



Rep. Michael K. Smith

Filed: 4/18/2007

09500HB2470ham001

LRB095 00884 BDD 32775 a

1 AMENDMENT TO HOUSE BILL 2470

2 AMENDMENT NO. _____. Amend House Bill 2470 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by changing
5 Section 8h as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.

8 (a) Except as otherwise provided in this Section and
9 Section 8n of this Act, and ~~(c), (d), or (e),~~ notwithstanding
10 any other State law to the contrary, the Governor may, through
11 June 30, 2007, from time to time direct the State Treasurer and
12 Comptroller to transfer a specified sum from any fund held by
13 the State Treasurer to the General Revenue Fund in order to
14 help defray the State's operating costs for the fiscal year.
15 The total transfer under this Section from any fund in any
16 fiscal year shall not exceed the lesser of (i) 8% of the

1 revenues to be deposited into the fund during that fiscal year
2 or (ii) an amount that leaves a remaining fund balance of 25%
3 of the July 1 fund balance of that fiscal year. In fiscal year
4 2005 only, prior to calculating the July 1, 2004 final
5 balances, the Governor may calculate and direct the State
6 Treasurer with the Comptroller to transfer additional amounts
7 determined by applying the formula authorized in Public Act
8 93-839 to the funds balances on July 1, 2003. No transfer may
9 be made from a fund under this Section that would have the
10 effect of reducing the available balance in the fund to an
11 amount less than the amount remaining unexpended and unreserved
12 from the total appropriation from that fund estimated to be
13 expended for that fiscal year. This Section does not apply to
14 any funds that are restricted by federal law to a specific use,
15 to any funds in the Motor Fuel Tax Fund, the Intercity
16 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
17 Provider Relief Fund, the Teacher Health Insurance Security
18 Fund, the Reviewing Court Alternative Dispute Resolution Fund,
19 the Voters' Guide Fund, the Foreign Language Interpreter Fund,
20 the Lawyers' Assistance Program Fund, the Supreme Court Federal
21 Projects Fund, the Supreme Court Special State Projects Fund,
22 the Supplemental Low-Income Energy Assistance Fund, the Good
23 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste
24 Facility Development and Operation Fund, the Horse Racing
25 Equity Trust Fund, or the Hospital Basic Services Preservation
26 Fund, or to any funds to which subsection (f) of Section 20-40

1 of the Nursing and Advanced Practice Nursing Act applies. No
2 transfers may be made under this Section from the Pet
3 Population Control Fund. Notwithstanding any other provision
4 of this Section, for fiscal year 2004, the total transfer under
5 this Section from the Road Fund or the State Construction
6 Account Fund shall not exceed the lesser of (i) 5% of the
7 revenues to be deposited into the fund during that fiscal year
8 or (ii) 25% of the beginning balance in the fund. For fiscal
9 year 2005 through fiscal year 2007, no amounts may be
10 transferred under this Section from the Road Fund, the State
11 Construction Account Fund, the Criminal Justice Information
12 Systems Trust Fund, the Wireless Service Emergency Fund, or the
13 Mandatory Arbitration Fund.

14 In determining the available balance in a fund, the
15 Governor may include receipts, transfers into the fund, and
16 other resources anticipated to be available in the fund in that
17 fiscal year.

18 The State Treasurer and Comptroller shall transfer the
19 amounts designated under this Section as soon as may be
20 practicable after receiving the direction to transfer from the
21 Governor.

22 (a-5) Transfers directed to be made under this Section on
23 or before February 28, 2006 that are still pending on May 19,
24 2006 (the effective date of Public Act 94-774) ~~this amendatory~~
25 ~~Act of the 94th General Assembly~~ shall be redirected as
26 provided in Section 8n of this Act.

1 (b) This Section does not apply to: (i) the Ticket For The
2 Cure Fund; (ii) any fund established under the Community Senior
3 Services and Resources Act; or (iii) on or after January 1,
4 2006 (the effective date of Public Act 94-511), the Child Labor
5 and Day and Temporary Labor Enforcement Fund.

6 (c) This Section does not apply to the Demutualization
7 Trust Fund established under the Uniform Disposition of
8 Unclaimed Property Act.

9 (d) This Section does not apply to moneys set aside in the
10 Illinois State Podiatric Disciplinary Fund for podiatric
11 scholarships and residency programs under the Podiatric
12 Scholarship and Residency Act.

13 (e) Subsection (a) does not apply to, and no transfer may
14 be made under this Section from, the Pension Stabilization
15 Fund.

16 (f) This Section does not apply to the Renewable Energy
17 Resources Trust Fund.

18 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
19 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
20 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
21 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
22 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
23 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
24 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.
25 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,
26 eff. 6-6-06; revised 6-19-06.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".