7 In addition to any other transfers that may be provided for
8 by law, on July 1, 2011, or as soon thereafter as practical,
9 the State Comptroller shall direct and the State Treasurer
10 shall transfer the sum of \$5,000,000 from the General Revenue
11 Fund to the Communications Revolving Fund.

12 Notwithstanding any other provision of law, in addition to
13 any other transfers that may be provided by law, on July 1,
14 2017, or after sufficient moneys have been received in the
15 Communications Revolving Fund to pay all Fiscal Year 2017
16 obligations payable from the Fund, whichever is later, the
17 State Comptroller shall direct and the State Treasurer shall
18 transfer the remaining balance from the Communications
19 Revolving Fund into the Technology Management Revolving Fund.
20 Upon completion of the transfer, any future deposits due to
21 that Fund and any outstanding obligations or liabilities of
22 that Fund pass to the Technology Management Revolving Fund.

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

24 (30 ILCS 105/6z-34)

25 Sec. 6z-34. Secretary of State Special Services Fund. There

1 is created in the State Treasury a special fund to be known as
2 the Secretary of State Special Services Fund. Moneys deposited
3 into the Fund may, subject to appropriation, be used by the
4 Secretary of State for any or all of the following purposes:

5 (1) For general automation efforts within operations
6 of the Office of Secretary of State.

7 (2) For technology applications in any form that will
8 enhance the operational capabilities of the Office of
9 Secretary of State.

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

13 These funds are in addition to any other funds otherwise
14 authorized to the Office of Secretary of State for like or
15 similar purposes.

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

1 exceed the amount of \$19,000,000 shall be transferred from this
2 Fund to the Technology Management Revolving Fund (formerly
3 known as the Statistical Services Revolving Fund); and on
4 August 15, 2003 and each year thereafter, all receipts from the
5 fiscal year ending on the previous June 30th that exceed the
6 amount of \$33,000,000 shall be transferred from this Fund to
7 the Technology Management Revolving Fund (formerly known as the
8 Statistical Services Revolving Fund).

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

10 (30 ILCS 105/8.16a) (from Ch. 127, par. 144.16a)

11 Sec. 8.16a. Appropriations for the procurement,
12 installation, retention, maintenance and operation of
13 electronic data processing and information technology devices
14 and software used by state agencies subject to Section 405-20
15 of the Department of Central Management Services Law (20 ILCS
16 405/405-20), the purchase of necessary supplies and equipment
17 and accessories thereto, and all other expenses incident to the
18 operation and maintenance of those electronic data processing
19 and information technology devices and software are payable
20 from the Technology Management ~~Statistical Services~~ Revolving
21 Fund. However, no contract shall be entered into or obligation
22 incurred for any expenditure from the Technology Management
23 ~~Statistical Services~~ Revolving Fund until after the purpose and
24 amount has been approved in writing by the Director of Central
25 Management Services. Until there are sufficient funds in the

1 Technology Management Revolving Fund (formerly known as the
2 Statistical Services Revolving Fund) to carry out the purposes
3 of this amendatory Act of 1965, however, the State agencies
4 subject to that Section 405-20 shall, on written approval of
5 the Director of Central Management Services, pay the cost of
6 operating and maintaining electronic data processing systems
7 from current appropriations as classified and standardized in
8 the State Finance Act "An Act in relation to State finance",
9 ~~approved June 10, 1919, as amended.~~

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

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

13 (40 ILCS 5/1A-112)

14 Sec. 1A-112. Fees.

15 (a) Every pension fund that is required to file an annual
16 statement under Section 1A-109 shall pay to the Department an
17 annual compliance fee. In the case of a pension fund under
18 Article 3 or 4 of this Code, the annual compliance fee shall be
19 0.02% (2 basis points) of the total assets of the pension fund,
20 as reported in the most current annual statement of the fund,
21 but not more than \$8,000. In the case of all other pension
22 funds and retirement systems, the annual compliance fee shall
23 be \$8,000.

24 (b) The annual compliance fee shall be due on June 30 for

1 the following State fiscal year, except that the fee payable in
2 1997 for fiscal year 1998 shall be due no earlier than 30 days
3 following the effective date of this amendatory Act of 1997.

4 (c) Any information obtained by the Division that is
5 available to the public under the Freedom of Information Act
6 and is either compiled in published form or maintained on a
7 computer processible medium shall be furnished upon the written
8 request of any applicant and the payment of a reasonable
9 information services fee established by the Director,
10 sufficient to cover the total cost to the Division of
11 compiling, processing, maintaining, and generating the
12 information. The information may be furnished by means of
13 published copy or on a computer processed or computer
14 processible medium.

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

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

20 (e) Fees collected under subsection (c) of this Section and
21 money collected under Section 1A-107 shall be deposited into
22 the Technology Management Department's Statistical Services
23 Revolving Fund and credited to the account of the Department's
24 Public Pension Division. This income shall be used exclusively
25 for the purposes set forth in Section 1A-107. Notwithstanding
26 the provisions of Section 408.2 of the Illinois Insurance Code,

1 no surplus funds remaining in this account shall be deposited
2 in the Insurance Financial Regulation Fund. All money in this
3 account that the Director certifies is not needed for the
4 purposes set forth in Section 1A-107 of this Code shall be
5 transferred to the Public Pension Regulation Fund.

6 (f) Nothing in this Code prohibits the General Assembly
7 from appropriating funds from the General Revenue Fund to the
8 Department for the purpose of administering or enforcing this
9 Code.

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

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

13 (215 ILCS 5/408) (from Ch. 73, par. 1020)

14 Sec. 408. Fees and charges.

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

17 (a) For filing all documents submitted for the
18 incorporation or organization or certification of a
19 domestic company, except for a fraternal benefit society,
20 \$2,000.

21 (b) For filing all documents submitted for the
22 incorporation or organization of a fraternal benefit
23 society, \$500.

24 (c) For filing amendments to articles of incorporation

1 and amendments to declaration of organization, except for a
2 fraternal benefit society, a mutual benefit association, a
3 burial society or a farm mutual, \$200.

4 (d) For filing amendments to articles of incorporation
5 of a fraternal benefit society, a mutual benefit
6 association or a burial society, \$100.

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

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

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

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

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

16 (iii) for a fraternal benefit society, a mutual
17 benefit association, a burial society, or a farm
18 mutual, \$200.

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

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

25 (j) For filing all documents submitted by a foreign or
26 alien fraternal benefit society to be admitted to transact

1 business in this State, \$500.

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

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

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

9 (n) For filing annual statement by a farm mutual, a
10 mutual benefit association, or a burial society, \$50.

11 (o) For issuing a certificate of authority or renewal
12 thereof except to a foreign fraternal benefit society,
13 \$400.

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

16 (q) For issuing an amended certificate of authority,
17 \$50.

18 (r) For each certified copy of certificate of
19 authority, \$20.

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

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

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

25 (v) For multiple copies of documents or certificates
26 listed in subparagraphs (r), (s), and (u) of paragraph (1)

1 of this Section, \$10 for the first copy of a certificate of
2 any type and \$5 for each additional copy of the same
3 certificate requested at the same time, unless, pursuant to
4 paragraph (2) of this Section, the Director finds these
5 additional fees excessive.

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

8 (i) in connection with a public stock offering,
9 \$300;

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

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

13 (y) For filing a plan of exchange of the stock of a
14 domestic stock insurance company, a plan of
15 demutualization of a domestic mutual company, or a plan of
16 reorganization under Article XII, \$2,000.

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

19 (aa) For filing an agreement to purchase the business
20 of an organization authorized under the Dental Service Plan
21 Act or the Voluntary Health Services Plans Act or of a
22 health maintenance organization or a limited health
23 service organization, \$2,000.

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

1 (cc) For filing a registration statement as required in
2 Sections 131.13 and 131.14, the notification as required by
3 Sections 131.16, 131.20a, or 141.4, or an agreement or
4 transaction required by Sections 124.2(2), 141, 141a, or
5 141.1, \$200.

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

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

9 (ii) a workers' compensation service company,
10 \$500;

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

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

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

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

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

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

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

3 (jj) For the filing of each form as required in Section
4 143 of this Code, \$50 per form. The fee for advisory and
5 rating organizations shall be \$200 per form.

6 (i) For the purposes of the form filing fee,
7 filings made on insert page basis will be considered
8 one form at the time of its original submission.
9 Changes made to a form subsequent to its approval shall
10 be considered a new filing.

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

14 (iii) Fees charged for a policy filed as it will be
15 issued regardless of the number of forms comprising
16 that policy shall not exceed \$1,500. For advisory or
17 rating organizations, fees charged for a policy filed
18 as it will be issued regardless of the number of forms
19 comprising that policy shall not exceed \$2,500.

20 (iv) The Director may by rule exempt forms from
21 such fees.

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

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

26 (2) When printed copies or numerous copies of the same

1 paper or records are furnished or certified, the Director may
2 reduce such fees for copies if he finds them excessive. He may,
3 when he considers it in the public interest, furnish without
4 charge to state insurance departments and persons other than
5 companies, copies or certified copies of reports of
6 examinations and of other papers and records.

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

1 electronic data processing costs incurred by the Department in
2 the performance of any examination shall be billed directly to
3 the company being examined for payment to the Technology
4 Management Statistical Services Revolving Fund.

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

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

19 (b) For purposes of this subsection (5) costs incurred
20 shall mean the hearing officer fees, court reporter fees, and
21 travel expenses of Department of Insurance officers and
22 employees; provided however, that costs incurred shall not
23 include hearing officer fees or court reporter fees unless the
24 Department has retained the services of independent
25 contractors or outside experts to perform such functions.

26 (c) The Director shall make the assessment of costs

1 incurred as part of the final order or decision arising out of
2 the proceeding; provided, however, that such order or decision
3 shall include findings and conclusions in support of the
4 assessment of costs. This subsection (5) shall not be construed
5 as permitting the payment of travel expenses unless calculated
6 in accordance with the applicable travel regulations of the
7 Department of Central Management Services, as approved by the
8 Governor's Travel Control Board. The Director as part of such
9 order or decision shall require all assessments for hearing
10 officer fees and court reporter fees, if any, to be paid
11 directly to the hearing officer or court reporter by the
12 party(s) assessed for such costs. The assessments for travel
13 expenses of Department officers and employees shall be
14 reimbursable to the Director of Insurance for deposit to the
15 fund out of which those expenses had been paid.

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

19 (6) The Director shall charge and collect an annual
20 financial regulation fee from every domestic company for
21 examination and analysis of its financial condition and to fund
22 the internal costs and expenses of the Interstate Insurance
23 Receivership Commission as may be allocated to the State of
24 Illinois and companies doing an insurance business in this
25 State pursuant to Article X of the Interstate Insurance
26 Receivership Compact. The fee shall be the greater fixed amount

1 based upon the combination of nationwide direct premium income
2 and nationwide reinsurance assumed premium income or upon
3 admitted assets calculated under this subsection as follows:

4 (a) Combination of nationwide direct premium income
5 and nationwide reinsurance assumed premium.

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

8 (ii) \$750, if the premium is \$500,000 or more, but
9 less than \$5,000,000 and there is no reinsurance
10 assumed premium; or if the premium is less than
11 \$5,000,000 and the reinsurance assumed premium is less
12 than \$10,000,000;

13 (iii) \$3,750, if the premium is less than
14 \$5,000,000 and the reinsurance assumed premium is
15 \$10,000,000 or more;

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

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

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

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

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

26 (b) Admitted assets.

1 (i) \$150, if admitted assets are less than
2 \$1,000,000;

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

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

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

9 (v) \$18,000, if admitted assets are \$50,000,000 or
10 more, but less than \$100,000,000;

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

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

15 (viii) \$37,500, if admitted assets are
16 \$1,000,000,000 or more.

17 (c) The sum of financial regulation fees charged to the
18 domestic companies of the same affiliated group shall not
19 exceed \$250,000 in the aggregate in any single year and
20 shall be billed by the Director to the member company
21 designated by the group.

22 (7) The Director shall charge and collect an annual
23 financial regulation fee from every foreign or alien company,
24 except fraternal benefit societies, for the examination and
25 analysis of its financial condition and to fund the internal
26 costs and expenses of the Interstate Insurance Receivership

1 Commission as may be allocated to the State of Illinois and
2 companies doing an insurance business in this State pursuant to
3 Article X of the Interstate Insurance Receivership Compact. The
4 fee shall be a fixed amount based upon Illinois direct premium
5 income and nationwide reinsurance assumed premium income in
6 accordance with the following schedule:

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

9 (b) \$750, if the premium is \$500,000 or more, but less
10 than \$5,000,000 and there is no reinsurance assumed
11 premium; or if the premium is less than \$5,000,000 and the
12 reinsurance assumed premium is less than \$10,000,000;

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

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

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

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

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

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

24 The sum of financial regulation fees under this subsection
25 (7) charged to the foreign or alien companies within the same
26 affiliated group shall not exceed \$250,000 in the aggregate in

1 any single year and shall be billed by the Director to the
2 member company designated by the group.

3 (8) Beginning January 1, 1992, the financial regulation
4 fees imposed under subsections (6) and (7) of this Section
5 shall be paid by each company or domestic affiliated group
6 annually. After January 1, 1994, the fee shall be billed by
7 Department invoice based upon the company's premium income or
8 admitted assets as shown in its annual statement for the
9 preceding calendar year. The invoice is due upon receipt and
10 must be paid no later than June 30 of each calendar year. All
11 financial regulation fees collected by the Department shall be
12 paid to the Insurance Financial Regulation Fund. The Department
13 may not collect financial examiner per diem charges from
14 companies subject to subsections (6) and (7) of this Section
15 undergoing financial examination after June 30, 1992.

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

22 Electronic data processing costs incurred by the
23 Department in the performance of any examination shall be
24 billed directly to the company undergoing examination for
25 payment to the Technology Management ~~Statistical Services~~
26 Revolving Fund. Except for direct reimbursements authorized by

1 the Director or direct payments made under Section 131.21 or
2 subsection (d) of Section 132.4 of this Code, all financial
3 regulation fees and all financial examination charges
4 collected by the Department shall be paid to the Insurance
5 Financial Regulation Fund.

6 All lodging and travel expenses shall be in accordance with
7 applicable travel regulations published by the Department of
8 Central Management Services and approved by the Governor's
9 Travel Control Board, except that out-of-state lodging and
10 travel expenses related to examinations authorized under
11 Sections 132.1 through 132.7 shall be in accordance with travel
12 rates prescribed under paragraph 301-7.2 of the Federal Travel
13 Regulations, 41 C.F.R. 301-7.2, for reimbursement of
14 subsistence expenses incurred during official travel. All
15 lodging and travel expenses may be reimbursed directly upon the
16 authorization of the Director.

17 In the case of an organization or person not subject to the
18 financial regulation fee, the expenses incurred in any
19 financial examination authorized by law shall be paid by the
20 organization or person being examined. The charge shall be
21 reasonably related to the cost of the examination including,
22 but not limited to, compensation of examiners and other costs
23 described in this subsection.

24 (10) Any company, person, or entity failing to make any
25 payment of \$150 or more as required under this Section shall be
26 subject to the penalty and interest provisions provided for in

1 subsections (4) and (7) of Section 412.

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

5 (12) For purposes of this Section:

6 (a) "Domestic company" means a company as defined in
7 Section 2 of this Code which is incorporated or organized
8 under the laws of this State, and in addition includes a
9 not-for-profit corporation authorized under the Dental
10 Service Plan Act or the Voluntary Health Services Plans
11 Act, a health maintenance organization, and a limited
12 health service organization.

13 (b) "Foreign company" means a company as defined in
14 Section 2 of this Code which is incorporated or organized
15 under the laws of any state of the United States other than
16 this State and in addition includes a health maintenance
17 organization and a limited health service organization
18 which is incorporated or organized under the laws of any
19 state of the United States other than this State.

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

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

26 (e) "Mutual benefit association" means a company,

1 association or corporation authorized by the Director to do
2 business in this State under the provisions of Article
3 XVIII of this Code.

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

8 (g) "Farm mutual" means a district, county and township
9 mutual insurance company authorized by the Director to do
10 business in this State under the provisions of the Farm
11 Mutual Insurance Company Act of 1986.

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

14 (215 ILCS 5/408.2) (from Ch. 73, par. 1020.2)

15 Sec. 408.2. Statistical Services. Any public record, or any
16 data obtained by the Department of Insurance, which is subject
17 to public inspection or copying and which is maintained on a
18 computer processible medium, may be furnished in a computer
19 processed or computer processible medium upon the written
20 request of any applicant and the payment of a reasonable fee
21 established by the Director sufficient to cover the total cost
22 of the Department for processing, maintaining and generating
23 such computer processible records or data, except to the extent
24 of any salaries or compensation of Department officers or
25 employees.

1 The Director of Insurance is specifically authorized to
2 contract with members of the public at large, enter waiver
3 agreements, or otherwise enter written agreements for the
4 purpose of assuring public access to the Department's computer
5 processible records or data, or for the purpose of restricting,
6 controlling or limiting such access where necessary to protect
7 the confidentiality of individuals, companies or other
8 entities identified by such documents.

9 All fees collected by the Director under this Section 408.2
10 shall be deposited in the Technology Management ~~Statistical~~
11 ~~Services~~ Revolving Fund and credited to the account of the
12 Department of Insurance. Any surplus funds remaining in such
13 account at the close of any fiscal year shall be delivered to
14 the State Treasurer for deposit in the Insurance Financial
15 Regulation Fund.

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

17 (215 ILCS 5/1202) (from Ch. 73, par. 1065.902)

18 Sec. 1202. Duties. The Director shall:

19 (a) determine the relationship of insurance premiums
20 and related income as compared to insurance costs and
21 expenses and provide such information to the General
22 Assembly and the general public;

23 (b) study the insurance system in the State of
24 Illinois, and recommend to the General Assembly what it
25 deems to be the most appropriate and comprehensive cost

1 containment system for the State;

2 (c) respond to the requests by agencies of government
3 and the General Assembly for special studies and analysis
4 of data collected pursuant to this Article. Such reports
5 shall be made available in a form prescribed by the
6 Director. The Director may also determine a fee to be
7 charged to the requesting agency to cover the direct and
8 indirect costs for producing such a report, and shall
9 permit affected insurers the right to review the accuracy
10 of the report before it is released. The fees shall be
11 deposited into the Technology Management ~~Statistical~~
12 ~~Services~~ Revolving Fund and credited to the account of the
13 Department of Insurance;

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

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

21 (215 ILCS 5/1206) (from Ch. 73, par. 1065.906)

22 Sec. 1206. Expenses. The companies required to file reports
23 under this Article shall pay a reasonable fee established by
24 the Director sufficient to cover the total cost of the
25 Department incident to or associated with the administration

1 and enforcement of this Article, including the collection,
2 analysis and distribution of the insurance cost data, the
3 conversion of hard copy reports to tape, and the compilation
4 and analysis of basic reports. The Director may establish a
5 schedule of fees for this purpose. Expenses for additional
6 reports shall be billed to those requesting the reports. Any
7 such fees collected under this Section shall be paid to the
8 Director of Insurance and deposited into the Technology
9 Management ~~Statistical Services~~ Revolving Fund and credited to
10 the account of the Department of Insurance.

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

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

14 (820 ILCS 305/17) (from Ch. 48, par. 138.17)

15 Sec. 17. The Commission shall cause to be printed and
16 furnish free of charge upon request by any employer or employee
17 such blank forms as may facilitate or promote efficient
18 administration and the performance of the duties of the
19 Commission. It shall provide a proper record in which shall be
20 entered and indexed the name of any employer who shall file a
21 notice of declination or withdrawal under this Act, and the
22 date of the filing thereof; and a proper record in which shall
23 be entered and indexed the name of any employee who shall file
24 such notice of declination or withdrawal, and the date of the

1 filing thereof; and such other notices as may be required by
2 this Act; and records in which shall be recorded all
3 proceedings, orders and awards had or made by the Commission or
4 by the arbitration committees, and such other books or records
5 as it shall deem necessary, all such records to be kept in the
6 office of the Commission.

7 The Commission may destroy all papers and documents which
8 have been on file for more than 5 years where there is no claim
9 for compensation pending or where more than 2 years have
10 elapsed since the termination of the compensation period.

11 The Commission shall compile and distribute to interested
12 persons aggregate statistics, taken from any records and
13 reports in the possession of the Commission. The aggregate
14 statistics shall not give the names or otherwise identify
15 persons sustaining injuries or disabilities or the employer of
16 any injured person or person with a disability.

17 The Commission is authorized to establish reasonable fees
18 and methods of payment limited to covering only the costs to
19 the Commission for processing, maintaining and generating
20 records or data necessary for the computerized production of
21 documents, records and other materials except to the extent of
22 any salaries or compensation of Commission officers or
23 employees.

24 All fees collected by the Commission under this Section
25 shall be deposited in the Technology Management Statistical
26 ~~Services~~ Revolving Fund and credited to the account of the

1 Illinois Workers' Compensation Commission.

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

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

5 (820 ILCS 310/17) (from Ch. 48, par. 172.52)

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

1 have 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 ARTICLE 25. REFUNDING BONDS

21 Section 25-5. The General Obligation Bond Act is amended by
22 changing Sections 2.5, 9, 11, and 16 as follows:

23 (30 ILCS 330/2.5)

1 Sec. 2.5. Limitation on issuance of Bonds.

2 (a) Except as provided in subsection (b), no Bonds may be
3 issued if, after the issuance, in the next State fiscal year
4 after the issuance of the Bonds, the amount of debt service
5 (including principal, whether payable at maturity or pursuant
6 to mandatory sinking fund installments, and interest) on all
7 then-outstanding Bonds, other than Bonds authorized by Public
8 Act 96-43 and other than Bonds authorized by Public Act
9 96-1497, would exceed 7% of the aggregate appropriations from
10 the general funds (which consist of the General Revenue Fund,
11 the Common School Fund, the General Revenue Common School
12 Special Account Fund, and the Education Assistance Fund) and
13 the Road Fund for the fiscal year immediately prior to the
14 fiscal year of the issuance.

15 (b) If the Comptroller and Treasurer each consent in
16 writing, Bonds may be issued even if the issuance does not
17 comply with subsection (a). In addition, \$2,000,000,000 in
18 Bonds for the purposes set forth in Sections 3, 4, 5, 6, and 7,
19 and \$2,000,000,000 in Refunding Bonds under Section 16, may be
20 issued during State fiscal year 2017 without complying with
21 subsection (a). In addition, \$2,000,000,000 in Bonds for the
22 purposes set forth in Sections 3, 4, 5, 6, and 7, and
23 \$2,000,000,000 in Refunding Bonds under Section 16, may be
24 issued during State fiscal year 2018 without complying with
25 subsection (a).

26 (Source: P.A. 99-523, eff. 6-30-16.)

1 (30 ILCS 330/9) (from Ch. 127, par. 659)

2 Sec. 9. Conditions for Issuance and Sale of Bonds -
3 Requirements for Bonds.

4 (a) Except as otherwise provided in this subsection, Bonds
5 shall be issued and sold from time to time, in one or more
6 series, in such amounts and at such prices as may be directed
7 by the Governor, upon recommendation by the Director of the
8 Governor's Office of Management and Budget. Bonds shall be in
9 such form (either coupon, registered or book entry), in such
10 denominations, payable within 25 years from their date, subject
11 to such terms of redemption with or without premium, bear
12 interest payable at such times and at such fixed or variable
13 rate or rates, and be dated as shall be fixed and determined by
14 the Director of the Governor's Office of Management and Budget
15 in the order authorizing the issuance and sale of any series of
16 Bonds, which order shall be approved by the Governor and is
17 herein called a "Bond Sale Order"; provided however, that
18 interest payable at fixed or variable rates shall not exceed
19 that permitted in the Bond Authorization Act, as now or
20 hereafter amended. Bonds shall be payable at such place or
21 places, within or without the State of Illinois, and may be
22 made registrable as to either principal or as to both principal
23 and interest, as shall be specified in the Bond Sale Order.
24 Bonds may be callable or subject to purchase and retirement or
25 tender and remarketing as fixed and determined in the Bond Sale

1 Order. Bonds, other than Bonds issued under Section 3 of this
2 Act for the costs associated with the purchase and
3 implementation of information technology, (i) except for
4 refunding Bonds satisfying the requirements of Section 16 of
5 this Act and sold during fiscal year 2009, 2010, 2011, ~~or 2017,~~
6 or 2018 must be issued with principal or mandatory redemption
7 amounts in equal amounts, with the first maturity issued
8 occurring within the fiscal year in which the Bonds are issued
9 or within the next succeeding fiscal year and (ii) must mature
10 or be subject to mandatory redemption each fiscal year
11 thereafter up to 25 years, except for refunding Bonds
12 satisfying the requirements of Section 16 of this Act and sold
13 during fiscal year 2009, 2010, or 2011 which must mature or be
14 subject to mandatory redemption each fiscal year thereafter up
15 to 16 years. Bonds issued under Section 3 of this Act for the
16 costs associated with the purchase and implementation of
17 information technology must be issued with principal or
18 mandatory redemption amounts in equal amounts, with the first
19 maturity issued occurring with the fiscal year in which the
20 respective bonds are issued or with the next succeeding fiscal
21 year, with the respective bonds issued maturing or subject to
22 mandatory redemption each fiscal year thereafter up to 10
23 years. Notwithstanding any provision of this Act to the
24 contrary, the Bonds authorized by Public Act 96-43 shall be
25 payable within 5 years from their date and must be issued with
26 principal or mandatory redemption amounts in equal amounts,

1 with payment of principal or mandatory redemption beginning in
2 the first fiscal year following the fiscal year in which the
3 Bonds are issued.

4 Notwithstanding any provision of this Act to the contrary,
5 the Bonds authorized by Public Act 96-1497 shall be payable
6 within 8 years from their date and shall be issued with payment
7 of maturing principal or scheduled mandatory redemptions in
8 accordance with the following schedule, except the following
9 amounts shall be prorated if less than the total additional
10 amount of Bonds authorized by Public Act 96-1497 are issued:

11	Fiscal Year After Issuance	Amount
12	1-2	\$0
13	3	\$110,712,120
14	4	\$332,136,360
15	5	\$664,272,720
16	6-8	\$996,409,080

17 In the case of any series of Bonds bearing interest at a
18 variable interest rate ("Variable Rate Bonds"), in lieu of
19 determining the rate or rates at which such series of Variable
20 Rate Bonds shall bear interest and the price or prices at which
21 such Variable Rate Bonds shall be initially sold or remarketed
22 (in the event of purchase and subsequent resale), the Bond Sale
23 Order may provide that such interest rates and prices may vary
24 from time to time depending on criteria established in such
25 Bond Sale Order, which criteria may include, without
26 limitation, references to indices or variations in interest

1 rates as may, in the judgment of a remarketing agent, be
2 necessary to cause Variable Rate Bonds of such series to be
3 remarketable from time to time at a price equal to their
4 principal amount, and may provide for appointment of a bank,
5 trust company, investment bank, or other financial institution
6 to serve as remarketing agent in that connection. The Bond Sale
7 Order may provide that alternative interest rates or provisions
8 for establishing alternative interest rates, different
9 security or claim priorities, or different call or amortization
10 provisions will apply during such times as Variable Rate Bonds
11 of any series are held by a person providing credit or
12 liquidity enhancement arrangements for such Bonds as
13 authorized in subsection (b) of this Section. The Bond Sale
14 Order may also provide for such variable interest rates to be
15 established pursuant to a process generally known as an auction
16 rate process and may provide for appointment of one or more
17 financial institutions to serve as auction agents and
18 broker-dealers in connection with the establishment of such
19 interest rates and the sale and remarketing of such Bonds.

20 (b) In connection with the issuance of any series of Bonds,
21 the State may enter into arrangements to provide additional
22 security and liquidity for such Bonds, including, without
23 limitation, bond or interest rate insurance or letters of
24 credit, lines of credit, bond purchase contracts, or other
25 arrangements whereby funds are made available to retire or
26 purchase Bonds, thereby assuring the ability of owners of the

1 Bonds to sell or redeem their Bonds. The State may enter into
2 contracts and may agree to pay fees to persons providing such
3 arrangements, but only under circumstances where the Director
4 of the Governor's Office of Management and Budget certifies
5 that he or she reasonably expects the total interest paid or to
6 be paid on the Bonds, together with the fees for the
7 arrangements (being treated as if interest), would not, taken
8 together, cause the Bonds to bear interest, calculated to their
9 stated maturity, at a rate in excess of the rate that the Bonds
10 would bear in the absence of such arrangements.

11 The State may, with respect to Bonds issued or anticipated
12 to be issued, participate in and enter into arrangements with
13 respect to interest rate protection or exchange agreements,
14 guarantees, or financial futures contracts for the purpose of
15 limiting, reducing, or managing interest rate exposure. The
16 authority granted under this paragraph, however, shall not
17 increase the principal amount of Bonds authorized to be issued
18 by law. The arrangements may be executed and delivered by the
19 Director of the Governor's Office of Management and Budget on
20 behalf of the State. Net payments for such arrangements shall
21 constitute interest on the Bonds and shall be paid from the
22 General Obligation Bond Retirement and Interest Fund. The
23 Director of the Governor's Office of Management and Budget
24 shall at least annually certify to the Governor and the State
25 Comptroller his or her estimate of the amounts of such net
26 payments to be included in the calculation of interest required

1 to be paid by the State.

2 (c) Prior to the issuance of any Variable Rate Bonds
3 pursuant to subsection (a), the Director of the Governor's
4 Office of Management and Budget shall adopt an interest rate
5 risk management policy providing that the amount of the State's
6 variable rate exposure with respect to Bonds shall not exceed
7 20%. This policy shall remain in effect while any Bonds are
8 outstanding and the issuance of Bonds shall be subject to the
9 terms of such policy. The terms of this policy may be amended
10 from time to time by the Director of the Governor's Office of
11 Management and Budget but in no event shall any amendment cause
12 the permitted level of the State's variable rate exposure with
13 respect to Bonds to exceed 20%.

14 (d) "Build America Bonds" in this Section means Bonds
15 authorized by Section 54AA of the Internal Revenue Code of
16 1986, as amended ("Internal Revenue Code"), and bonds issued
17 from time to time to refund or continue to refund "Build
18 America Bonds".

19 (e) Notwithstanding any other provision of this Section,
20 Qualified School Construction Bonds shall be issued and sold
21 from time to time, in one or more series, in such amounts and
22 at such prices as may be directed by the Governor, upon
23 recommendation by the Director of the Governor's Office of
24 Management and Budget. Qualified School Construction Bonds
25 shall be in such form (either coupon, registered or book
26 entry), in such denominations, payable within 25 years from

1 their date, subject to such terms of redemption with or without
2 premium, and if the Qualified School Construction Bonds are
3 issued with a supplemental coupon, bear interest payable at
4 such times and at such fixed or variable rate or rates, and be
5 dated as shall be fixed and determined by the Director of the
6 Governor's Office of Management and Budget in the order
7 authorizing the issuance and sale of any series of Qualified
8 School Construction Bonds, which order shall be approved by the
9 Governor and is herein called a "Bond Sale Order"; except that
10 interest payable at fixed or variable rates, if any, shall not
11 exceed that permitted in the Bond Authorization Act, as now or
12 hereafter amended. Qualified School Construction Bonds shall
13 be payable at such place or places, within or without the State
14 of Illinois, and may be made registrable as to either principal
15 or as to both principal and interest, as shall be specified in
16 the Bond Sale Order. Qualified School Construction Bonds may be
17 callable or subject to purchase and retirement or tender and
18 remarketing as fixed and determined in the Bond Sale Order.
19 Qualified School Construction Bonds must be issued with
20 principal or mandatory redemption amounts or sinking fund
21 payments into the General Obligation Bond Retirement and
22 Interest Fund (or subaccount therefor) in equal amounts, with
23 the first maturity issued, mandatory redemption payment or
24 sinking fund payment occurring within the fiscal year in which
25 the Qualified School Construction Bonds are issued or within
26 the next succeeding fiscal year, with Qualified School

1 Construction Bonds issued maturing or subject to mandatory
2 redemption or with sinking fund payments thereof deposited each
3 fiscal year thereafter up to 25 years. Sinking fund payments
4 set forth in this subsection shall be permitted only to the
5 extent authorized in Section 54F of the Internal Revenue Code
6 or as otherwise determined by the Director of the Governor's
7 Office of Management and Budget. "Qualified School
8 Construction Bonds" in this subsection means Bonds authorized
9 by Section 54F of the Internal Revenue Code and for bonds
10 issued from time to time to refund or continue to refund such
11 "Qualified School Construction Bonds".

12 (f) Beginning with the next issuance by the Governor's
13 Office of Management and Budget to the Procurement Policy Board
14 of a request for quotation for the purpose of formulating a new
15 pool of qualified underwriting banks list, all entities
16 responding to such a request for quotation for inclusion on
17 that list shall provide a written report to the Governor's
18 Office of Management and Budget and the Illinois Comptroller.
19 The written report submitted to the Comptroller shall (i) be
20 published on the Comptroller's Internet website and (ii) be
21 used by the Governor's Office of Management and Budget for the
22 purposes of scoring such a request for quotation. The written
23 report, at a minimum, shall:

24 (1) disclose whether, within the past 3 months,
25 pursuant to its credit default swap market-making
26 activities, the firm has entered into any State of Illinois

1 credit default swaps ("CDS");

2 (2) include, in the event of State of Illinois CDS
3 activity, disclosure of the firm's cumulative notional
4 volume of State of Illinois CDS trades and the firm's
5 outstanding gross and net notional amount of State of
6 Illinois CDS, as of the end of the current 3-month period;

7 (3) indicate, pursuant to the firm's proprietary
8 trading activities, disclosure of whether the firm, within
9 the past 3 months, has entered into any proprietary trades
10 for its own account in State of Illinois CDS;

11 (4) include, in the event of State of Illinois
12 proprietary trades, disclosure of the firm's outstanding
13 gross and net notional amount of proprietary State of
14 Illinois CDS and whether the net position is short or long
15 credit protection, as of the end of the current 3-month
16 period;

17 (5) list all time periods during the past 3 months
18 during which the firm held net long or net short State of
19 Illinois CDS proprietary credit protection positions, the
20 amount of such positions, and whether those positions were
21 net long or net short credit protection positions; and

22 (6) indicate whether, within the previous 3 months, the
23 firm released any publicly available research or marketing
24 reports that reference State of Illinois CDS and include
25 those research or marketing reports as attachments.

26 (g) All entities included on a Governor's Office of

1 Management and Budget's pool of qualified underwriting banks
2 list shall, as soon as possible after March 18, 2011 (the
3 effective date of Public Act 96-1554), but not later than
4 January 21, 2011, and on a quarterly fiscal basis thereafter,
5 provide a written report to the Governor's Office of Management
6 and Budget and the Illinois Comptroller. The written reports
7 submitted to the Comptroller shall be published on the
8 Comptroller's Internet website. The written reports, at a
9 minimum, shall:

10 (1) disclose whether, within the past 3 months,
11 pursuant to its credit default swap market-making
12 activities, the firm has entered into any State of Illinois
13 credit default swaps ("CDS");

14 (2) include, in the event of State of Illinois CDS
15 activity, disclosure of the firm's cumulative notional
16 volume of State of Illinois CDS trades and the firm's
17 outstanding gross and net notional amount of State of
18 Illinois CDS, as of the end of the current 3-month period;

19 (3) indicate, pursuant to the firm's proprietary
20 trading activities, disclosure of whether the firm, within
21 the past 3 months, has entered into any proprietary trades
22 for its own account in State of Illinois CDS;

23 (4) include, in the event of State of Illinois
24 proprietary trades, disclosure of the firm's outstanding
25 gross and net notional amount of proprietary State of
26 Illinois CDS and whether the net position is short or long

1 credit protection, as of the end of the current 3-month
2 period;

3 (5) list all time periods during the past 3 months
4 during which the firm held net long or net short State of
5 Illinois CDS proprietary credit protection positions, the
6 amount of such positions, and whether those positions were
7 net long or net short credit protection positions; and

8 (6) indicate whether, within the previous 3 months, the
9 firm released any publicly available research or marketing
10 reports that reference State of Illinois CDS and include
11 those research or marketing reports as attachments.

12 (Source: P.A. 99-523, eff. 6-30-16.)

13 (30 ILCS 330/11) (from Ch. 127, par. 661)

14 Sec. 11. Sale of Bonds. Except as otherwise provided in
15 this Section, Bonds shall be sold from time to time pursuant to
16 notice of sale and public bid or by negotiated sale in such
17 amounts and at such times as is directed by the Governor, upon
18 recommendation by the Director of the Governor's Office of
19 Management and Budget. At least 25%, based on total principal
20 amount, of all Bonds issued each fiscal year shall be sold
21 pursuant to notice of sale and public bid. At all times during
22 each fiscal year, no more than 75%, based on total principal
23 amount, of the Bonds issued each fiscal year, shall have been
24 sold by negotiated sale. Failure to satisfy the requirements in
25 the preceding 2 sentences shall not affect the validity of any

1 previously issued Bonds; provided that all Bonds authorized by
2 Public Act 96-43 and Public Act 96-1497 shall not be included
3 in determining compliance for any fiscal year with the
4 requirements of the preceding 2 sentences; and further provided
5 that refunding Bonds satisfying the requirements of Section 16
6 of this Act and sold during fiscal year 2009, 2010, 2011, ~~or~~
7 2017, or 2018 shall not be subject to the requirements in the
8 preceding 2 sentences.

9 If any Bonds, including refunding Bonds, are to be sold by
10 negotiated sale, the Director of the Governor's Office of
11 Management and Budget shall comply with the competitive request
12 for proposal process set forth in the Illinois Procurement Code
13 and all other applicable requirements of that Code.

14 If Bonds are to be sold pursuant to notice of sale and
15 public bid, the Director of the Governor's Office of Management
16 and Budget may, from time to time, as Bonds are to be sold,
17 advertise the sale of the Bonds in at least 2 daily newspapers,
18 one of which is published in the City of Springfield and one in
19 the City of Chicago. The sale of the Bonds shall also be
20 advertised in the volume of the Illinois Procurement Bulletin
21 that is published by the Department of Central Management
22 Services, and shall be published once at least 10 days prior to
23 the date fixed for the opening of the bids. The Director of the
24 Governor's Office of Management and Budget may reschedule the
25 date of sale upon the giving of such additional notice as the
26 Director deems adequate to inform prospective bidders of such

1 change; provided, however, that all other conditions of the
2 sale shall continue as originally advertised.

3 Executed Bonds shall, upon payment therefor, be delivered
4 to the purchaser, and the proceeds of Bonds shall be paid into
5 the State Treasury as directed by Section 12 of this Act.

6 (Source: P.A. 98-44, eff. 6-28-13; 99-523, eff. 6-30-16.)

7 (30 ILCS 330/16) (from Ch. 127, par. 666)

8 Sec. 16. Refunding Bonds. The State of Illinois is
9 authorized to issue, sell, and provide for the retirement of
10 General Obligation Bonds of the State of Illinois in the amount
11 of \$4,839,025,000, at any time and from time to time
12 outstanding, for the purpose of refunding any State of Illinois
13 general obligation Bonds then outstanding, including the
14 payment of any redemption premium thereon, any reasonable
15 expenses of such refunding, any interest accrued or to accrue
16 to the earliest or any subsequent date of redemption or
17 maturity of such outstanding Bonds and any interest to accrue
18 to the first interest payment on the refunding Bonds; provided
19 that all non-refunding Bonds in an issue that includes
20 refunding Bonds shall mature no later than the final maturity
21 date of Bonds being refunded; provided that no refunding Bonds
22 shall be offered for sale unless the net present value of debt
23 service savings to be achieved by the issuance of the refunding
24 Bonds is 3% or more of the principal amount of the refunding
25 Bonds to be issued; and further provided that, except for

1 refunding Bonds sold in fiscal year 2009, 2010, 2011, ~~or~~ 2017,
2 or 2018, the maturities of the refunding Bonds shall not extend
3 beyond the maturities of the Bonds they refund, so that for
4 each fiscal year in the maturity schedule of a particular issue
5 of refunding Bonds, the total amount of refunding principal
6 maturing and redemption amounts due in that fiscal year and all
7 prior fiscal years in that schedule shall be greater than or
8 equal to the total amount of refunded principal and redemption
9 amounts that had been due over that year and all prior fiscal
10 years prior to the refunding.

11 The Governor shall notify the State Treasurer and
12 Comptroller of such refunding. The proceeds received from the
13 sale of refunding Bonds shall be used for the retirement at
14 maturity or redemption of such outstanding Bonds on any
15 maturity or redemption date and, pending such use, shall be
16 placed in escrow, subject to such terms and conditions as shall
17 be provided for in the Bond Sale Order relating to the
18 Refunding Bonds. Proceeds not needed for deposit in an escrow
19 account shall be deposited in the General Obligation Bond
20 Retirement and Interest Fund. This Act shall constitute an
21 irrevocable and continuing appropriation of all amounts
22 necessary to establish an escrow account for the purpose of
23 refunding outstanding general obligation Bonds and to pay the
24 reasonable expenses of such refunding and of the issuance and
25 sale of the refunding Bonds. Any such escrowed proceeds may be
26 invested and reinvested in direct obligations of the United

1 States of America, maturing at such time or times as shall be
2 appropriate to assure the prompt payment, when due, of the
3 principal of and interest and redemption premium, if any, on
4 the refunded Bonds. After the terms of the escrow have been
5 fully satisfied, any remaining balance of such proceeds and
6 interest, income and profits earned or realized on the
7 investments thereof shall be paid into the General Revenue
8 Fund. The liability of the State upon the Bonds shall continue,
9 provided that the holders thereof shall thereafter be entitled
10 to payment only out of the moneys deposited in the escrow
11 account.

12 Except as otherwise herein provided in this Section, such
13 refunding Bonds shall in all other respects be subject to the
14 terms and conditions of this Act.

15 (Source: P.A. 99-523, eff. 6-30-16.)

16 Section 25-10. The Build Illinois Bond Act is amended by
17 changing Sections 6, 8, and 15 as follows:

18 (30 ILCS 425/6) (from Ch. 127, par. 2806)

19 Sec. 6. Conditions for Issuance and Sale of Bonds -
20 Requirements for Bonds - Master and Supplemental Indentures -
21 Credit and Liquidity Enhancement.

22 (a) Bonds shall be issued and sold from time to time, in
23 one or more series, in such amounts and at such prices as
24 directed by the Governor, upon recommendation by the Director

1 of the Governor's Office of Management and Budget. Bonds shall
2 be payable only from the specific sources and secured in the
3 manner provided in this Act. Bonds shall be in such form, in
4 such denominations, mature on such dates within 25 years from
5 their date of issuance, be subject to optional or mandatory
6 redemption, bear interest payable at such times and at such
7 rate or rates, fixed or variable, and be dated as shall be
8 fixed and determined by the Director of the Governor's Office
9 of Management and Budget in an order authorizing the issuance
10 and sale of any series of Bonds, which order shall be approved
11 by the Governor and is herein called a "Bond Sale Order";
12 provided, however, that interest payable at fixed rates shall
13 not exceed that permitted in "An Act to authorize public
14 corporations to issue bonds, other evidences of indebtedness
15 and tax anticipation warrants subject to interest rate
16 limitations set forth therein", approved May 26, 1970, as now
17 or hereafter amended, and interest payable at variable rates
18 shall not exceed the maximum rate permitted in the Bond Sale
19 Order. Said Bonds shall be payable at such place or places,
20 within or without the State of Illinois, and may be made
21 registrable as to either principal only or as to both principal
22 and interest, as shall be specified in the Bond Sale Order.
23 Bonds may be callable or subject to purchase and retirement or
24 remarketing as fixed and determined in the Bond Sale Order.
25 Bonds (i) except for refunding Bonds satisfying the
26 requirements of Section 15 of this Act and sold during fiscal

1 year 2009, 2010, 2011, ~~or~~ 2017, or 2018, must be issued with
2 principal or mandatory redemption amounts in equal amounts,
3 with the first maturity issued occurring within the fiscal year
4 in which the Bonds are issued or within the next succeeding
5 fiscal year and (ii) must mature or be subject to mandatory
6 redemption each fiscal year thereafter up to 25 years, except
7 for refunding Bonds satisfying the requirements of Section 15
8 of this Act and sold during fiscal year 2009, 2010, or 2011
9 which must mature or be subject to mandatory redemption each
10 fiscal year thereafter up to 16 years.

11 All Bonds authorized under this Act shall be issued
12 pursuant to a master trust indenture ("Master Indenture")
13 executed and delivered on behalf of the State by the Director
14 of the Governor's Office of Management and Budget, such Master
15 Indenture to be in substantially the form approved in the Bond
16 Sale Order authorizing the issuance and sale of the initial
17 series of Bonds issued under this Act. Such initial series of
18 Bonds may, and each subsequent series of Bonds shall, also be
19 issued pursuant to a supplemental trust indenture
20 ("Supplemental Indenture") executed and delivered on behalf of
21 the State by the Director of the Governor's Office of
22 Management and Budget, each such Supplemental Indenture to be
23 in substantially the form approved in the Bond Sale Order
24 relating to such series. The Master Indenture and any
25 Supplemental Indenture shall be entered into with a bank or
26 trust company in the State of Illinois having trust powers and

1 possessing capital and surplus of not less than \$100,000,000.
2 Such indentures shall set forth the terms and conditions of the
3 Bonds and provide for payment of and security for the Bonds,
4 including the establishment and maintenance of debt service and
5 reserve funds, and for other protections for holders of the
6 Bonds. The term "reserve funds" as used in this Act shall
7 include funds and accounts established under indentures to
8 provide for the payment of principal of and premium and
9 interest on Bonds, to provide for the purchase, retirement or
10 defeasance of Bonds, to provide for fees of trustees,
11 registrars, paying agents and other fiduciaries and to provide
12 for payment of costs of and debt service payable in respect of
13 credit or liquidity enhancement arrangements, interest rate
14 swaps or guarantees or financial futures contracts and indexing
15 and remarketing agents' services.

16 In the case of any series of Bonds bearing interest at a
17 variable interest rate ("Variable Rate Bonds"), in lieu of
18 determining the rate or rates at which such series of Variable
19 Rate Bonds shall bear interest and the price or prices at which
20 such Variable Rate Bonds shall be initially sold or remarketed
21 (in the event of purchase and subsequent resale), the Bond Sale
22 Order may provide that such interest rates and prices may vary
23 from time to time depending on criteria established in such
24 Bond Sale Order, which criteria may include, without
25 limitation, references to indices or variations in interest
26 rates as may, in the judgment of a remarketing agent, be

1 necessary to cause Bonds of such series to be remarketable from
2 time to time at a price equal to their principal amount (or
3 compound accreted value in the case of original issue discount
4 Bonds), and may provide for appointment of indexing agents and
5 a bank, trust company, investment bank or other financial
6 institution to serve as remarketing agent in that connection.
7 The Bond Sale Order may provide that alternative interest rates
8 or provisions for establishing alternative interest rates,
9 different security or claim priorities or different call or
10 amortization provisions will apply during such times as Bonds
11 of any series are held by a person providing credit or
12 liquidity enhancement arrangements for such Bonds as
13 authorized in subsection (b) of Section 6 of this Act.

14 (b) In connection with the issuance of any series of Bonds,
15 the State may enter into arrangements to provide additional
16 security and liquidity for such Bonds, including, without
17 limitation, bond or interest rate insurance or letters of
18 credit, lines of credit, bond purchase contracts or other
19 arrangements whereby funds are made available to retire or
20 purchase Bonds, thereby assuring the ability of owners of the
21 Bonds to sell or redeem their Bonds. The State may enter into
22 contracts and may agree to pay fees to persons providing such
23 arrangements, but only under circumstances where the Director
24 of the Bureau of the Budget (now Governor's Office of
25 Management and Budget) certifies that he reasonably expects the
26 total interest paid or to be paid on the Bonds, together with

1 the fees for the arrangements (being treated as if interest),
2 would not, taken together, cause the Bonds to bear interest,
3 calculated to their stated maturity, at a rate in excess of the
4 rate which the Bonds would bear in the absence of such
5 arrangements. Any bonds, notes or other evidences of
6 indebtedness issued pursuant to any such arrangements for the
7 purpose of retiring and discharging outstanding Bonds shall
8 constitute refunding Bonds under Section 15 of this Act. The
9 State may participate in and enter into arrangements with
10 respect to interest rate swaps or guarantees or financial
11 futures contracts for the purpose of limiting or restricting
12 interest rate risk; provided that such arrangements shall be
13 made with or executed through banks having capital and surplus
14 of not less than \$100,000,000 or insurance companies holding
15 the highest policyholder rating accorded insurers by A.M. Best
16 & Co. or any comparable rating service or government bond
17 dealers reporting to, trading with, and recognized as primary
18 dealers by a Federal Reserve Bank and having capital and
19 surplus of not less than \$100,000,000, or other persons whose
20 debt securities are rated in the highest long-term categories
21 by both Moody's Investors' Services, Inc. and Standard & Poor's
22 Corporation. Agreements incorporating any of the foregoing
23 arrangements may be executed and delivered by the Director of
24 the Governor's Office of Management and Budget on behalf of the
25 State in substantially the form approved in the Bond Sale Order
26 relating to such Bonds.

1 (c) "Build America Bonds" in this Section means Bonds
2 authorized by Section 54AA of the Internal Revenue Code of
3 1986, as amended ("Internal Revenue Code"), and bonds issued
4 from time to time to refund or continue to refund "Build
5 America Bonds".

6 (Source: P.A. 99-523, eff. 6-30-16.)

7 (30 ILCS 425/8) (from Ch. 127, par. 2808)

8 Sec. 8. Sale of Bonds. Bonds, except as otherwise provided
9 in this Section, shall be sold from time to time pursuant to
10 notice of sale and public bid or by negotiated sale in such
11 amounts and at such times as are directed by the Governor, upon
12 recommendation by the Director of the Governor's Office of
13 Management and Budget. At least 25%, based on total principal
14 amount, of all Bonds issued each fiscal year shall be sold
15 pursuant to notice of sale and public bid. At all times during
16 each fiscal year, no more than 75%, based on total principal
17 amount, of the Bonds issued each fiscal year shall have been
18 sold by negotiated sale. Failure to satisfy the requirements in
19 the preceding 2 sentences shall not affect the validity of any
20 previously issued Bonds; and further provided that refunding
21 Bonds satisfying the requirements of Section 15 of this Act and
22 sold during fiscal year 2009, 2010, 2011, ~~or~~ 2017, or 2018
23 shall not be subject to the requirements in the preceding 2
24 sentences.

25 If any Bonds are to be sold pursuant to notice of sale and

1 public bid, the Director of the Governor's Office of Management
2 and Budget shall comply with the competitive request for
3 proposal process set forth in the Illinois Procurement Code and
4 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 the
18 change; provided, however, that all other conditions of the
19 sale shall continue as originally advertised. Executed Bonds
20 shall, upon payment therefor, be delivered to the purchaser,
21 and the proceeds of Bonds shall be paid into the State Treasury
22 as directed by Section 9 of this Act. The Governor or the
23 Director of the Governor's Office of Management and Budget is
24 hereby authorized and directed to execute and deliver contracts
25 of sale with underwriters and to execute and deliver such
26 certificates, indentures, agreements and documents, including

1 any supplements or amendments thereto, and to take such actions
2 and do such things as shall be necessary or desirable to carry
3 out the purposes of this Act. Any action authorized or
4 permitted to be taken by the Director of the Governor's Office
5 of Management and Budget pursuant to this Act is hereby
6 authorized to be taken by any person specifically designated by
7 the Governor to take such action in a certificate signed by the
8 Governor and filed with the Secretary of State.

9 (Source: P.A. 98-44, eff. 6-28-13; 99-523, eff. 6-30-16.)

10 (30 ILCS 425/15) (from Ch. 127, par. 2815)

11 Sec. 15. Refunding Bonds. Refunding Bonds are hereby
12 authorized for the purpose of refunding any outstanding Bonds,
13 including the payment of any redemption premium thereon, any
14 reasonable expenses of such refunding, and any interest accrued
15 or to accrue to the earliest or any subsequent date of
16 redemption or maturity of outstanding Bonds; provided that all
17 non-refunding Bonds in an issue that includes refunding Bonds
18 shall mature no later than the final maturity date of Bonds
19 being refunded; provided that no refunding Bonds shall be
20 offered for sale unless the net present value of debt service
21 savings to be achieved by the issuance of the refunding Bonds
22 is 3% or more of the principal amount of the refunding Bonds to
23 be issued; and further provided that, except for refunding
24 Bonds sold in fiscal year 2009, 2010, 2011, ~~or~~ 2017, or 2018,
25 the maturities of the refunding Bonds shall not extend beyond

1 the maturities of the Bonds they refund, so that for each
2 fiscal year in the maturity schedule of a particular issue of
3 refunding Bonds, the total amount of refunding principal
4 maturing and redemption amounts due in that fiscal year and all
5 prior fiscal years in that schedule shall be greater than or
6 equal to the total amount of refunded principal and redemption
7 amounts that had been due over that year and all prior fiscal
8 years prior to the refunding.

9 Refunding Bonds may be sold in such amounts and at such
10 times, as directed by the Governor upon recommendation by the
11 Director of the Governor's Office of Management and Budget. The
12 Governor shall notify the State Treasurer and Comptroller of
13 such refunding. The proceeds received from the sale of
14 refunding Bonds shall be used for the retirement at maturity or
15 redemption of such outstanding Bonds on any maturity or
16 redemption date and, pending such use, shall be placed in
17 escrow, subject to such terms and conditions as shall be
18 provided for in the Bond Sale Order relating to the refunding
19 Bonds. This Act shall constitute an irrevocable and continuing
20 appropriation of all amounts necessary to establish an escrow
21 account for the purpose of refunding outstanding Bonds and to
22 pay the reasonable expenses of such refunding and of the
23 issuance and sale of the refunding Bonds. Any such escrowed
24 proceeds may be invested and reinvested in direct obligations
25 of the United States of America, maturing at such time or times
26 as shall be appropriate to assure the prompt payment, when due,

1 of the principal of and interest and redemption premium, if
2 any, on the refunded Bonds. After the terms of the escrow have
3 been fully satisfied, any remaining balance of such proceeds
4 and interest, income and profits earned or realized on the
5 investments thereof shall be paid into the General Revenue
6 Fund. The liability of the State upon the refunded Bonds shall
7 continue, provided that the holders thereof shall thereafter be
8 entitled to payment only out of the moneys deposited in the
9 escrow account and the refunded Bonds shall be deemed paid,
10 discharged and no longer to be outstanding.

11 Except as otherwise herein provided in this Section, such
12 refunding Bonds shall in all other respects be issued pursuant
13 to and subject to the terms and conditions of this Act and
14 shall be secured by and payable from only the funds and sources
15 which are provided under this Act.

16 (Source: P.A. 99-523, eff. 6-30-16.)

17 ARTICLE 30. SPENDING CAPS

18 Section 30-5. The Illinois Income Tax Act is amended by
19 adding Section 201.6 as follows:

20 (35 ILCS 5/201.6 new)

21 Sec. 201.6. Fiscal Year 2018 spending limitation and tax
22 reduction.

23 (a) If, in State fiscal year 2018, State spending exceeds

1 the State spending limitation set forth in subsection (b) of
2 this Section for that fiscal year, then the tax rates for:

3 (1) individuals, trusts, and estates set forth in
4 paragraphs (5.3) and (5.4) of subsection (b) of Section
5 201, as amended by Senate Bill 9 of the 100th General
6 Assembly, shall be reduced, according to the procedures set
7 forth in this Section, to 3.75% of the taxpayer's net
8 income for that taxable year and for each taxable year
9 thereafter; and

10 (2) corporations set forth in paragraphs (13) and (14)
11 of subsection (b) of Section 201, as amended by Senate Bill
12 9 of the 100th General Assembly, shall be reduced,
13 according to the procedures set forth in this Section, to
14 5.25% of the taxpayer's net income for that taxable year
15 and for each taxable year thereafter.

16 (b) The State spending limitation for fiscal year 2018
17 shall be \$37,316,000,000 except for: increases over amounts
18 appropriated in fiscal year 2018, as required pursuant to
19 certifications of the Boards of Trustees for the General
20 Assembly Retirement System, Judges Retirement System of
21 Illinois, State Employees' Retirement System of Illinois,
22 Teachers' Retirement System of the State of Illinois, and State
23 Universities Retirement System; increases over amounts
24 transferred in fiscal year 2018 in amounts required to be
25 transferred under Section 15 of the General Obligation Bond
26 Act; or increases over payments made in fiscal year 2018 in

1 payments to the Health Insurance Reserve Fund necessary to
2 cover state obligations of the State Employees Group Insurance
3 Act of 1971.

4 (c) Notwithstanding any provision of law to the contrary,
5 the Auditor General shall examine each Public Act authorizing
6 State spending from State general funds and prepare a report no
7 later than 30 days after receiving notification of the Public
8 Act from the Secretary of State or 60 days after the effective
9 date of the Public Act, whichever is earlier. The Auditor
10 General shall file the report with the Secretary of State and
11 copies with the Governor, the State Treasurer, the State
12 Comptroller, the Senate, and the House of Representatives. The
13 report shall indicate: (i) the amount of State spending set
14 forth in the applicable Public Act; (ii) the total amount of
15 State spending authorized by law for the applicable fiscal year
16 as of the date of the report; and (iii) whether State spending
17 exceeds the State spending limitation set forth in subsection
18 (b). The Auditor General may examine multiple Public Acts in
19 one consolidated report, provided that each Public Act is
20 examined within the time period mandated by this subsection
21 (c). The Auditor General shall issue reports in accordance with
22 this Section through June 30, 2018, or the effective date of a
23 reduction as provided for in this Section in the rates of tax
24 set forth in paragraphs (5.3), (5.4), (13), and (14) of
25 subsection (b) of Section 201, as amended by Senate Bill 9 of
26 the 100th General Assembly, whichever is earlier. At the

1 request of the Auditor General, each State agency shall,
2 without delay, make available to the Auditor General or his or
3 her designated representative any record or information
4 requested and shall provide for examination or copying all
5 records, accounts, papers, reports, vouchers, correspondence,
6 books and other documentation in the custody of that agency,
7 including information stored in electronic data processing
8 systems, which is related to or within the scope of a report
9 prepared under this Section. The Auditor General shall report
10 to the Governor each instance in which a State agency fails to
11 cooperate promptly and fully with his or her office as required
12 by this Section. The Auditor General's report shall not be in
13 the nature of a post-audit or examination and shall not lead to
14 the issuance of an opinion as that term is defined in generally
15 accepted government auditing standards.

16 (d) If the Auditor General reports that State spending has
17 exceeded the State spending limitation for the fiscal year set
18 forth in subsection (b) and if the Governor has not been
19 presented with a bill or bills passed by the General Assembly
20 to reduce State spending to a level that does not exceed the
21 State spending limitation within 45 calendar days of receipt of
22 the Auditor General's report, then the Governor may, for the
23 purpose of reducing State spending to a level that does not
24 exceed the State spending limitation for the fiscal year set
25 forth in subsection (b), designate amounts to be set aside as a
26 reserve from the amounts appropriated from the State general

1 funds for all boards, commissions, agencies, institutions,
2 authorities, colleges, universities, and bodies politic and
3 corporate of the State, but not other constitutional officers,
4 the legislative or judicial branch, the office of the Executive
5 Inspector General, or the Executive Ethics Commission. Such a
6 designation must be made within 15 calendar days after the end
7 of that 45-day period. If the Governor designates amounts to be
8 set aside as a reserve, the Governor shall give notice of the
9 designation to the Auditor General, the State Treasurer, the
10 State Comptroller, the Senate, and the House of
11 Representatives. The amounts placed in reserves shall not be
12 transferred, obligated, encumbered, expended, or otherwise
13 committed unless so authorized by law. Any amount placed in
14 reserves is not State spending and shall not be considered when
15 calculating the total amount of State spending for the fiscal
16 year. Any Public Act authorizing the use of amounts placed in
17 reserve by the Governor is considered State spending, unless
18 such Public Act authorizes the use of amounts placed in
19 reserves in response to a fiscal emergency under subsection
20 (g).

21 (e) If the Auditor General reports under subsection (c)
22 that State spending has exceeded the State spending limitation
23 set forth for the fiscal year in subsection (b), then the
24 Auditor General shall issue a supplemental report no sooner
25 than the 61st day and no later than the 65th day after issuing
26 the report pursuant to subsection (c). The supplemental report

1 shall: (i) summarize details of actions taken by the General
2 Assembly and the Governor after the issuance of the initial
3 report to reduce State spending, if any, (ii) indicate whether
4 the level of State spending has changed since the initial
5 report, and (iii) indicate whether State spending exceeds the
6 State spending limitation. The Auditor General shall file the
7 report with the Secretary of State and copies with the
8 Governor, the State Treasurer, the State Comptroller, the
9 Senate, and the House of Representatives. If the supplemental
10 report of the Auditor General indicates that State spending
11 exceeds the State spending limitation for that fiscal year,
12 then the rates of tax set forth in paragraphs (5.3), (5.4),
13 (13), and (14) of subsection (b) of Section 201, as amended by
14 Senate Bill 9 of the 100th General Assembly, are reduced as
15 provided in subsection (a) of this Section, beginning on the
16 first day of the first month to occur not less than 30 days
17 after issuance of the supplemental report.

18 (f) Should the rates of tax be reduced under this Section,
19 the tax imposed by subsections (a) and (b) of Section 201 shall
20 be determined as follows:

21 (1) In the case of an individual, trust, or estate, the
22 tax shall be imposed in an amount equal to the sum of (i)
23 the rate applicable to the taxpayer under subsection (b) of
24 Section 201 (without regard to the provisions of this
25 Section) times the taxpayer's net income for any portion of
26 the taxable year prior to the effective date of the

1 reduction, and (ii) 3.75% of the taxpayer's net income for
2 any portion of the taxable year on or after the effective
3 date of the reduction.

4 (2) In the case of a corporation, the tax shall be
5 imposed in an amount equal to the sum of (i) the rate
6 applicable to the taxpayer under subsection (b) of Section
7 201 (without regard to the provisions of this Section)
8 times the taxpayer's net income for any portion of the
9 taxable year prior to the effective date of the reduction,
10 and (ii) 5.25% of the taxpayer's net income for any portion
11 of the taxable year on or after the effective date of the
12 reduction.

13 (3) For any taxpayer for whom the rate has been reduced
14 under this Section for a portion of a taxable year, the
15 taxpayer shall determine the net income for each portion of
16 the taxable year following the rules set forth in Section
17 202.5, as amended by Senate Bill 9 of the 100th General
18 Assembly, using the effective date of the rate reduction
19 rather than the January 1 dates found in that Section, and
20 the day before the effective date of the rate reduction
21 rather than the December 31 dates found in that Section.

22 (4) If the rate applicable to the taxpayer under
23 subsection (b) of Section 201 (without regard to the
24 provisions of this Section) changes during a portion of the
25 taxable year to which that rate is applied under paragraphs
26 (1) or (2) of this subsection (f), the tax for that portion

1 of the taxable year for purposes of paragraph (1) or (2) of
2 this subsection (f) shall be determined as if that portion
3 of the taxable year were a separate taxable year, following
4 the rules set forth in Section 202.5, as amended by Senate
5 Bill 9 of the 100th General Assembly. If the taxpayer
6 elects to follow the rules set forth in subsection (b) of
7 Section 202.5, as amended by Senate Bill 9 of the 100th
8 General Assembly, then the taxpayer shall follow the rules
9 set forth in subsection (b) of Section 202.5, as amended by
10 Senate Bill 9 of the 100th General Assembly, for all
11 purposes of this Section for that taxable year.

12 (g) Notwithstanding the State spending limitation set
13 forth in subsection (b) of this Section, the Governor may, with
14 the written consent of the State Treasurer and the State
15 Comptroller, declare a fiscal emergency by filing a declaration
16 with the Secretary of State and copies with the State
17 Treasurer, the State Comptroller, the Senate, and the House of
18 Representatives. The declaration: must be limited to only one
19 State fiscal year, must set forth compelling reasons for
20 declaring a fiscal emergency, may reference amounts required to
21 be transferred under Section 15 of the General Obligation Bond
22 Act, and must request a specific dollar amount. State spending
23 authorized by law to address the fiscal emergency in an amount
24 no greater than the dollar amount specified in the declaration
25 shall not be considered "State spending" for purposes of the
26 State spending limitation.

1 (h) As used in this Section:

2 "State general funds" has the meaning provided in Section
3 50-40 of the State Budget Law.

4 "State spending" means (i) the total amount authorized for
5 spending by appropriation or statutory transfer from the State
6 general funds in the applicable fiscal year, and (ii) any
7 amounts the Governor places in reserves in accordance with
8 subsection (d) that are subsequently released from reserves
9 following authorization by a Public Act. For the purpose of
10 this definition, "appropriation" means authority to spend
11 money from a State general fund for a specific amount, purpose,
12 and time period, including any supplemental appropriation or
13 continuing appropriation, but does not include
14 reappropriations from a previous fiscal year. For the purpose
15 of this definition, "statutory transfer" means authority to
16 transfer funds from one State general fund to any other fund in
17 the State treasury, but does not include transfers made from
18 one State general fund to another State general fund.

19 "State spending limitation" means the amount described in
20 subsection (b) of this Section for the applicable fiscal year.

21 ARTICLE 35. TOURISM FUNDS

22 Section 35-5. The Department of Commerce and Economic
23 Opportunity Law of the Civil Administrative Code of Illinois is
24 amended by changing Section 605-710 as follows:

1 (20 ILCS 605/605-710)

2 Sec. 605-710. Regional tourism development organizations.

3 (a) The Department may, subject to appropriation, provide
4 grants from the Tourism Promotion Fund for the administrative
5 costs of not-for-profit regional tourism development
6 organizations that assist the Department in developing tourism
7 throughout a multi-county geographical area designated by the
8 Department. Regional tourism development organizations
9 receiving funds under this Section may be required by the
10 Department to submit to audits of contracts awarded by the
11 Department to determine whether the regional tourism
12 development organization has performed all contractual
13 obligations under those contracts.

14 Every employee of a regional tourism development
15 organization receiving funds under this Section shall disclose
16 to the organization's governing board and to the Department any
17 economic interest that employee may have in any entity with
18 which the regional tourism development organization has
19 contracted or to which the regional tourism development
20 organization has granted funds.

21 (b) The Department, from moneys ~~transferred from the~~
22 ~~General Revenue Fund to the Tourism Promotion Fund and~~
23 appropriated from the Tourism Promotion Fund, shall first
24 provide funding of \$5,000,000 annually to a governmental entity
25 with at least 2,000,000 square feet of exhibition space that

1 has as part of its duties the promotion of cultural, scientific
2 and trade exhibits and events within a county with a population
3 of more than 3,000,000, to be used for any of the governmental
4 entity's general corporate purposes.

5 (Source: P.A. 92-11, eff. 6-11-01; 92-38, eff. 6-28-01; 92-651,
6 eff. 7-11-02.)

7 Section 35-10. The Illinois Promotion Act is amended by
8 changing Sections 4a, 5, and 8 as follows:

9 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

10 Sec. 4a. Funds.

11 (1) All moneys deposited in the Tourism Promotion Fund
12 pursuant to this subsection are allocated to the Department for
13 utilization, as appropriated, in the performance of its powers
14 under Section 4; except that during fiscal year 2013, the
15 Department shall reserve \$9,800,000 of the total funds
16 available for appropriation in the Tourism Promotion Fund for
17 appropriation to the Historic Preservation Agency for the
18 operation of the Abraham Lincoln Presidential Library and
19 Museum and State historic sites.

20 As soon as possible after the first day of each month,
21 beginning July 1, 1997 and ending on June 30, 2017, upon
22 certification of the Department of Revenue, the Comptroller
23 shall order transferred and the Treasurer shall transfer from
24 the General Revenue Fund to the Tourism Promotion Fund an

1 amount equal to 13% of the net revenue realized from the Hotel
2 Operators' Occupation Tax Act plus an amount equal to 13% of
3 the net revenue realized from any tax imposed under Section
4 4.05 of the Chicago World's Fair-1992 Authority Act during the
5 preceding month. "Net revenue realized for a month" means the
6 revenue collected by the State under that Act during the
7 previous month less the amount paid out during that same month
8 as refunds to taxpayers for overpayment of liability under that
9 Act.

10 (1.1) (Blank).

11 (2) As soon as possible after the first day of each month,
12 beginning July 1, 1997 and ending on June 30, 2017, upon
13 certification of the Department of Revenue, the Comptroller
14 shall order transferred and the Treasurer shall transfer from
15 the General Revenue Fund to the Tourism Promotion Fund an
16 amount equal to 8% of the net revenue realized from the Hotel
17 Operators' Occupation Tax plus an amount equal to 8% of the net
18 revenue realized from any tax imposed under Section 4.05 of the
19 Chicago World's Fair-1992 Authority Act during the preceding
20 month. "Net revenue realized for a month" means the revenue
21 collected by the State under that Act during the previous month
22 less the amount paid out during that same month as refunds to
23 taxpayers for overpayment of liability under that Act.

24 All monies deposited in the Tourism Promotion Fund under
25 this subsection (2) shall be used solely as provided in this
26 subsection to advertise and promote tourism throughout

1 Illinois. Appropriations of monies deposited in the Tourism
2 Promotion Fund pursuant to this subsection (2) shall be used
3 solely for advertising to promote tourism, including but not
4 limited to advertising production and direct advertisement
5 costs, but shall not be used to employ any additional staff,
6 finance any individual event, or lease, rent or purchase any
7 physical facilities. The Department shall coordinate its
8 advertising under this subsection (2) with other public and
9 private entities in the State engaged in similar promotion
10 activities. Print or electronic media production made pursuant
11 to this subsection (2) for advertising promotion shall not
12 contain or include the physical appearance of or reference to
13 the name or position of any public officer. "Public officer"
14 means a person who is elected to office pursuant to statute, or
15 who is appointed to an office which is established, and the
16 qualifications and duties of which are prescribed, by statute,
17 to discharge a public duty for the State or any of its
18 political subdivisions.

19 (3) Notwithstanding anything in this Section to the
20 contrary, amounts transferred from the General Revenue Fund to
21 the Tourism Promotion Fund pursuant to this Section shall not
22 exceed \$26,300,000 in State fiscal year 2012.

23 (4) As soon as possible after the first day of each month,
24 beginning July 1, 2017, if the amount of revenue deposited into
25 the Tourism Promotion Fund under subsection (c) of Section 6 of
26 the Hotel Operators' Occupation Tax Act is less than 21% of the

1 net revenue realized from the Hotel Operators' Occupation Tax
2 during the preceding month, then, upon certification of the
3 Department of Revenue, the State Comptroller shall direct and
4 the State Treasurer shall transfer from the General Revenue
5 Fund to the Tourism Promotion Fund an amount equal to the
6 difference between 21% of the net revenue realized from the
7 Hotel Operators' Occupation Tax during the preceding month and
8 the amount of revenue deposited into the Tourism Promotion Fund
9 under subsection (c) of Section 6 of the Hotel Operators'
10 Occupation Tax Act.

11 (5) Beginning on July 1, 2017, moneys deposited into the
12 Tourism Promotion Fund under subsection (c) of Section 6 of the
13 Hotel Operators' Occupation Tax Act may be used by the
14 Department of Commerce and Economic Opportunity for the
15 purposes authorized in the Illinois Promotion Act and for
16 advertising to promote tourism, including but not limited to
17 advertising production and direct advertisement costs.

18 (Source: P.A. 97-641, eff. 12-19-11; 97-732, eff. 6-30-12.)

19 (20 ILCS 665/5) (from Ch. 127, par. 200-25)

20 Sec. 5. Marketing and private sector programs.

21 (a) The Department is authorized to make grants, subject to
22 appropriation, from ~~funds transferred into~~ the Tourism
23 Promotion Fund ~~under subsection (1) of Section 4a~~ to counties,
24 municipalities, not-for-profit organizations, and local
25 promotion groups and to assist such counties, municipalities

1 and local promotion groups in the promotion of tourism
2 attractions and tourism events. The Department, after review of
3 the application and if satisfied that the program and proposed
4 expenditures of the applicant appear to be in accord with the
5 purposes of this Act, must grant to the applicant an amount not
6 to exceed 60% of the proposed expenditures.

7 (b) The Department may make grants, subject to
8 appropriation, from ~~funds transferred into~~ the Tourism
9 Promotion Fund ~~under subsection (1) of Section 4a~~ to counties,
10 municipalities, not-for-profit organizations, local promotion
11 groups, and for-profit businesses to assist in attracting and
12 hosting tourism events matched with funds from sources in the
13 private sector. The Department, after review of the application
14 and if satisfied that the program and proposed expenditures of
15 the applicant appear to be in accord with the purposes of this
16 Act, must grant to the applicant an amount not to exceed 50% of
17 the proposed expenditures.

18 Before any such grant may be made the county, municipality,
19 not-for-profit organization, local promotion group, or
20 for-profit business must make application to the Department for
21 such grant, setting forth the studies, surveys and
22 investigations proposed to be made and other activities
23 proposed to be undertaken. The application shall further state,
24 under oath or affirmation, with evidence thereof satisfactory
25 to the Department, the amount of funds held by, committed to or
26 subscribed to, and proposed to be expended by, the applicant

1 for the purposes herein described and the amount of the grant
2 for which application is made.

3 (Source: P.A. 92-38, eff. 6-28-01.)

4 (20 ILCS 665/8) (from Ch. 127, par. 200-28)

5 Sec. 8. Allocation of appropriations.

6 (1) Amounts ~~transferred under subsection (1) of Section 4a~~
7 that are appropriated from the Tourism Promotion Fund to the
8 Department for the purpose of making grants under Sections 5
9 and 6 of this Act shall be allocated by the Department as
10 follows:

11 (a) 62.5% to local promotion groups, municipalities,
12 and counties not wholly or partially within any county of
13 more than 1 million population;

14 (b) 37.5% to local promotion groups, municipalities,
15 and counties wholly or partially within any county of more
16 than 1 million population.

17 However, if sufficient local funds cannot be raised to
18 match the allocation made under either paragraph (a) or (b) of
19 this subsection, such appropriations may be reallocated, in
20 whole or in part, to any applicant or applicants able to
21 qualify for a grant or may be used by the Department to promote
22 the tourist attractions of the State of Illinois as a whole.

23 (2) 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 to match funds from the private sector may be
2 used by the Department in any county of this State.

3 (Source: P.A. 90-26, eff. 7-1-97.)

4 Section 35-20. The Hotel Operators' Occupation Tax Act is
5 amended by changing Section 6 as follows:

6 (35 ILCS 145/6) (from Ch. 120, par. 481b.36)

7 Sec. 6. Filing of returns and distribution of proceeds.

8 Except as provided hereinafter in this Section, on or
9 before the last day of each calendar month, every person
10 engaged in the business of renting, leasing or letting rooms in
11 a hotel in this State during the preceding calendar month shall
12 file a return with the Department, stating:

13 1. The name of the operator;

14 2. His residence address and the address of his
15 principal place of business and the address of the
16 principal place of business (if that is a different
17 address) from which he engages in the business of renting,
18 leasing or letting rooms in a hotel in this State;

19 3. Total amount of rental receipts received by him
20 during the preceding calendar month from renting, leasing
21 or letting rooms during such preceding calendar month;

22 4. Total amount of rental receipts received by him
23 during the preceding calendar month from renting, leasing
24 or letting rooms to permanent residents during such

1 preceding calendar month;

2 5. Total amount of other exclusions from gross rental
3 receipts allowed by this Act;

4 6. Gross rental receipts which were received by him
5 during the preceding calendar month and upon the basis of
6 which the tax is imposed;

7 7. The amount of tax due;

8 8. Such other reasonable information as the Department
9 may require.

10 If the operator's average monthly tax liability to the
11 Department does not exceed \$200, the Department may authorize
12 his returns to be filed on a quarter annual basis, with the
13 return for January, February and March of a given year being
14 due by April 30 of such year; with the return for April, May
15 and June of a given year being due by July 31 of such year; with
16 the return for July, August and September of a given year being
17 due by October 31 of such year, and with the return for
18 October, November and December of a given year being due by
19 January 31 of the following year.

20 If the operator's average monthly tax liability to the
21 Department does not exceed \$50, the Department may authorize
22 his returns to be filed on an annual basis, with the return for
23 a given year being due by January 31 of the following year.

24 Such quarter annual and annual returns, as to form and
25 substance, shall be subject to the same requirements as monthly
26 returns.

1 Notwithstanding any other provision in this Act concerning
2 the time within which an operator may file his return, in the
3 case of any operator who ceases to engage in a kind of business
4 which makes him responsible for filing returns under this Act,
5 such operator shall file a final return under this Act with the
6 Department not more than 1 month after discontinuing such
7 business.

8 Where the same person has more than 1 business registered
9 with the Department under separate registrations under this
10 Act, such person shall not file each return that is due as a
11 single return covering all such registered businesses, but
12 shall file separate returns for each such registered business.

13 In his return, the operator shall determine the value of
14 any consideration other than money received by him in
15 connection with the renting, leasing or letting of rooms in the
16 course of his business and he shall include such value in his
17 return. Such determination shall be subject to review and
18 revision by the Department in the manner hereinafter provided
19 for the correction of returns.

20 Where the operator is a corporation, the return filed on
21 behalf of such corporation shall be signed by the president,
22 vice-president, secretary or treasurer or by the properly
23 accredited agent of such corporation.

24 The person filing the return herein provided for shall, at
25 the time of filing such return, pay to the Department the
26 amount of tax herein imposed. The operator filing the return

1 under this Section shall, at the time of filing such return,
2 pay to the Department the amount of tax imposed by this Act
3 less a discount of 2.1% or \$25 per calendar year, whichever is
4 greater, which is allowed to reimburse the operator for the
5 expenses incurred in keeping records, preparing and filing
6 returns, remitting the tax and supplying data to the Department
7 on request.

8 There shall be deposited in the Build Illinois Fund in the
9 State Treasury for each State fiscal year 40% of the amount of
10 total net proceeds from the tax imposed by subsection (a) of
11 Section 3. Of the remaining 60%, \$5,000,000 shall be deposited
12 in the Illinois Sports Facilities Fund and credited to the
13 Subsidy Account each fiscal year by making monthly deposits in
14 the amount of 1/8 of \$5,000,000 plus cumulative deficiencies in
15 such deposits for prior months, and an additional \$8,000,000
16 shall be deposited in the Illinois Sports Facilities Fund and
17 credited to the Advance Account each fiscal year by making
18 monthly deposits in the amount of 1/8 of \$8,000,000 plus any
19 cumulative deficiencies in such deposits for prior months;
20 provided, that for fiscal years ending after June 30, 2001, the
21 amount to be so deposited into the Illinois Sports Facilities
22 Fund and credited to the Advance Account each fiscal year shall
23 be increased from \$8,000,000 to the then applicable Advance
24 Amount and the required monthly deposits beginning with July
25 2001 shall be in the amount of 1/8 of the then applicable
26 Advance Amount plus any cumulative deficiencies in those

1 deposits for prior months. (The deposits of the additional
2 \$8,000,000 or the then applicable Advance Amount, as
3 applicable, during each fiscal year shall be treated as
4 advances of funds to the Illinois Sports Facilities Authority
5 for its corporate purposes to the extent paid to the Authority
6 or its trustee and shall be repaid into the General Revenue
7 Fund in the State Treasury by the State Treasurer on behalf of
8 the Authority pursuant to Section 19 of the Illinois Sports
9 Facilities Authority Act, as amended. If in any fiscal year the
10 full amount of the then applicable Advance Amount is not repaid
11 into the General Revenue Fund, then the deficiency shall be
12 paid from the amount in the Local Government Distributive Fund
13 that would otherwise be allocated to the City of Chicago under
14 the State Revenue Sharing Act.)

15 For purposes of the foregoing paragraph, the term "Advance
16 Amount" means, for fiscal year 2002, \$22,179,000, and for
17 subsequent fiscal years through fiscal year 2032, 105.615% of
18 the Advance Amount for the immediately preceding fiscal year,
19 rounded up to the nearest \$1,000.

20 Of the remaining 60% of the amount of total net proceeds
21 prior to August 1, 2011 from the tax imposed by subsection (a)
22 of Section 3 after all required deposits in the Illinois Sports
23 Facilities Fund, the amount equal to 8% of the net revenue
24 realized from this Act plus an amount equal to 8% of the net
25 revenue realized from any tax imposed under Section 4.05 of the
26 Chicago World's Fair-1992 Authority Act during the preceding

1 month shall be deposited in the Local Tourism Fund each month
2 for purposes authorized by Section 605-705 of the Department of
3 Commerce and Economic Opportunity Law (20 ILCS 605/605-705). Of
4 the remaining 60% of the amount of total net proceeds beginning
5 on August 1, 2011 from the tax imposed by subsection (a) of
6 Section 3 after all required deposits in the Illinois Sports
7 Facilities Fund, an amount equal to 8% of the net revenue
8 realized from this Act 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 shall be deposited as follows: 18% of such amount shall
12 be deposited into the Chicago Travel Industry Promotion Fund
13 for the purposes described in subsection (n) of Section 5 of
14 the Metropolitan Pier and Exposition Authority Act and the
15 remaining 82% of such amount shall be deposited into the Local
16 Tourism Fund each month for purposes authorized by Section
17 605-705 of the Department of Commerce and Economic Opportunity
18 Law. Beginning on August 1, 1999 and ending on July 31, 2011,
19 an amount equal to 4.5% of the net revenue realized from the
20 Hotel Operators' Occupation Tax Act during the preceding month
21 shall be deposited into the International Tourism Fund for the
22 purposes authorized in Section 605-707 of the Department of
23 Commerce and Economic Opportunity Law. Beginning on August 1,
24 2011, an amount equal to 4.5% of the net revenue realized from
25 this Act during the preceding month shall be deposited as
26 follows: 55% of such amount shall be deposited into the Chicago

1 Travel Industry Promotion Fund for the purposes described in
2 subsection (n) of Section 5 of the Metropolitan Pier and
3 Exposition Authority Act and the remaining 45% of such amount
4 deposited into the International Tourism Fund for the purposes
5 authorized in Section 605-707 of the Department of Commerce and
6 Economic Opportunity Law. "Net revenue realized for a month"
7 means the revenue collected by the State under that Act during
8 the previous month less the amount paid out during that same
9 month as refunds to taxpayers for overpayment of liability
10 under that Act.

11 After making all these deposits, all other proceeds of the
12 tax imposed under subsection (a) of Section 3 shall be
13 deposited in the Tourism Promotion ~~General Revenue~~ Fund in the
14 State Treasury. All moneys received by the Department from the
15 additional tax imposed under subsection (b) of Section 3 shall
16 be deposited into the Build Illinois Fund in the State
17 Treasury.

18 The Department may, upon separate written notice to a
19 taxpayer, require the taxpayer to prepare and file with the
20 Department on a form prescribed by the Department within not
21 less than 60 days after receipt of the notice an annual
22 information return for the tax year specified in the notice.
23 Such annual return to the Department shall include a statement
24 of gross receipts as shown by the operator's last State income
25 tax return. If the total receipts of the business as reported
26 in the State income tax return do not agree with the gross

1 receipts reported to the Department for the same period, the
2 operator shall attach to his annual information return a
3 schedule showing a reconciliation of the 2 amounts and the
4 reasons for the difference. The operator's annual information
5 return to the Department shall also disclose pay roll
6 information of the operator's business during the year covered
7 by such return and any additional reasonable information which
8 the Department deems would be helpful in determining the
9 accuracy of the monthly, quarterly or annual tax returns by
10 such operator as hereinbefore provided for in this Section.

11 If the annual information return required by this Section
12 is not filed when and as required the taxpayer shall be liable
13 for a penalty in an amount determined in accordance with
14 Section 3-4 of the Uniform Penalty and Interest Act until such
15 return is filed as required, the penalty to be assessed and
16 collected in the same manner as any other penalty provided for
17 in this Act.

18 The chief executive officer, proprietor, owner or highest
19 ranking manager shall sign the annual return to certify the
20 accuracy of the information contained therein. Any person who
21 willfully signs the annual return containing false or
22 inaccurate information shall be guilty of perjury and punished
23 accordingly. The annual return form prescribed by the
24 Department shall include a warning that the person signing the
25 return may be liable for perjury.

26 The foregoing portion of this Section concerning the filing

1 of an annual information return shall not apply to an operator
2 who is not required to file an income tax return with the
3 United States Government.

4 (Source: P.A. 97-617, eff. 10-26-11.)

5 ARTICLE 99. MISCELLANEOUS PROVISIONS

6 Section 99-90. The State Mandates Act is amended by adding
7 Section 8.41 as follows:

8 (30 ILCS 805/8.41 new)

9 Sec. 8.41. Exempt mandate. Notwithstanding Sections 6 and 8
10 of this Act, no reimbursement by the State is required for the
11 implementation of any mandate created by this amendatory Act of
12 the 100th General Assembly.

13 Section 99-95. No acceleration or delay. Where this Act
14 makes changes in a statute that is represented in this Act by
15 text that is not yet or no longer in effect (for example, a
16 Section represented by multiple versions), the use of that text
17 does not accelerate or delay the taking effect of (i) the
18 changes made by this Act or (ii) provisions derived from any
19 other Public Act.

20 Section 99-99. Effective date. This Act takes effect upon
21 becoming law."