



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by Ed Sullivan Jr.

SYNOPSIS AS INTRODUCED:

30 ILCS 105/8h
30 ILCS 105/8j

Amends the State Finance Act. Provides that the authority for the Director of the Governor's Office of Management and Budget to direct the allocation and transfer of certain funds into the General Revenue Fund to help defray the State's operating costs for the fiscal year terminates on June 30, 2004 and that no funds may be transferred or allocated under the authority of those provisions after June 30, 2004. Effective June 30, 2004.

LRB093 18290 SJM 43993 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by changing
5 Sections 8h, as added by Public Act 93-32, and 8j as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.
8 Notwithstanding any other State law to the contrary, the
9 Director of the Governor's Office of Management and Budget
10 ~~Bureau of the Budget~~ may from time to time direct the State
11 Treasurer and Comptroller to transfer a specified sum from any
12 fund held by the State Treasurer to the General Revenue Fund in
13 order to help defray the State's operating costs for the fiscal
14 year. The total transfer under this Section from any fund in
15 any fiscal year shall not exceed the lesser of 8% of the
16 revenues to be deposited into the fund during that year or 25%
17 of the beginning balance in the fund. No transfer may be made
18 from a fund under this Section that would have the effect of
19 reducing the available balance in the fund to an amount less
20 than the amount remaining unexpended and unreserved from the
21 total appropriation from that fund for that fiscal year. This
22 Section does not apply to any funds that are restricted by
23 federal law to a specific use or to any funds in the Motor Fuel
24 Tax Fund. Notwithstanding any other provision of this Section,
25 the total transfer under this Section from the Road Fund or the
26 State Construction Account Fund shall not exceed 5% of the
27 revenues to be deposited into the fund during that year.

28 In determining the available balance in a fund, the
29 Director of the Governor's Office of Management and Budget
30 ~~Bureau of the Budget~~ may include receipts, transfers into the
31 fund, and other resources anticipated to be available in the
32 fund in that fiscal year.

1 The State Treasurer and Comptroller shall transfer the
2 amounts designated under this Section as soon as may be
3 practicable after receiving the direction to transfer from the
4 Director of the Governor's Office of Management and Budget
5 ~~Bureau of the Budget~~.

6 The authority under this Section to direct the transfer of
7 funds terminates on June 30, 2004, and no funds may be
8 transferred under the authority of this Section after June 30,
9 2004.

10 (Source: P.A. 93-32, eff. 6-20-03; revised 8-21-03.)

11 (30 ILCS 105/8j)

12 Sec. 8j. Allocation and transfer of fee receipts to General
13 Revenue Fund. ~~If and only if any one or more of Senate Bills~~
14 ~~774, 841, 842, and 1903 of the 93rd General Assembly become~~
15 ~~law,~~ Notwithstanding any other law to the contrary, additional
16 amounts generated by the new and increased fees created or
17 authorized by Public Acts 93-22, 93-23, 93-24, and 93-32 ~~these~~
18 ~~amendatory Acts of the 93rd General Assembly this amendatory~~
19 ~~Act of the 93rd General Assembly and by Senate Bill 774, Senate~~
20 ~~Bill 841, and Senate Bill 842 of the 93rd General Assembly, if~~
21 ~~those bills become law,~~ shall be allocated between the fund
22 otherwise entitled to receive the fee and the General Revenue
23 Fund by the Governor's Office of Management and Budget ~~Bureau~~
24 ~~of the Budget~~. In determining the amount of the allocation to
25 the General Revenue Fund, the Director of the Governor's Office
26 of Management and Budget ~~Bureau of the Budget~~ shall calculate
27 whether the available resources in the fund are sufficient to
28 satisfy the unexpended and unreserved appropriations from the
29 fund for the fiscal year.

30 In calculating the available resources in a fund, the
31 Director of the Governor's Office of Management and Budget
32 ~~Bureau of the Budget~~ may include receipts, transfers into the
33 fund, and other resources anticipated to be available in the
34 fund in that fiscal year.

35 Upon determining the amount of an allocation to the General

1 Revenue Fund under this Section, the Director of the Governor's
2 Office of Management and Budget ~~Bureau of the Budget~~ may direct
3 the State Treasurer and Comptroller to transfer the amount of
4 that allocation from the fund in which the fee amounts have
5 been deposited to the General Revenue Fund; provided, however,
6 that the Director shall not direct the transfer of any amount
7 that would have the effect of reducing the available resources
8 in the fund to an amount less than the amount remaining
9 unexpended and unreserved from the total appropriation from
10 that fund for that fiscal year.

11 The State Treasurer and Comptroller shall transfer the
12 amounts designated under this Section as soon as may be
13 practicable after receiving the direction to transfer from the
14 Director of the Governor's Office of Management and Budget
15 ~~Bureau of the Budget~~.

16 The authority under this Section to direct the allocation
17 and transfer of funds terminates on June 30, 2004, and no funds
18 may be allocated or transferred under the authority of this
19 Section after June 30, 2004.

20 (Source: P.A. 93-25, eff. 6-20-03; 93-32, eff. 6-20-03; revised
21 8-21-03.)

22 Section 99. Effective date. This Act takes effect on June
23 30, 2004.