



Rep. Gary Hannig

Filed: 5/31/2008

09500SB0773ham002

LRB095 05424 RCE 51836 a

1 AMENDMENT TO SENATE BILL 773

2 AMENDMENT NO. _____. Amend Senate Bill 773 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 FY2009 Budget Implementation Act.

6 Section 5. Purpose. The purpose of this Act is to make the
7 changes in State programs that are necessary to implement the
8 FY2009 budget.

9 Section 10. The State Employees Group Insurance Act of 1971
10 is amended by changing Section 13.1 as follows:

11 (5 ILCS 375/13.1) (from Ch. 127, par. 533.1)

12 Sec. 13.1. (a) All contributions, appropriations,
13 interest, and dividend payments to fund the program of health
14 benefits and other employee benefits, and all other revenues

1 arising from the administration of any employee health benefits
2 program, shall be deposited in a trust fund outside the State
3 Treasury, with the State Treasurer as ex-officio custodian, to
4 be known as the Health Insurance Reserve Fund.

5 (b) Upon the adoption of a self-insurance health plan, any
6 monies attributable to the group health insurance program shall
7 be deposited in or transferred to the Health Insurance Reserve
8 Fund for use by the Department. As of the effective date of
9 this amendatory Act of 1986, the Department shall certify to
10 the Comptroller the amount of money in the Group Insurance
11 Premium Fund attributable to the State group health insurance
12 program and the Comptroller shall transfer such money from the
13 Group Insurance Premium Fund to the Health Insurance Reserve
14 Fund. Contributions by the State to the Health Insurance
15 Reserve Fund to meet the requirements of this Act, as
16 established by the Director, from the General Revenue Fund and
17 the Road Fund to the Health Insurance Reserve Fund shall be by
18 annual appropriations, and all other contributions to meet the
19 requirements of the programs of health benefits or other
20 employee benefits shall be deposited in the Health Insurance
21 Reserve Fund. The Department shall draw the appropriation from
22 the General Revenue Fund and the Road Fund from time to time as
23 necessary to make expenditures authorized under this Act.

24 The Director may employ such assistance and services and
25 may purchase such goods as may be necessary for the proper
26 development and administration of any of the benefit programs

1 authorized by this Act. The Director may promulgate rules and
2 regulations in regard to the administration of these programs.

3 All monies received by the Department for deposit in or
4 transfer to the Health Insurance Reserve Fund, through
5 appropriation or otherwise, shall be used to provide for the
6 making of payments to claimants and providers and to reimburse
7 the Department for all expenses directly incurred relating to
8 Department development and administration of the program of
9 health benefits and other employee benefits.

10 Any administrative service organization administering any
11 self-insurance health plan and paying claims and benefits under
12 authority of this Act may receive, pursuant to written
13 authorization and direction of the Director, an initial
14 transfer and periodic transfers of funds from the Health
15 Insurance Reserve Fund in amounts determined by the Director
16 who may consider the amount recommended by the administrative
17 service organization. Notwithstanding any other statute, such
18 transferred funds shall be retained by the administrative
19 service organization in a separate account provided by any bank
20 as defined by the Illinois Banking Act. The Department may
21 promulgate regulations further defining the banks authorized
22 to accept such funds and all methodology for transfer of such
23 funds. Any interest earned by monies in such account shall
24 inure to the Health Insurance Reserve Fund, shall remain in
25 such account and shall be used exclusively to pay claims and
26 benefits under this Act. Such transferred funds shall be used

1 exclusively for administrative service organization payment of
2 claims to claimants and providers under the self-insurance
3 health plan by the drawing of checks against such account. The
4 administrative service organization may not use such
5 transferred funds, or interest accrued thereon, for any other
6 purpose including, but not limited to, reimbursement of
7 administrative expenses or payments of administration fees due
8 the organization pursuant to its contract or contracts with the
9 Department of Central Management Services.

10 The account of the administrative service organization
11 established under this Section, any transfers from the Health
12 Insurance Reserve Fund to such account and the use of such
13 account and funds shall be subject to (1) audit by the
14 Department or private contractor authorized by the Department
15 to conduct audits, and (2) post audit pursuant to the Illinois
16 State Auditing Act.

17 The Department of Healthcare and Family Services, or any
18 successor agency designated to procure healthcare contracts
19 pursuant to this Act, is authorized to establish funds,
20 separate accounts provided by any bank or banks as defined by
21 the Illinois Banking Act, or separate accounts provided by any
22 savings and loan association or associations as defined by the
23 Illinois Savings and Loan Act of 1985 to be held by the
24 Director, outside the State treasury, for the purpose of
25 receiving the transfer of moneys from the Health Insurance
26 Reserve Fund. The Department may promulgate rules further

1 defining the methodology for the transfers. Any interest earned
2 by monies in the funds or accounts shall inure to the Health
3 Insurance Reserve Fund. The transferred moneys, and interest
4 accrued thereon, shall be used exclusively for transfers to
5 administrative service organizations or their financial
6 institutions for payments of claims to claimants and providers
7 under the self-insurance health plan. The transferred moneys,
8 and interest accrued thereon, shall not be used for any other
9 purpose including, but not limited to, reimbursement of
10 administration fees due the administrative service
11 organization pursuant to its contract or contracts with the
12 Department.

13 (c) The Director, with the advice and consent of the
14 Commission, shall establish premiums for optional coverage for
15 dependents of eligible members for the health plans. The
16 eligible members shall be responsible for their portion of such
17 optional premium. The State shall contribute an amount per
18 month for each eligible member who has enrolled one or more
19 dependents under the health plans. Such contribution shall be
20 made directly to the Health Insurance Reserve Fund. Those
21 employees described in subsection (b) of Section 9 of this Act
22 shall be allowed to continue in the health plan by making
23 personal payments with the premiums to be deposited in the
24 Health Insurance Reserve Fund.

25 (d) The Health Insurance Reserve Fund shall be a continuing
26 fund not subject to fiscal year limitations. All expenditures

1 from that fund shall be at the direction of the Director and
2 shall be only for the purpose of:

3 (1) the payment of administrative expenses incurred by
4 the Department for the program of health benefits or other
5 employee benefit programs, including but not limited to the
6 costs of audits or actuarial consultations, professional
7 and contractual services, electronic data processing
8 systems and services, and expenses in connection with the
9 development and administration of such programs;

10 (2) the payment of administrative expenses incurred by
11 the Administrative Service Organization;

12 (3) the payment of health benefits;

13 (3.5) the payment of medical expenses incurred by the
14 Department for the treatment of employees who suffer
15 accidental injury or death within the scope of their
16 employment;

17 (4) refunds to employees for erroneous payments of
18 their selected dependent coverage;

19 (5) payment of premium for stop-loss or re-insurance;

20 (6) payment of premium to health maintenance
21 organizations pursuant to Section 6.1 of this Act;

22 (7) payment of adoption program benefits; and

23 (8) payment of other benefits offered to members and
24 dependents under this Act.

25 (Source: P.A. 94-839, eff. 6-6-06; 95-632, eff. 9-25-07.)

1 Section 20. The Department of Public Health Powers and
2 Duties Law of the Civil Administrative Code of Illinois is
3 amended by changing Section 2310-315 and by adding Section
4 2310-394 as follows:

5 (20 ILCS 2310/2310-315) (was 20 ILCS 2310/55.41)

6 Sec. 2310-315. Prevention and treatment of AIDS. To perform
7 the following in relation to the prevention and treatment of
8 acquired immunodeficiency syndrome (AIDS):

9 (1) Establish a State AIDS Control Unit within the
10 Department as a separate administrative subdivision, to
11 coordinate all State programs and services relating to the
12 prevention, treatment, and amelioration of AIDS.

13 (2) Conduct a public information campaign for physicians,
14 hospitals, health facilities, public health departments, law
15 enforcement personnel, public employees, laboratories, and the
16 general public on acquired immunodeficiency syndrome (AIDS)
17 and promote necessary measures to reduce the incidence of AIDS
18 and the mortality from AIDS. This program shall include, but
19 not be limited to, the establishment of a statewide hotline and
20 a State AIDS information clearinghouse that will provide
21 periodic reports and releases to public officials, health
22 professionals, community service organizations, and the
23 general public regarding new developments or procedures
24 concerning prevention and treatment of AIDS.

25 (3) (Blank).

1 (4) Establish alternative blood test services that are not
2 operated by a blood bank, plasma center or hospital. The
3 Department shall prescribe by rule minimum criteria, standards
4 and procedures for the establishment and operation of such
5 services, which shall include, but not be limited to
6 requirements for the provision of information, counseling and
7 referral services that ensure appropriate counseling and
8 referral for persons whose blood is tested and shows evidence
9 of exposure to the human immunodeficiency virus (HIV) or other
10 identified causative agent of acquired immunodeficiency
11 syndrome (AIDS).

12 (5) Establish regional and community service networks of
13 public and private service providers or health care
14 professionals who may be involved in AIDS research, prevention
15 and treatment.

16 (6) Provide grants to individuals, organizations or
17 facilities to support the following:

18 (A) Information, referral, and treatment services.

19 (B) Interdisciplinary workshops for professionals
20 involved in research and treatment.

21 (C) Establishment and operation of a statewide
22 hotline.

23 (D) Establishment and operation of alternative testing
24 services.

25 (E) Research into detection, prevention, and
26 treatment.

1 (F) Supplementation of other public and private
2 resources.

3 (G) Implementation by long-term care facilities of
4 Department standards and procedures for the care and
5 treatment of persons with AIDS and the development of
6 adequate numbers and types of placements for those persons.

7 (7) (Blank).

8 (8) Accept any gift, donation, bequest, or grant of funds
9 from private or public agencies, including federal funds that
10 may be provided for AIDS control efforts.

11 (9) Develop and implement, in consultation with the
12 Long-Term Care Facility Advisory Board, standards and
13 procedures for long-term care facilities that provide care and
14 treatment of persons with AIDS, including appropriate
15 infection control procedures. The Department shall work
16 cooperatively with organizations representing those facilities
17 to develop adequate numbers and types of placements for persons
18 with AIDS and shall advise those facilities on proper
19 implementation of its standards and procedures.

20 (10) The Department shall create and administer a training
21 program for State employees who have a need for understanding
22 matters relating to AIDS in order to deal with or advise the
23 public. The training shall include information on the cause and
24 effects of AIDS, the means of detecting it and preventing its
25 transmission, the availability of related counseling and
26 referral, and other matters that may be appropriate. The

1 training may also be made available to employees of local
2 governments, public service agencies, and private agencies
3 that contract with the State; in those cases the Department may
4 charge a reasonable fee to recover the cost of the training.

5 (11) Approve tests or testing procedures used in
6 determining exposure to HIV or any other identified causative
7 agent of AIDS.

8 (12) Provide prescription drug benefits counseling for
9 persons with HIV or AIDS.

10 (13) Continue to administer the AIDS Drug Assistance
11 Program that provides drugs to prolong the lives of low income
12 Persons with Acquired Immunodeficiency Syndrome (AIDS) or
13 Human Immunodeficiency Virus (HIV) infection who are not
14 eligible under Article V of the Illinois Public Aid Code for
15 Medical Assistance, as provided under Title 77, Chapter 1,
16 Subchapter (k), Part 692, Section 692.10 of the Illinois
17 Administrative Code, effective August 1, 2000, except that the
18 financial qualification for that program shall be that the
19 anticipated gross monthly income shall be at or above 500% of
20 the most recent Federal Poverty Guidelines published annually
21 by the United States Department of Health and Human Services
22 for the size of the household.

23 (14) In order to implement the provisions of Public Act
24 95-7, the Department must expand HIV testing in health care
25 settings where undiagnosed individuals are likely to be
26 identified. The Department must purchase rapid HIV kits and

1 make grants for technical assistance, staff to conduct HIV
2 testing and counseling, and related purposes. The Department
3 must make grants to (i) facilities serving patients that are
4 uninsured at high rates, (ii) facilities located in areas with
5 a high prevalence of HIV or AIDS, (iii) facilities that have a
6 high likelihood of identifying individuals who are undiagnosed
7 with HIV or AIDS, or (iv) any combination of items (i), (ii),
8 and (iii).

9 (Source: P.A. 94-909, eff. 6-23-06.)

10 (20 ILCS 2310/2310-394 new)

11 Sec. 2310-394. Multiple sclerosis; home services.

12 (a) Subject to appropriation, the Department shall create a
13 program of services for persons with multiple sclerosis to help
14 those persons stay in their homes and out of institutions. The
15 Department shall collaborate with consumers to develop a
16 program of services that is consumer directed.

17 (1) There shall be meaningful consumer participation
18 in all aspects of program design, review, and improvement.

19 (2) A review committee shall be established, comprised
20 of consumers and other stakeholders. The committee shall
21 meet at least once a year to evaluate the program,
22 including quality assurance data, and shall submit program
23 recommendations to the Department.

24 (3) Consumers shall have control in the selection,
25 management, and termination of providers.

1 (4) Providers shall be educated about
2 consumer-directed services and multiple sclerosis.

3 (b) To be eligible for the program, a person must meet the
4 following requirements:

5 (1) He or she must have a current diagnosis of multiple
6 sclerosis.

7 (2) He or she must have applied for benefits under the
8 Home Services Program operated by the Department of Human
9 Services and must have been determined not eligible for
10 benefits under that program because his or her retirement
11 assets or life insurance assets, or both, exceeded the
12 limits applicable to that program.

13 (3) He or she must have assets not exceeding \$17,500.
14 In determining whether a person's assets meet this
15 requirement, the Department must disregard retirement
16 assets up to a total of \$500,000 and disregard all life
17 insurance assets.

18 (c) This Section does not create any new entitlement to a
19 service, program, or benefit, but does not affect any
20 entitlement to a service, program, or benefit created by any
21 other law.

22 Section 30. The I-FLY Act is amended by changing Section 25
23 as follows:

24 (20 ILCS 3958/25)

1 Sec. 25. I-FLY Program.

2 (a) The Department shall establish the I-FLY Program, in
3 cooperation with the Commission. The Program shall consist of
4 the following components:

5 (1) air carrier recruitment and retention grants as
6 described in subsection (c); and

7 (2) planning grants under subsection (d).

8 The Department may make grants under this Act only to
9 airports that are located completely outside of Cook County.

10 (b) During any one-year period, an airport may receive a
11 grant for only one of the 2 components specified in subsection
12 (a).

13 (c) Air carrier recruitment and retention program grants.

14 (1) An airport may receive an air carrier recruitment
15 and retention program grant from the Department only if:

16 (A) it is capable of supporting takeoffs and
17 landings by aircraft that have at least 19 passenger
18 seats or have made improvements or commitments to the
19 Department to provide this capability; and

20 (B) it has a commitment from an air carrier to
21 start or continue air service to the community that the
22 airport serves subject to financial support from the
23 State and from the airport or unit of local government
24 that the airport serves. The commitment must specify
25 that the air carrier would not provide or continue to
26 provide service to the community if financial

1 assistance were not available.

2 (2) An application for an air carrier recruitment and
3 retention program grant must contain commitments from the
4 airport or the unit of local government in which the
5 airport is located as to the amount of the total project
6 cost, the contribution from the unit of local government or
7 airport, the method in which the contribution from the
8 airport or unit of local government will be generated, and
9 the requested State contribution.

10 (3) The air carrier recruitment and retention program
11 grant shall be used to guarantee the financial viability of
12 air carriers providing reasonable air service at the
13 airport. A grant under this subsection (c) to a particular
14 airport may be in only one of the following 3 forms:

15 (A) A grant may be used to guarantee that an air
16 carrier shall receive an agreed amount of revenue per
17 flight.

18 (B) A grant may be used to guarantee a reduced or
19 subsidized consumer ticket price.

20 (C) A grant may be used to guarantee a profit goal
21 established by the air carrier and airport.

22 (4) During the first year of a grant under this
23 subsection (c), the grant shall pay 80% of the total cost
24 of the guarantee and the airport or unit of local
25 government in which the airport is located shall pay 20% of
26 the total cost of the guarantee. During the second year of

1 a grant under this subsection (c), the grant shall pay 80%
2 ~~50%~~ of the total cost of the guarantee and the airport or
3 the unit of local government in which the airport is
4 located shall pay 20% ~~50%~~ of the total cost of the
5 guarantee.

6 (5) The total State funding for a grant under this
7 subsection (c) to a particular airport may not exceed
8 \$1,000,000 in any year.

9 (6) An airport that has received a 2-year grant under
10 this subsection (c) may apply for another grant for an
11 additional 2-year period; however, the Department shall,
12 in determining whether to make a grant for an additional
13 2-year period, give priority to other airports that have
14 not previously received a grant under this subsection (c).
15 The Department shall also give priority in making grants
16 under this subsection (c) to airports at which the
17 Department determines that a 2-year grant may result in the
18 creation of stable and reliable commercial air service
19 without an additional grant.

20 (d) Planning grants. An airport may apply for and receive a
21 planning grant to conduct feasibility studies or business plans
22 designed to study the recruitment, retention, or expansion of
23 an air carrier at the airport. To be eligible for a grant under
24 this subsection (d), the airport must have the potential for
25 initial or expanded air service as the Department determines
26 through its evaluation process. The grant shall pay 70% of the

1 total cost of the feasibility studies or business plans and the
2 airport or the unit of local government in which the airport is
3 located shall pay 30% of the total cost of the feasibility
4 studies or business plans. An airport may receive only one
5 planning grant.

6 (Source: P.A. 93-585, eff. 8-22-03; 94-839, eff. 6-6-06.)

7 Section 40. The State Finance Act is amended by changing
8 Sections 6z-30, 6z-64, 6z-70, 8.3, 8g, and 8h, by renumbering
9 and changing Section 6z-69 as added by Public Act 95-707, and
10 by adding Section 5.710 as follows:

11 (30 ILCS 105/5.710 new)

12 Sec. 5.710. The Money Follows the Person Budget Transfer
13 Fund.

14 (30 ILCS 105/6z-30)

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

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

19 (1) As soon as possible after the beginning of each
20 fiscal year (starting in fiscal year 1995), and in no event
21 later than July 30, the State Comptroller and the State
22 Treasurer shall automatically transfer \$44,700,000 from
23 the General Revenue Fund to the University of Illinois

1 Hospital Services Fund.

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

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

13 (b) Moneys in the fund may be used by the Department of
14 Healthcare and Family Services (formerly Illinois Department
15 of Public Aid), subject to appropriation, to reimburse the
16 University of Illinois Hospital for hospital and pharmacy
17 services, and to reimburse practitioners as defined in Section
18 5-8 of the Illinois Public Aid Code (305 ILCS 5/5-8) who are
19 employed by the University of Illinois Hospital. The fund may
20 also be used to make monthly transfers to the General Revenue
21 Fund as provided in subsection (c).

22 (c) The State Comptroller and State Treasurer shall
23 automatically transfer on the last day of each month except
24 June, beginning August 31, 1994, from the University of
25 Illinois Hospital Services Fund to the General Revenue Fund, an
26 amount determined and certified to the State Comptroller by the

1 Director of Healthcare and Family Services (formerly Director
2 of Public Aid), equal to the amount by which the balance in the
3 Fund exceeds the amount necessary to ensure timely payments to
4 the University of Illinois Hospital.

5 On June 30, 1995 and each June 30 thereafter, the State
6 Comptroller and State Treasurer shall automatically transfer
7 the entire balance in the University of Illinois Hospital
8 Services Fund to the General Revenue Fund.

9 (Source: P.A. 95-331, eff. 8-21-07.)

10 (30 ILCS 105/6z-64)

11 Sec. 6z-64. The Workers' Compensation Revolving Fund.

12 (a) The Workers' Compensation Revolving Fund is created as
13 a revolving fund, not subject to fiscal year limitations, in
14 the State treasury. The following moneys shall be deposited
15 into the Fund:

16 (1) amounts authorized for transfer to the Fund from
17 the General Revenue Fund and other State funds (except for
18 funds classified by the Comptroller as federal trust funds
19 or State trust funds) pursuant to State law or Executive
20 Order;

21 (2) federal funds received by the Department of Central
22 Management Services (the "Department") as a result of
23 expenditures from the Fund;

24 (3) interest earned on moneys in the Fund;

25 (4) receipts or inter-fund transfers resulting from

1 billings issued by the Department to State agencies and
2 universities for the cost of workers' compensation
3 services rendered by the Department that are not
4 compensated through the specific fund transfers authorized
5 by this Section, if any;

6 (5) amounts received from a State agency or university
7 for workers' compensation payments for temporary total
8 disability, as provided in Section 405-105 of the
9 Department of Central Management Services Law of the Civil
10 Administrative Code of Illinois; and

11 (6) amounts recovered through subrogation in workers'
12 compensation and workers' occupational disease cases.

13 (b) Moneys in the Fund may be used by the Department for
14 reimbursement or payment for:

15 (1) providing workers' compensation services to State
16 agencies and State universities; or

17 (2) providing for payment of administrative and other
18 expenses incurred by the Department in providing workers'
19 compensation services.

20 (c) State agencies may direct the Comptroller to process
21 inter-fund transfers or make payment through the voucher and
22 warrant process to the Workers' Compensation Revolving Fund in
23 satisfaction of billings issued under subsection (a) of this
24 Section.

25 (d) Reconciliation. For the fiscal year beginning on July
26 1, 2004 only, the Director of Central Management Services (the

1 "Director") shall order that each State agency's payments and
 2 transfers made to the Fund be reconciled with actual Fund costs
 3 for workers' compensation services provided by the Department
 4 and attributable to the State agency and relevant fund on no
 5 less than an annual basis. The Director may require reports
 6 from State agencies as deemed necessary to perform this
 7 reconciliation.

8 (d-5) Notwithstanding any other provision of State law to
 9 the contrary, on or after July 1, 2005 and until June 30, 2006,
 10 in addition to any other transfers that may be provided for by
 11 law, at the direction of and upon notification of the Director
 12 of Central Management Services, the State Comptroller shall
 13 direct and the State Treasurer shall transfer amounts into the
 14 Workers' Compensation Revolving Fund from the designated funds
 15 not exceeding the following totals:

16	Mental Health Fund	\$17,694,000
17	Statistical Services Revolving Fund	\$1,252,600
18	Department of Corrections Reimbursement	
19	and Education Fund	\$1,198,600
20	Communications Revolving Fund	\$535,400
21	Child Support Administrative Fund	\$441,900
22	Health Insurance Reserve Fund	\$238,900
23	Fire Prevention Fund	\$234,100
24	Park and Conservation Fund	\$142,000
25	Motor Fuel Tax Fund	\$132,800
26	Illinois Workers' Compensation	

1	Commission Operations Fund	\$123,900
2	State Boating Act Fund	\$112,300
3	Public Utility Fund	\$106,500
4	State Lottery Fund	\$101,300
5	Traffic and Criminal Conviction	
6	Surcharge Fund	\$88,500
7	State Surplus Property Revolving Fund	\$82,700
8	Natural Areas Acquisition Fund	\$65,600
9	Securities Audit and Enforcement Fund.....	\$65,200
10	Agricultural Premium Fund	\$63,400
11	Capital Development Fund	\$57,500
12	State Gaming Fund	\$54,300
13	Underground Storage Tank Fund	\$53,700
14	Illinois State Medical Disciplinary Fund	\$53,000
15	Personal Property Tax Replacement Fund	\$53,000
16	General Professions Dedicated Fund	\$51,900
17	Total	\$23,003,100

18 (d-10) Notwithstanding any other provision of State law to
19 the contrary and in addition to any other transfers that may be
20 provided for by law, on the first day of each calendar quarter
21 of the fiscal year beginning July 1, 2005, or as soon as may be
22 practical thereafter, the State Comptroller shall direct and
23 the State Treasurer shall transfer from each designated fund
24 into the Workers' Compensation Revolving Fund amounts equal to
25 one-fourth of each of the following totals:

26	General Revenue Fund	\$34,000,000
----	----------------------------	--------------

1	Road Fund	\$25,987,000
2	Total	\$59,987,000

3 (d-12) Notwithstanding any other provision of State law to
 4 the contrary and in addition to any other transfers that may be
 5 provided for by law, on the effective date of this amendatory
 6 Act of the 94th General Assembly, or as soon as may be
 7 practical thereafter, the State Comptroller shall direct and
 8 the State Treasurer shall transfer from each designated fund
 9 into the Workers' Compensation Revolving Fund the following
 10 amounts:

11	General Revenue Fund	\$10,000,000
12	Road Fund	\$5,000,000
13	Total	\$15,000,000

14 (d-15) Notwithstanding any other provision of State law to
 15 the contrary and in addition to any other transfers that may be
 16 provided for by law, on July 1, 2006, or as soon as may be
 17 practical thereafter, the State Comptroller shall direct and
 18 the State Treasurer shall transfer from each designated fund
 19 into the Workers' Compensation Revolving Fund the following
 20 amounts:

21	General Revenue Fund	\$44,028,200
22	Road Fund	\$28,084,000
23	Total	\$72,112,200

24 (d-20) Notwithstanding any other provision of State law to
 25 the contrary, on or after July 1, 2006 and until June 30, 2007,
 26 in addition to any other transfers that may be provided for by

1 law, at the direction of and upon notification of the Director
 2 of Central Management Services, the State Comptroller shall
 3 direct and the State Treasurer shall transfer amounts into the
 4 Workers' Compensation Revolving Fund from the designated funds
 5 not exceeding the following totals:

6	Mental Health Fund	\$19,121,800
7	Statistical Services Revolving Fund	\$1,353,700
8	Department of Corrections Reimbursement	
9	and Education Fund	\$1,295,300
10	Communications Revolving Fund	\$578,600
11	Child Support Administrative Fund	\$477,600
12	Health Insurance Reserve Fund	\$258,200
13	Fire Prevention Fund	\$253,000
14	Park and Conservation Fund	\$153,500
15	Motor Fuel Tax Fund	\$143,500
16	Illinois Workers' Compensation	
17	Commission Operations Fund	\$133,900
18	State Boating Act Fund	\$121,400
19	Public Utility Fund	\$115,100
20	State Lottery Fund	\$109,500
21	Traffic and Criminal Conviction Surcharge Fund ..	\$95,700
22	State Surplus Property Revolving Fund	\$89,400
23	Natural Areas Acquisition Fund	\$70,800
24	Securities Audit and Enforcement Fund	\$70,400
25	Agricultural Premium Fund	\$68,500
26	State Gaming Fund	\$58,600

1	Underground Storage Tank Fund	\$58,000
2	Illinois State Medical Disciplinary Fund	\$57,200
3	Personal Property Tax Replacement Fund	\$57,200
4	General Professions Dedicated Fund	\$56,100
5	Total	\$24,797,000

6 (e) The term "workers' compensation services" means
7 services, claims expenses, and related administrative costs
8 incurred in performing the duties under Sections 405-105 and
9 405-411 of the Department of Central Management Services Law of
10 the Civil Administrative Code of Illinois.

11 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05; 94-839,
12 eff. 6-6-06.)

13 (30 ILCS 105/6z-70)

14 Sec. 6z-70. The Secretary of State Identification Security
15 and Theft Prevention Fund.

16 (a) The Secretary of State Identification Security and
17 Theft Prevention Fund is created as a special fund in the State
18 treasury. The Fund shall consist of any fund transfers, grants,
19 fees, or moneys from other sources received for the purpose of
20 funding identification security and theft prevention measures.

21 (b) All moneys in the Secretary of State Identification
22 Security and Theft Prevention Fund shall be used, subject to
23 appropriation, for any costs related to implementing
24 identification security and theft prevention measures.

25 (c) Notwithstanding any other provision of State law to the

1 contrary, on or after July 1, 2007, and until June 30, 2008, in
 2 addition to any other transfers that may be provided for by
 3 law, at the direction of and upon notification of the Secretary
 4 of State, the State Comptroller shall direct and the State
 5 Treasurer shall transfer amounts into the Secretary of State
 6 Identification Security and Theft Prevention Fund from the
 7 designated funds not exceeding the following totals:

- 8 Lobbyist Registration Administration Fund \$100,000
- 9 Registered Limited Liability Partnership Fund \$75,000
- 10 Securities Investors Education Fund \$500,000
- 11 Securities Audit and Enforcement Fund \$5,725,000
- 12 Department of Business Services
- 13 Special Operations Fund \$3,000,000
- 14 Corporate Franchise Tax Refund Fund \$3,000,000.

15 (d) Notwithstanding any other provision of State law to the
 16 contrary, on or after July 1, 2008, and until June 30, 2009, in
 17 addition to any other transfers that may be provided for by
 18 law, at the direction of and upon notification of the Secretary
 19 of State, the State Comptroller shall direct and the State
 20 Treasurer shall transfer amounts into the Secretary of State
 21 Identification Security and Theft Prevention Fund from the
 22 designated funds not exceeding the following totals:

- 23 Lobbyist Registration Administration Fund \$100,000
- 24 Registered Limited Liability Partnership Fund \$75,000
- 25 Securities Investors Education Fund \$500,000
- 26 Securities Audit and Enforcement Fund \$5,725,000

1 Department of Business Services

2 Special Operations Fund \$3,000,000

3 Corporate Franchise Tax Refund Fund \$3,000,000

4 State Parking Facility Maintenance Fund \$100,000

5 (Source: P.A. 95-707, eff. 1-11-08.)

6 (30 ILCS 105/6z-71)

7 Sec. 6z-71 ~~6z-69~~. Human Services Priority Capital Program

8 Fund. The Human Services Priority Capital Program Fund is

9 created as a special fund in the State treasury. Subject to

10 appropriation, the Department of Human Services shall use

11 moneys in the Human Services Priority Capital Program Fund to

12 make grants to the Illinois Facilities Fund, a not-for-profit

13 corporation, to make long term below market rate loans to

14 nonprofit human service providers working under contract to the

15 State of Illinois to assist those providers in meeting their

16 capital needs. The loans shall be for the purpose of such

17 capital needs, including but not limited to special use

18 facilities, requirements for serving the disabled, mentally

19 ill, or substance abusers, and medical and technology

20 equipment. Loan repayments shall be deposited into the Human

21 Services Priority Capital Program Fund. Interest income may be

22 used to cover expenses of the program. The Illinois Facilities

23 Fund shall report to the Department of Human Services and the

24 General Assembly by April 1, 2008, and again by April 1, 2009,

25 as to the use and earnings of the program.

1 (Source: P.A. 95-707, eff. 1-11-08; revised 1-23-08.)

2 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

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

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

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

1 employee of the Division of Highways in the Department of
2 Transportation; or for the acquisition of land and the
3 erection of buildings for highway purposes, including the
4 acquisition of highway right-of-way or for investigations
5 to determine the reasonably anticipated future highway
6 needs; or for making of surveys, plans, specifications and
7 estimates for and in the construction and maintenance of
8 flight strips and of highways necessary to provide access
9 to military and naval reservations, to defense industries
10 and defense-industry sites, and to the sources of raw
11 materials and for replacing existing highways and highway
12 connections shut off from general public use at military
13 and naval reservations and defense-industry sites, or for
14 the purchase of right-of-way, except that the State shall
15 be reimbursed in full for any expense incurred in building
16 the flight strips; or for the operating and maintaining of
17 highway garages; or for patrolling and policing the public
18 highways and conserving the peace; or for the operating
19 expenses of the Department relating to the administration
20 of public transportation programs; or for any of those
21 purposes or any other purpose that may be provided by law.

22 Appropriations for any of those purposes are payable from
23 the Road Fund. Appropriations may also be made from the Road
24 Fund for the administrative expenses of any State agency that
25 are related to motor vehicles or arise from the use of motor
26 vehicles.

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

7 1. Department of Public Health;

8 2. Department of Transportation, only with respect to
9 subsidies for one-half fare Student Transportation and
10 Reduced Fare for Elderly;

11 3. Department of Central Management Services, except
12 for expenditures incurred for group insurance premiums of
13 appropriate personnel;

14 4. Judicial Systems and Agencies.

15 Beginning with fiscal year 1981 and thereafter, no Road
16 Fund monies shall be appropriated to the following Departments
17 or agencies of State government for administration, grants, or
18 operations; but this limitation is not a restriction upon
19 appropriating for those purposes any Road Fund monies that are
20 eligible for federal reimbursement:

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

23 2. Department of Transportation, only with respect to
24 Intercity Rail Subsidies and Rail Freight Services.

25 Beginning with fiscal year 1982 and thereafter, no Road
26 Fund monies shall be appropriated to the following Departments

1 or agencies of State government for administration, grants, or
2 operations; but this limitation is not a restriction upon
3 appropriating for those purposes any Road Fund monies that are
4 eligible for federal reimbursement: Department of Central
5 Management Services, except for awards made by the Illinois
6 Workers' Compensation Commission under the terms of the
7 Workers' Compensation Act or Workers' Occupational Diseases
8 Act for injury or death of an employee of the Division of
9 Highways in the Department of Transportation.

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

- 16 1. Department of State Police, except not more than 40%
- 17 of the funds appropriated for the Division of Operations;
- 18 2. State Officers.

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

1 Appropriations shall be made from the Road Fund only in
2 accordance with the provisions of this Section.

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

12 first -- to pay the cost of administration of Chapters
13 2 through 10 of the Illinois Vehicle Code; and

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

1 of rights-of-way for and the cost of construction,
2 reconstruction, maintenance, repair, and operation of
3 public highways and bridges under the direction and
4 supervision of the State, political subdivision, or
5 municipality collecting those monies, and the costs for
6 patrolling and policing the public highways (by State,
7 political subdivision, or municipality collecting that
8 money) for enforcement of traffic laws. The separation of
9 grades of such highways with railroads and costs associated
10 with protection of at-grade highway and railroad crossing
11 shall also be permissible.

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

15 Except as provided in this paragraph, beginning with fiscal
16 year 1991 and thereafter, no Road Fund monies shall be
17 appropriated to the Department of State Police for the purposes
18 of this Section in excess of its total fiscal year 1990 Road
19 Fund appropriations for those purposes unless otherwise
20 provided in Section 5g of this Act. For fiscal years 2003,
21 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be
22 appropriated to the Department of State Police for the purposes
23 of this Section in excess of \$97,310,000. For fiscal year 2008
24 only, no Road Fund monies shall be appropriated to the
25 Department of State Police for the purposes of this Section in
26 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund

1 monies shall be appropriated to the Department of State Police
2 for the purposes of this Section in excess of \$114,700,000. It
3 shall not be lawful to circumvent this limitation on
4 appropriations by governmental reorganization or other methods
5 unless otherwise provided in Section 5g of this Act.

6 In fiscal year 1994, no Road Fund monies shall be
7 appropriated to the Secretary of State for the purposes of this
8 Section in excess of the total fiscal year 1991 Road Fund
9 appropriations to the Secretary of State for those purposes,
10 plus \$9,800,000. It shall not be lawful to circumvent this
11 limitation on appropriations by governmental reorganization or
12 other method.

13 Beginning with fiscal year 1995 and thereafter, no Road
14 Fund monies shall be appropriated to the Secretary of State for
15 the purposes of this Section in excess of the total fiscal year
16 1994 Road Fund appropriations to the Secretary of State for
17 those purposes. It shall not be lawful to circumvent this
18 limitation on appropriations by governmental reorganization or
19 other methods.

20 Beginning with fiscal year 2000, total Road Fund
21 appropriations to the Secretary of State for the purposes of
22 this Section shall not exceed the amounts specified for the
23 following fiscal years:

24	Fiscal Year 2000	\$80,500,000;
25	Fiscal Year 2001	\$80,500,000;
26	Fiscal Year 2002	\$80,500,000;

1	Fiscal Year 2003	\$130,500,000;
2	Fiscal Year 2004	\$130,500,000;
3	Fiscal Year 2005	\$130,500,000;
4	Fiscal Year 2006	\$130,500,000;
5	Fiscal Year 2007	\$130,500,000;
6	Fiscal Year 2008	\$130,500,000;
7	Fiscal Year 2009 and	<u>\$130,500,000;</u>
8	<u>Fiscal Year 2010 and</u> each year thereafter	\$30,500,000.

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

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

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

20 The additional amounts authorized for expenditure in this
21 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
22 shall be repaid to the Road Fund from the General Revenue Fund
23 in the next succeeding fiscal year that the General Revenue
24 Fund has a positive budgetary balance, as determined by
25 generally accepted accounting principles applicable to
26 government.

1 The additional amounts authorized for expenditure by the
2 Secretary of State and the Department of State Police in this
3 Section by this amendatory Act of the 94th General Assembly
4 shall be repaid to the Road Fund from the General Revenue Fund
5 in the next succeeding fiscal year that the General Revenue
6 Fund has a positive budgetary balance, as determined by
7 generally accepted accounting principles applicable to
8 government.

9 (Source: P.A. 94-91, eff. 7-1-05; 94-839, eff. 6-6-06; 95-707,
10 eff. 1-11-08.)

11 (30 ILCS 105/8g)

12 Sec. 8g. Fund transfers.

13 (a) In addition to any other transfers that may be provided
14 for by law, as soon as may be practical after the effective
15 date of this amendatory Act of the 91st General Assembly, the
16 State Comptroller shall direct and the State Treasurer shall
17 transfer the sum of \$10,000,000 from the General Revenue Fund
18 to the Motor Vehicle License Plate Fund created by Senate Bill
19 1028 of the 91st General Assembly.

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

1 the 91st General Assembly.

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

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

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

1 Fund; the Standardbred Breeders Fund; the Thoroughbred
2 Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

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

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

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

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

1 Revenue Fund to the Violence Prevention Fund.

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

7 (i) On or after July 1, 2001 and until May 1, 2002, in
8 addition to any other transfers that may be provided for by
9 law, 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 re-transferred 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, 2002.

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

1 Revenue Fund at the direction of and upon notification from the
2 Governor, but in any event on or before June 30, 2003.

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

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

1	From the Bank and Trust Company Fund.....	634,800
2	From the Real Estate License	
3	Administration Fund	313,600

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

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

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

22 (k-3) On or after July 1, 2002 and no later than June 30,
23 2003, in addition to any other transfers that may be provided
24 for by 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 to exceed the following

1 sums into the Statistical Services Revolving Fund:

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

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

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

1 Prevention Fund.

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

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

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

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

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

1 Treasurer shall transfer the sum of \$5,000,000 from the General
2 Revenue Fund to the Illinois Military Family Relief Fund.

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

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

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

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

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

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

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

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

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

21 From the State Police Wireless Service Emergency Fund,
22 \$200,000;

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

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

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

9 (1) the Keep Illinois Beautiful Fund;

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

12 (3) the New Technology Recovery Fund;

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

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

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

16 (7) the State Postsecondary Review Program Fund;

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

19 (9) the Patent and Copyright Fund;

20 (10) the Credit Enhancement Development Fund;

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

24 (12) the Nursing Home Grant Assistance Fund;

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

26 (14) the Illinois Student Assistance Commission Higher

1 EdNet Fund;

2 (15) the DORS State Project Fund;

3 (16) the School Technology Revolving Fund;

4 (17) the Energy Assistance Contribution Fund;

5 (18) the Illinois Building Commission Revolving Fund;

6 (19) the Illinois Aquaculture Development Fund;

7 (20) the Homelessness Prevention Fund;

8 (21) the DCFS Refugee Assistance Fund;

9 (22) the Illinois Century Network Special Purposes
10 Fund; and

11 (23) the Build Illinois Purposes Fund.

12 (z) In addition to any other transfers that may be provided
13 for by law, on July 1, 2005, or as soon as may be practical
14 thereafter, 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 (aa) In addition to any other transfers that may be
18 provided for by law, on July 1, 2005, or as soon as may be
19 practical thereafter, the State Comptroller shall direct and
20 the State Treasurer shall transfer the sum of \$9,000,000 from
21 the General Revenue Fund to the Presidential Library and Museum
22 Operating Fund.

23 (bb) In addition to any other transfers that may be
24 provided for by law, on July 1, 2005, or as soon as may be
25 practical thereafter, the State Comptroller shall direct and
26 the State Treasurer shall transfer the sum of \$6,803,600 from

1 the General Revenue Fund to the Securities Audit and
2 Enforcement Fund.

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

14 (dd) In addition to any other transfers that may be
15 provided for by law, on April 1, 2005, or as soon thereafter as
16 may be practical, at the direction of the Director of Public
17 Aid (now Director of Healthcare and Family Services), the State
18 Comptroller shall direct and the State Treasurer shall transfer
19 from the Public Aid Recoveries Trust Fund amounts not to exceed
20 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

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

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

1 provided for by law, on and after July 1, 2006 and until June
2 30, 2007, at the direction of and upon notification from the
3 Director of the Governor's Office of Management and Budget, the
4 State Comptroller shall direct and the State Treasurer shall
5 transfer amounts not exceeding a total of \$1,900,000 from the
6 General Revenue Fund to the Illinois Capital Revolving Loan
7 Fund.

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

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

26 DCFS Children's Services Fund \$2,200,000

1 Department of Corrections Reimbursement
 2 and Education Fund \$1,500,000
 3 Supplemental Low-Income Energy
 4 Assistance Fund..... \$75,000

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

17 (jj) 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 \$8,250,000 from the General
 21 Revenue Fund to the Presidential Library and Museum Operating
 22 Fund.

23 (kk) In addition to any other transfers that may be
 24 provided for by law, on July 1, 2006, or as soon thereafter as
 25 practical, the State Comptroller shall direct and the State
 26 Treasurer shall transfer the sum of \$1,400,000 from the General

1 Revenue Fund to the Violence Prevention Fund.

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

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

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

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

1 transferred pursuant to this Section is \$38,800,000. In
2 addition, no transfer may be made pursuant to this Section that
3 would have the effect of reducing the available balance in the
4 Student Loan Operating Fund to an amount less than the amount
5 remaining unexpended and unreserved from the total
6 appropriations from the Fund estimated to be expended for the
7 fiscal year. The State Treasurer and Comptroller shall transfer
8 the amounts designated under this Section as soon as may be
9 practical after receiving the direction to transfer from the
10 Governor.

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

16 (qq) In addition to any other transfers that may be
17 provided for by law, on and after July 1, 2007 and until May 1,
18 2008, 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, 2008.

1 (rr) In addition to any other transfers that may be
 2 provided for by law, on and after July 1, 2007 and until June
 3 30, 2008, 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 (ss) In addition to any other transfers that may be
 14 provided for by law, on July 1, 2007, or as soon thereafter as
 15 practical, the State Comptroller shall direct and the State
 16 Treasurer shall transfer the sum of \$8,250,000 from the General
 17 Revenue Fund to the Presidential Library and Museum Operating
 18 Fund.

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

24 (uu) In addition to any other transfers that may be
 25 provided for by law, on July 1, 2007, or as soon thereafter as
 26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$1,320,000 from the General
2 Revenue Fund to the I-FLY Fund.

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

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

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

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

24 (zz) In addition to any other transfers that may be
25 provided for by law, on July 1, 2008, or as soon thereafter as
26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$5,000,000 from the General
2 Revenue Fund to the Digital Divide Elimination Fund.

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

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

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

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

1 provided for by law, on July 1, 2008, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$7,450,000 from the General
4 Revenue Fund to the Presidential Library and Museum Operating
5 Fund.

6 (ddd) 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 \$1,400,000 from the General
10 Revenue Fund to the Violence Prevention Fund.

11 (Source: P.A. 94-58, eff. 6-17-05; 94-91, eff. 7-1-05; 94-816,
12 eff. 5-30-06; 94-839, eff. 6-6-06; 95-331, eff. 8-21-07;
13 95-707, eff. 1-11-08.)

14 (30 ILCS 105/8h)

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

16 (a) Except as otherwise provided in this Section and
17 Section 8n of this Act, and notwithstanding any other State law
18 to the contrary, the Governor may, through June 30, 2007, from
19 time to time direct the State Treasurer and Comptroller to
20 transfer a specified sum from any fund held by the State
21 Treasurer to the General Revenue Fund in order to help defray
22 the State's operating costs for the fiscal year. The total
23 transfer under this Section from any fund in any fiscal year
24 shall not exceed the lesser of (i) 8% of the revenues to be
25 deposited into the fund during that fiscal year or (ii) an

1 amount that leaves a remaining fund balance of 25% of the July
2 1 fund balance of that fiscal year. In fiscal year 2005 only,
3 prior to calculating the July 1, 2004 final balances, the
4 Governor may calculate and direct the State Treasurer with the
5 Comptroller to transfer additional amounts determined by
6 applying the formula authorized in Public Act 93-839 to the
7 funds balances on July 1, 2003. No transfer may be made from a
8 fund under this Section that would have the effect of reducing
9 the available balance in the fund to an amount less than the
10 amount remaining unexpended and unreserved from the total
11 appropriation from that fund estimated to be expended for that
12 fiscal year. This Section does not apply to any funds that are
13 restricted by federal law to a specific use, to any funds in
14 the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the
15 Hospital Provider Fund, the Medicaid Provider Relief Fund, the
16 Teacher Health Insurance Security Fund, the Reviewing Court
17 Alternative Dispute Resolution Fund, the Voters' Guide Fund,
18 the Foreign Language Interpreter Fund, the Lawyers' Assistance
19 Program Fund, the Supreme Court Federal Projects Fund, the
20 Supreme Court Special State Projects Fund, the Supplemental
21 Low-Income Energy Assistance Fund, the Good Samaritan Energy
22 Trust Fund, the Low-Level Radioactive Waste Facility
23 Development and Operation Fund, the Horse Racing Equity Trust
24 Fund, the Metabolic Screening and Treatment Fund, or the
25 Hospital Basic Services Preservation Fund, or to any funds to
26 which Section 70-50 of the Nurse Practice Act applies. No

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

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

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

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

25 (b) This Section does not apply to: (i) the Ticket For The
26 Cure Fund; (ii) any fund established under the Community Senior

1 Services and Resources Act; or (iii) on or after January 1,
2 2006 (the effective date of Public Act 94-511), the Child Labor
3 and Day and Temporary Labor Enforcement Fund.

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

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

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

14 (f) Subsection (a) does not apply to, and no transfer may
15 be made under this Section from, the Illinois Power Agency
16 Operations Fund, the Illinois Power Agency Facilities Fund, the
17 Illinois Power Agency Debt Service Fund, and the Illinois Power
18 Agency Trust Fund.

19 (g) ~~(f)~~ This Section does not apply to the Veterans Service
20 Organization Reimbursement Fund.

21 (h) ~~(f)~~ This Section does not apply to the Supreme Court
22 Historic Preservation Fund.

23 (i) This Section does not apply to, and no transfer may be
24 made under this Section from, the Money Follows the Person
25 Budget Transfer Fund.

26 (Source: P.A. 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511,

1 eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05;
2 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff.
3 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773,
4 eff. 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06;
5 94-839, eff. 6-6-06; 95-331, eff. 8-21-07; 95-410, eff.
6 8-24-07; 95-481, eff. 8-28-07; 95-629, eff. 9-25-07; 95-639,
7 eff. 10-5-07; 95-695, eff. 11-5-07; revised 11-2-07.)

8 Section 43. The Excellence in Academic Medicine Act is
9 amended by changing Sections 20, 25, and 30 as follows:

10 (30 ILCS 775/20)

11 Sec. 20. Establishment of Funds.

12 (a) The Medical Research and Development Fund is created in
13 the State Treasury to which the General Assembly may from time
14 to time appropriate funds and from which the Comptroller shall
15 pay amounts as authorized by law. The amount appropriated for
16 any fiscal year after 2008 shall not be less than the amount
17 appropriated for fiscal year 2002.

18 (i) The following accounts are created in the Medical
19 Research and Development Fund: The National Institutes of
20 Health Account; the Philanthropic Medical Research
21 Account; and the Market Medical Research Account.

22 (ii) Funds appropriated to the Medical Research and
23 Development Fund shall be assigned in equal amounts to each
24 account within the Fund, subject to transferability of

1 funds under subsection (c) of Section 25.

2 (b) The Post-Tertiary Clinical Services Fund is created in
3 the State Treasury to which the General Assembly may from time
4 to time appropriate funds and from which the Comptroller shall
5 pay amounts as authorized by law. The amount appropriated for
6 any fiscal year after 2008 shall not be less than the amount
7 appropriated for fiscal year 2002.

8 (c) The Independent Academic Medical Center Fund is created
9 as a special fund in the State Treasury, to which the General
10 Assembly shall from time to time appropriate funds for the
11 purposes of the Independent Academic Medical Center Program.
12 The amount appropriated for any fiscal year after 2002 shall
13 not be less than the amount appropriated for fiscal year 2002.
14 The State Comptroller shall pay amounts from the Fund as
15 authorized by law.

16 (Source: P.A. 92-10, eff. 6-11-01.)

17 (30 ILCS 775/25)

18 Sec. 25. Medical research and development challenge
19 program.

20 (a) The State shall provide the following financial
21 incentives to draw private and federal funding for biomedical
22 research, technology and programmatic development:

23 (1) Each qualified Chicago Medicare Metropolitan
24 Statistical Area academic medical center hospital shall
25 receive a percentage of the amount available for

1 distribution from the National Institutes of Health
2 Account, equal to that hospital's percentage of the total
3 contracts and grants from the National Institutes of Health
4 awarded to qualified Chicago Medicare Metropolitan
5 Statistical Area academic medical center hospitals and
6 their affiliated medical schools during the preceding
7 calendar year. These amounts shall be paid from the
8 National Institutes of Health Account.

9 (2) Each qualified Chicago Medicare Metropolitan
10 Statistical Area academic medical center hospital shall
11 receive a payment from the State equal to 25% of all funded
12 grants (other than grants funded by the State of Illinois
13 or the National Institutes of Health) for biomedical
14 research, technology, or programmatic development received
15 by that qualified Chicago Medicare Metropolitan
16 Statistical Area academic medical center hospital during
17 the preceding calendar year. These amounts shall be paid
18 from the Philanthropic Medical Research Account.

19 (3) Each qualified Chicago Medicare Metropolitan
20 Statistical Area academic medical center hospital that (i)
21 contributes 40% of the funding for a biomedical research or
22 technology project or a programmatic development project
23 and (ii) obtains contributions from the private sector
24 equal to 40% of the funding for the project shall receive
25 from the State an amount equal to 20% of the funding for
26 the project upon submission of documentation demonstrating

1 those facts to the Comptroller; however, the State shall
2 not be required to make the payment unless the contribution
3 of the qualified Chicago Medicare Metropolitan Statistical
4 Area academic medical center hospital exceeds \$100,000.
5 The documentation must be submitted within 180 days of the
6 beginning of the fiscal year. These amounts shall be paid
7 from the Market Medical Research Account.

8 (b) No hospital under the Medical Research and Development
9 Challenge Program shall receive more than 20% of the total
10 amount appropriated to the Medical Research and Development
11 Fund.

12 The amounts received under the Medical Research and
13 Development Challenge Program by the Southern Illinois
14 University School of Medicine in Springfield and its affiliated
15 primary teaching hospitals, considered as a single entity,
16 shall not exceed an amount equal to one-sixth of the total
17 amount available for distribution from the Medical Research and
18 Development Fund, multiplied by a fraction, the numerator of
19 which is the amount awarded the Southern Illinois University
20 School of Medicine and its affiliated teaching hospitals in
21 grants or contracts by the National Institutes of Health and
22 the denominator of which is \$8,000,000.

23 (c) On or after the 180th day of the fiscal year the
24 Comptroller may transfer unexpended funds in any account of the
25 Medical Research and Development Fund to pay appropriate claims
26 against another account.

1 (d) The amounts due each qualified Chicago Medicare
2 Metropolitan Statistical Area academic medical center hospital
3 under the Medical Research and Development Fund from the
4 National Institutes of Health Account, the Philanthropic
5 Medical Research Account, and the Market Medical Research
6 Account shall be combined and one quarter of the amount payable
7 to each qualified Chicago Medicare Metropolitan Statistical
8 Area academic medical center hospital shall be paid on the
9 fifteenth working day after July 1, October 1, January 1, and
10 March 1.

11 (e) The Southern Illinois University School of Medicine in
12 Springfield and its affiliated primary teaching hospitals,
13 considered as a single entity, shall be deemed to be a
14 qualified Chicago Medicare Metropolitan Statistical Area
15 academic medical center hospital for the purposes of this
16 Section.

17 (f) In each State fiscal year, beginning in fiscal year
18 2008, the full amount appropriated for the Medical research and
19 development challenge program for that fiscal year shall be
20 distributed as described in this Section.

21 (Source: P.A. 89-506, eff. 7-3-96.)

22 (30 ILCS 775/30)

23 Sec. 30. Post-Tertiary Clinical Services Program. The
24 State shall provide incentives to develop and enhance
25 post-tertiary clinical services. Qualified academic medical

1 center hospitals as defined in Section 15 may receive funding
2 under the Post-Tertiary Clinical Services Program for up to 3
3 qualified programs as defined in Section 15 in any given year;
4 however, qualified academic medical center hospitals may
5 receive continued funding for previously funded qualified
6 programs rather than receive funding for a new program so long
7 as the number of qualified programs receiving funding does not
8 exceed 3. Each qualified academic medical center hospital as
9 defined in Section 15 shall receive an equal percentage of the
10 Post-Tertiary Clinical Services Fund to be used in the funding
11 of qualified programs. In each State fiscal year, beginning in
12 fiscal year 2008, the full amount appropriated for the
13 Post-Tertiary Clinical Services Program for that fiscal year
14 shall be distributed as described in this Section. One quarter
15 of the amount payable to each qualified academic medical center
16 hospital shall be paid on the fifteenth working day after July
17 1, October 1, January 1, and March 1.

18 (Source: P.A. 89-506, eff. 7-3-96.)

19 Section 45. The Illinois Income Tax Act is amended by
20 changing Section 901 as follows:

21 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

22 Sec. 901. Collection Authority.

23 (a) In general.

24 The Department shall collect the taxes imposed by this Act.

1 The Department shall collect certified past due child support
2 amounts under Section 2505-650 of the Department of Revenue Law
3 (20 ILCS 2505/2505-650). Except as provided in subsections (c)
4 and (e) of this Section, money collected pursuant to
5 subsections (a) and (b) of Section 201 of this Act shall be
6 paid into the General Revenue Fund in the State treasury; money
7 collected pursuant to subsections (c) and (d) of Section 201 of
8 this Act shall be paid into the Personal Property Tax
9 Replacement Fund, a special fund in the State Treasury; and
10 money collected under Section 2505-650 of the Department of
11 Revenue Law (20 ILCS 2505/2505-650) shall be paid into the
12 Child Support Enforcement Trust Fund, a special fund outside
13 the State Treasury, or to the State Disbursement Unit
14 established under Section 10-26 of the Illinois Public Aid
15 Code, as directed by the Department of Healthcare and Family
16 Services.

17 (b) Local Governmental Distributive Fund.

18 Beginning August 1, 1969, and continuing through June 30,
19 1994, the Treasurer shall transfer each month from the General
20 Revenue Fund to a special fund in the State treasury, to be
21 known as the "Local Government Distributive Fund", an amount
22 equal to 1/12 of the net revenue realized from the tax imposed
23 by subsections (a) and (b) of Section 201 of this Act during
24 the preceding month. Beginning July 1, 1994, and continuing
25 through June 30, 1995, the Treasurer shall transfer each month
26 from the General Revenue Fund to the Local Government

1 Distributive Fund an amount equal to 1/11 of the net revenue
2 realized from the tax imposed by subsections (a) and (b) of
3 Section 201 of this Act during the preceding month. Beginning
4 July 1, 1995, the Treasurer shall transfer each month from the
5 General Revenue Fund to the Local Government Distributive Fund
6 an amount equal to the net of (i) 1/10 of the net revenue
7 realized from the tax imposed by subsections (a) and (b) of
8 Section 201 of the Illinois Income Tax Act during the preceding
9 month (ii) minus, beginning July 1, 2003 and ending June 30,
10 2004, \$6,666,666, and beginning July 1, 2004, zero. Net revenue
11 realized for a month shall be defined as the revenue from the
12 tax imposed by subsections (a) and (b) of Section 201 of this
13 Act which is deposited in the General Revenue Fund, the
14 Educational Assistance Fund and the Income Tax Surcharge Local
15 Government Distributive Fund during the month minus the amount
16 paid out of the General Revenue Fund in State warrants during
17 that same month as refunds to taxpayers for overpayment of
18 liability under the tax imposed by subsections (a) and (b) of
19 Section 201 of this Act.

20 (c) Deposits Into Income Tax Refund Fund.

21 (1) Beginning on January 1, 1989 and thereafter, the
22 Department shall deposit a percentage of the amounts
23 collected pursuant to subsections (a) and (b)(1), (2), and
24 (3), of Section 201 of this Act into a fund in the State
25 treasury known as the Income Tax Refund Fund. The
26 Department shall deposit 6% of such amounts during the

1 period beginning January 1, 1989 and ending on June 30,
2 1989. Beginning with State fiscal year 1990 and for each
3 fiscal year thereafter, the percentage deposited into the
4 Income Tax Refund Fund during a fiscal year shall be the
5 Annual Percentage. For fiscal years 1999 through 2001, the
6 Annual Percentage shall be 7.1%. For fiscal year 2003, the
7 Annual Percentage shall be 8%. For fiscal year 2004, the
8 Annual Percentage shall be 11.7%. Upon the effective date
9 of this amendatory Act of the 93rd General Assembly, the
10 Annual Percentage shall be 10% for fiscal year 2005. For
11 fiscal year 2006, the Annual Percentage shall be 9.75%. For
12 fiscal year 2007, the Annual Percentage shall be 9.75%. For
13 fiscal year 2008, the Annual Percentage shall be 7.75%. For
14 fiscal year 2009, the Annual Percentage shall be 9.75%. For
15 all other fiscal years, the Annual Percentage shall be
16 calculated as a fraction, the numerator of which shall be
17 the amount of refunds approved for payment by the
18 Department during the preceding fiscal year as a result of
19 overpayment of tax liability under subsections (a) and
20 (b) (1), (2), and (3) of Section 201 of this Act plus the
21 amount of such refunds remaining approved but unpaid at the
22 end of the preceding fiscal year, minus the amounts
23 transferred into the Income Tax Refund Fund from the
24 Tobacco Settlement Recovery Fund, and the denominator of
25 which shall be the amounts which will be collected pursuant
26 to subsections (a) and (b) (1), (2), and (3) of Section 201

1 of this Act during the preceding fiscal year; except that
2 in State fiscal year 2002, the Annual Percentage shall in
3 no event exceed 7.6%. The Director of Revenue shall certify
4 the Annual Percentage to the Comptroller on the last
5 business day of the fiscal year immediately preceding the
6 fiscal year for which it is to be effective.

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

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

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

23 (d) Expenditures from Income Tax Refund Fund.

24 (1) Beginning January 1, 1989, money in the Income Tax
25 Refund Fund shall be expended exclusively for the purpose
26 of paying refunds resulting from overpayment of tax

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

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

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

25 (4) As soon as possible after the end of each fiscal
26 year, the Director shall order transferred and the State

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

11 (4.5) As soon as possible after the end of fiscal year
12 1999 and of each fiscal year thereafter, the Director shall
13 order transferred and the State Treasurer and State
14 Comptroller shall transfer from the Income Tax Refund Fund
15 to the General Revenue Fund any surplus remaining in the
16 Income Tax Refund Fund as of the end of such fiscal year;
17 excluding for fiscal years 2000, 2001, and 2002 amounts
18 attributable to transfers under item (3) of subsection (c)
19 less refunds resulting from the earned income tax credit.

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

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

26 On July 1, 1991, and thereafter, of the amounts collected

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

21 (Source: P.A. 94-91, eff. 7-1-05; 94-839, eff. 6-6-06; 95-707,
22 eff. 1-11-08.)

23 Section 47. The Motor Fuel Tax Law is amended by changing
24 Section 8 as follows:

1 (35 ILCS 505/8) (from Ch. 120, par. 424)

2 Sec. 8. Except as provided in Section 8a, subdivision
3 (h) (1) of Section 12a, Section 13a.6, and items 13, 14, 15, and
4 16 of Section 15, all money received by the Department under
5 this Act, including payments made to the Department by member
6 jurisdictions participating in the International Fuel Tax
7 Agreement, shall be deposited in a special fund in the State
8 treasury, to be known as the "Motor Fuel Tax Fund", and shall
9 be used as follows:

10 (a) 2 1/2 cents per gallon of the tax collected on special
11 fuel under paragraph (b) of Section 2 and Section 13a of this
12 Act shall be transferred to the State Construction Account Fund
13 in the State Treasury;

14 (b) \$420,000 shall be transferred each month to the State
15 Boating Act Fund to be used by the Department of Natural
16 Resources for the purposes specified in Article X of the Boat
17 Registration and Safety Act;

18 (c) \$2,250,000 shall be transferred each month to the Grade
19 Crossing Protection Fund to be used as follows: not less than
20 \$6,000,000 each fiscal year shall be used for the construction
21 or reconstruction of rail highway grade separation structures;
22 \$2,250,000 in fiscal year 2004 and each fiscal year thereafter
23 shall be transferred to the Transportation Regulatory Fund and
24 shall be accounted for as part of the rail carrier portion of
25 such funds and shall be used to pay the cost of administration
26 of the Illinois Commerce Commission's railroad safety program

1 in connection with its duties under subsection (3) of Section
2 18c-7401 of the Illinois Vehicle Code, with the remainder to be
3 used by the Department of Transportation upon order of the
4 Illinois Commerce Commission, to pay that part of the cost
5 apportioned by such Commission to the State to cover the
6 interest of the public in the use of highways, roads, streets,
7 or pedestrian walkways in the county highway system, township
8 and district road system, or municipal street system as defined
9 in the Illinois Highway Code, as the same may from time to time
10 be amended, for separation of grades, for installation,
11 construction or reconstruction of crossing protection or
12 reconstruction, alteration, relocation including construction
13 or improvement of any existing highway necessary for access to
14 property or improvement of any grade crossing including the
15 necessary highway approaches thereto of any railroad across the
16 highway or public road, or for the installation, construction,
17 reconstruction, or maintenance of a pedestrian walkway over or
18 under a railroad right-of-way, as provided for in and in
19 accordance with Section 18c-7401 of the Illinois Vehicle Code.
20 The Commission shall not order more than \$2,000,000 per year in
21 Grade Crossing Protection Fund moneys for pedestrian walkways.
22 In entering orders for projects for which payments from the
23 Grade Crossing Protection Fund will be made, the Commission
24 shall account for expenditures authorized by the orders on a
25 cash rather than an accrual basis. For purposes of this
26 requirement an "accrual basis" assumes that the total cost of

1 the project is expended in the fiscal year in which the order
2 is entered, while a "cash basis" allocates the cost of the
3 project among fiscal years as expenditures are actually made.
4 To meet the requirements of this subsection, the Illinois
5 Commerce Commission shall develop annual and 5-year project
6 plans of rail crossing capital improvements that will be paid
7 for with moneys from the Grade Crossing Protection Fund. The
8 annual project plan shall identify projects for the succeeding
9 fiscal year and the 5-year project plan shall identify projects
10 for the 5 directly succeeding fiscal years. The Commission
11 shall submit the annual and 5-year project plans for this Fund
12 to the Governor, the President of the Senate, the Senate
13 Minority Leader, the Speaker of the House of Representatives,
14 and the Minority Leader of the House of Representatives on the
15 first Wednesday in April of each year;

16 (d) of the amount remaining after allocations provided for
17 in subsections (a), (b) and (c), a sufficient amount shall be
18 reserved to pay all of the following:

19 (1) the costs of the Department of Revenue in
20 administering this Act;

21 (2) the costs of the Department of Transportation in
22 performing its duties imposed by the Illinois Highway Code
23 for supervising the use of motor fuel tax funds apportioned
24 to municipalities, counties and road districts;

25 (3) refunds provided for in Section 13 of this Act and
26 under the terms of the International Fuel Tax Agreement

1 referenced in Section 14a;

2 (4) from October 1, 1985 until June 30, 1994, the
3 administration of the Vehicle Emissions Inspection Law,
4 which amount shall be certified monthly by the
5 Environmental Protection Agency to the State Comptroller
6 and shall promptly be transferred by the State Comptroller
7 and Treasurer from the Motor Fuel Tax Fund to the Vehicle
8 Inspection Fund, and for the period July 1, 1994 through
9 June 30, 2000, one-twelfth of \$25,000,000 each month, for
10 the period July 1, 2000 through June 30, 2003, one-twelfth
11 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,
12 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each
13 July 1 and October 1, or as soon thereafter as may be
14 practical, during the period July 1, 2004 through June 30,
15 2009 ~~2008~~, for the administration of the Vehicle Emissions
16 Inspection Law of 2005 ~~1995~~, to be transferred by the State
17 Comptroller and Treasurer from the Motor Fuel Tax Fund into
18 the Vehicle Inspection Fund;

19 (5) amounts ordered paid by the Court of Claims; and

20 (6) payment of motor fuel use taxes due to member
21 jurisdictions under the terms of the International Fuel Tax
22 Agreement. The Department shall certify these amounts to
23 the Comptroller by the 15th day of each month; the
24 Comptroller shall cause orders to be drawn for such
25 amounts, and the Treasurer shall administer those amounts
26 on or before the last day of each month;

1 (e) after allocations for the purposes set forth in
2 subsections (a), (b), (c) and (d), the remaining amount shall
3 be apportioned as follows:

4 (1) Until January 1, 2000, 58.4%, and beginning January
5 1, 2000, 45.6% shall be deposited as follows:

6 (A) 37% into the State Construction Account Fund,
7 and

8 (B) 63% into the Road Fund, \$1,250,000 of which
9 shall be reserved each month for the Department of
10 Transportation to be used in accordance with the
11 provisions of Sections 6-901 through 6-906 of the
12 Illinois Highway Code;

13 (2) Until January 1, 2000, 41.6%, and beginning January
14 1, 2000, 54.4% shall be transferred to the Department of
15 Transportation to be distributed as follows:

16 (A) 49.10% to the municipalities of the State,

17 (B) 16.74% to the counties of the State having
18 1,000,000 or more inhabitants,

19 (C) 18.27% to the counties of the State having less
20 than 1,000,000 inhabitants,

21 (D) 15.89% to the road districts of the State.

22 As soon as may be after the first day of each month the
23 Department of Transportation shall allot to each municipality
24 its share of the amount apportioned to the several
25 municipalities which shall be in proportion to the population
26 of such municipalities as determined by the last preceding

1 municipal census if conducted by the Federal Government or
2 Federal census. If territory is annexed to any municipality
3 subsequent to the time of the last preceding census the
4 corporate authorities of such municipality may cause a census
5 to be taken of such annexed territory and the population so
6 ascertained for such territory shall be added to the population
7 of the municipality as determined by the last preceding census
8 for the purpose of determining the allotment for that
9 municipality. If the population of any municipality was not
10 determined by the last Federal census preceding any
11 apportionment, the apportionment to such municipality shall be
12 in accordance with any census taken by such municipality. Any
13 municipal census used in accordance with this Section shall be
14 certified to the Department of Transportation by the clerk of
15 such municipality, and the accuracy thereof shall be subject to
16 approval of the Department which may make such corrections as
17 it ascertains to be necessary.

18 As soon as may be after the first day of each month the
19 Department of Transportation shall allot to each county its
20 share of the amount apportioned to the several counties of the
21 State as herein provided. Each allotment to the several
22 counties having less than 1,000,000 inhabitants shall be in
23 proportion to the amount of motor vehicle license fees received
24 from the residents of such counties, respectively, during the
25 preceding calendar year. The Secretary of State shall, on or
26 before April 15 of each year, transmit to the Department of

1 Transportation a full and complete report showing the amount of
2 motor vehicle license fees received from the residents of each
3 county, respectively, during the preceding calendar year. The
4 Department of Transportation shall, each month, use for
5 allotment purposes the last such report received from the
6 Secretary of State.

7 As soon as may be after the first day of each month, the
8 Department of Transportation shall allot to the several
9 counties their share of the amount apportioned for the use of
10 road districts. The allotment shall be apportioned among the
11 several counties in the State in the proportion which the total
12 mileage of township or district roads in the respective
13 counties bears to the total mileage of all township and
14 district roads in the State. Funds allotted to the respective
15 counties for the use of road districts therein shall be
16 allocated to the several road districts in the county in the
17 proportion which the total mileage of such township or district
18 roads in the respective road districts bears to the total
19 mileage of all such township or district roads in the county.
20 After July 1 of any year, no allocation shall be made for any
21 road district unless it levied a tax for road and bridge
22 purposes in an amount which will require the extension of such
23 tax against the taxable property in any such road district at a
24 rate of not less than either .08% of the value thereof, based
25 upon the assessment for the year immediately prior to the year
26 in which such tax was levied and as equalized by the Department

1 of Revenue or, in DuPage County, an amount equal to or greater
2 than \$12,000 per mile of road under the jurisdiction of the
3 road district, whichever is less. If any road district has
4 levied a special tax for road purposes pursuant to Sections
5 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such
6 tax was levied in an amount which would require extension at a
7 rate of not less than .08% of the value of the taxable property
8 thereof, as equalized or assessed by the Department of Revenue,
9 or, in DuPage County, an amount equal to or greater than
10 \$12,000 per mile of road under the jurisdiction of the road
11 district, whichever is less, such levy shall, however, be
12 deemed a proper compliance with this Section and shall qualify
13 such road district for an allotment under this Section. If a
14 township has transferred to the road and bridge fund money
15 which, when added to the amount of any tax levy of the road
16 district would be the equivalent of a tax levy requiring
17 extension at a rate of at least .08%, or, in DuPage County, an
18 amount equal to or greater than \$12,000 per mile of road under
19 the jurisdiction of the road district, whichever is less, such
20 transfer, together with any such tax levy, shall be deemed a
21 proper compliance with this Section and shall qualify the road
22 district for an allotment under this Section.

23 In counties in which a property tax extension limitation is
24 imposed under the Property Tax Extension Limitation Law, road
25 districts may retain their entitlement to a motor fuel tax
26 allotment if, at the time the property tax extension limitation

1 was imposed, the road district was levying a road and bridge
2 tax at a rate sufficient to entitle it to a motor fuel tax
3 allotment and continues to levy the maximum allowable amount
4 after the imposition of the property tax extension limitation.
5 Any road district may in all circumstances retain its
6 entitlement to a motor fuel tax allotment if it levied a road
7 and bridge tax in an amount that will require the extension of
8 the tax against the taxable property in the road district at a
9 rate of not less than 0.08% of the assessed value of the
10 property, based upon the assessment for the year immediately
11 preceding the year in which the tax was levied and as equalized
12 by the Department of Revenue or, in DuPage County, an amount
13 equal to or greater than \$12,000 per mile of road under the
14 jurisdiction of the road district, whichever is less.

15 As used in this Section the term "road district" means any
16 road district, including a county unit road district, provided
17 for by the Illinois Highway Code; and the term "township or
18 district road" means any road in the township and district road
19 system as defined in the Illinois Highway Code. For the
20 purposes of this Section, "road district" also includes park
21 districts, forest preserve districts and conservation
22 districts organized under Illinois law and "township or
23 district road" also includes such roads as are maintained by
24 park districts, forest preserve districts and conservation
25 districts. The Department of Transportation shall determine
26 the mileage of all township and district roads for the purposes

1 of making allotments and allocations of motor fuel tax funds
2 for use in road districts.

3 Payment of motor fuel tax moneys to municipalities and
4 counties shall be made as soon as possible after the allotment
5 is made. The treasurer of the municipality or county may invest
6 these funds until their use is required and the interest earned
7 by these investments shall be limited to the same uses as the
8 principal funds.

9 (Source: P.A. 93-32, eff. 6-20-03; 93-839, eff. 7-30-04;
10 94-839, eff. 6-6-06; revised 1-30-08.)

11 Section 50. The School Code is amended by changing Sections
12 2-3.131 and 18-8.05 as follows:

13 (105 ILCS 5/2-3.131)

14 Sec. 2-3.131. Transitional assistance payments.

15 (a) If the amount that the State Board of Education will
16 pay to a school district from fiscal year 2004 appropriations,
17 as estimated by the State Board of Education on April 1, 2004,
18 is less than the amount that the State Board of Education paid
19 to the school district from fiscal year 2003 appropriations,
20 then, subject to appropriation, the State Board of Education
21 shall make a fiscal year 2004 transitional assistance payment
22 to the school district in an amount equal to the difference
23 between the estimated amount to be paid from fiscal year 2004
24 appropriations and the amount paid from fiscal year 2003

1 appropriations.

2 (b) If the amount that the State Board of Education will
3 pay to a school district from fiscal year 2005 appropriations,
4 as estimated by the State Board of Education on April 1, 2005,
5 is less than the amount that the State Board of Education paid
6 to the school district from fiscal year 2004 appropriations,
7 then the State Board of Education shall make a fiscal year 2005
8 transitional assistance payment to the school district in an
9 amount equal to the difference between the estimated amount to
10 be paid from fiscal year 2005 appropriations and the amount
11 paid from fiscal year 2004 appropriations.

12 (c) If the amount that the State Board of Education will
13 pay to a school district from fiscal year 2006 appropriations,
14 as estimated by the State Board of Education on April 1, 2006,
15 is less than the amount that the State Board of Education paid
16 to the school district from fiscal year 2005 appropriations,
17 then the State Board of Education shall make a fiscal year 2006
18 transitional assistance payment to the school district in an
19 amount equal to the difference between the estimated amount to
20 be paid from fiscal year 2006 appropriations and the amount
21 paid from fiscal year 2005 appropriations.

22 (d) If the amount that the State Board of Education will
23 pay to a school district from fiscal year 2007 appropriations,
24 as estimated by the State Board of Education on April 1, 2007,
25 is less than the amount that the State Board of Education paid
26 to the school district from fiscal year 2006 appropriations,

1 then the State Board of Education, subject to appropriation,
2 shall make a fiscal year 2007 transitional assistance payment
3 to the school district in an amount equal to the difference
4 between the estimated amount to be paid from fiscal year 2007
5 appropriations and the amount paid from fiscal year 2006
6 appropriations.

7 (e) Subject to appropriation, beginning on July 1, 2007,
8 the State Board of Education shall adjust prior year
9 information for the transitional assistance calculations under
10 this Section in the event of the creation or reorganization of
11 any school district pursuant to Article 11E of this Code, the
12 dissolution of an entire district and the annexation of all of
13 its territory to one or more other districts pursuant to
14 Article 7 of this Code, or a boundary change whereby the
15 enrollment of the annexing district increases by 90% or more as
16 a result of annexing territory detached from another district
17 pursuant to Article 7 of this Code.

18 (f) If the amount that the State Board of Education will
19 pay to a school district from fiscal year 2008 appropriations,
20 as estimated by the State Board of Education on April 1, 2008,
21 is less than the amount that the State Board of Education paid
22 to the school district from fiscal year 2007 appropriations,
23 then the State Board of Education, subject to appropriation,
24 shall make a fiscal year 2008 transitional assistance payment
25 to the school district in an amount equal to the difference
26 between the estimated amount to be paid from fiscal year 2008

1 appropriations and the amount paid from fiscal year 2007
2 appropriations.

3 (g) If the amount that the State Board of Education will
4 pay to a school district from fiscal year 2009 appropriations,
5 as estimated by the State Board of Education on April 1, 2009,
6 is less than the amount that the State Board of Education paid
7 to the school district from fiscal year 2008 appropriations,
8 then the State Board of Education, subject to appropriation,
9 shall make a fiscal year 2009 transitional assistance payment
10 to the school district in an amount equal to the difference
11 between the estimated amount to be paid from fiscal year 2009
12 appropriations and the amount paid from fiscal year 2008
13 appropriations.

14 (Source: P.A. 94-69, eff. 7-1-05; 94-835, eff. 6-6-06; 95-331,
15 eff. 8-21-07; 95-707, eff. 1-11-08.)

16 (105 ILCS 5/18-8.05)

17 Sec. 18-8.05. Basis for apportionment of general State
18 financial aid and supplemental general State aid to the common
19 schools for the 1998-1999 and subsequent school years.

20 (A) General Provisions.

21 (1) The provisions of this Section apply to the 1998-1999
22 and subsequent school years. The system of general State
23 financial aid provided for in this Section is designed to
24 assure that, through a combination of State financial aid and

1 required local resources, the financial support provided each
2 pupil in Average Daily Attendance equals or exceeds a
3 prescribed per pupil Foundation Level. This formula approach
4 imputes a level of per pupil Available Local Resources and
5 provides for the basis to calculate a per pupil level of
6 general State financial aid that, when added to Available Local
7 Resources, equals or exceeds the Foundation Level. The amount
8 of per pupil general State financial aid for school districts,
9 in general, varies in inverse relation to Available Local
10 Resources. Per pupil amounts are based upon each school
11 district's Average Daily Attendance as that term is defined in
12 this Section.

13 (2) In addition to general State financial aid, school
14 districts with specified levels or concentrations of pupils
15 from low income households are eligible to receive supplemental
16 general State financial aid grants as provided pursuant to
17 subsection (H). The supplemental State aid grants provided for
18 school districts under subsection (H) shall be appropriated for
19 distribution to school districts as part of the same line item
20 in which the general State financial aid of school districts is
21 appropriated under this Section.

22 (3) To receive financial assistance under this Section,
23 school districts are required to file claims with the State
24 Board of Education, subject to the following requirements:

25 (a) Any school district which fails for any given
26 school year to maintain school as required by law, or to

1 maintain a recognized school is not eligible to file for
2 such school year any claim upon the Common School Fund. In
3 case of nonrecognition of one or more attendance centers in
4 a school district otherwise operating recognized schools,
5 the claim of the district shall be reduced in the
6 proportion which the Average Daily Attendance in the
7 attendance center or centers bear to the Average Daily
8 Attendance in the school district. A "recognized school"
9 means any public school which meets the standards as
10 established for recognition by the State Board of
11 Education. A school district or attendance center not
12 having recognition status at the end of a school term is
13 entitled to receive State aid payments due upon a legal
14 claim which was filed while it was recognized.

15 (b) School district claims filed under this Section are
16 subject to Sections 18-9 and 18-12, except as otherwise
17 provided in this Section.

18 (c) If a school district operates a full year school
19 under Section 10-19.1, the general State aid to the school
20 district shall be determined by the State Board of
21 Education in accordance with this Section as near as may be
22 applicable.

23 (d) (Blank).

24 (4) Except as provided in subsections (H) and (L), the
25 board of any district receiving any of the grants provided for
26 in this Section may apply those funds to any fund so received

1 for which that board is authorized to make expenditures by law.

2 School districts are not required to exert a minimum
3 Operating Tax Rate in order to qualify for assistance under
4 this Section.

5 (5) As used in this Section the following terms, when
6 capitalized, shall have the meaning ascribed herein:

7 (a) "Average Daily Attendance": A count of pupil
8 attendance in school, averaged as provided for in
9 subsection (C) and utilized in deriving per pupil financial
10 support levels.

11 (b) "Available Local Resources": A computation of
12 local financial support, calculated on the basis of Average
13 Daily Attendance and derived as provided pursuant to
14 subsection (D).

15 (c) "Corporate Personal Property Replacement Taxes":
16 Funds paid to local school districts pursuant to "An Act in
17 relation to the abolition of ad valorem personal property
18 tax and the replacement of revenues lost thereby, and
19 amending and repealing certain Acts and parts of Acts in
20 connection therewith", certified August 14, 1979, as
21 amended (Public Act 81-1st S.S.-1).

22 (d) "Foundation Level": A prescribed level of per pupil
23 financial support as provided for in subsection (B).

24 (e) "Operating Tax Rate": All school district property
25 taxes extended for all purposes, except Bond and Interest,
26 Summer School, Rent, Capital Improvement, and Vocational

1 Education Building purposes.

2 (B) Foundation Level.

3 (1) The Foundation Level is a figure established by the
4 State representing the minimum level of per pupil financial
5 support that should be available to provide for the basic
6 education of each pupil in Average Daily Attendance. As set
7 forth in this Section, each school district is assumed to exert
8 a sufficient local taxing effort such that, in combination with
9 the aggregate of general State financial aid provided the
10 district, an aggregate of State and local resources are
11 available to meet the basic education needs of pupils in the
12 district.

13 (2) For the 1998-1999 school year, the Foundation Level of
14 support is \$4,225. For the 1999-2000 school year, the
15 Foundation Level of support is \$4,325. For the 2000-2001 school
16 year, the Foundation Level of support is \$4,425. For the
17 2001-2002 school year and 2002-2003 school year, the Foundation
18 Level of support is \$4,560. For the 2003-2004 school year, the
19 Foundation Level of support is \$4,810. For the 2004-2005 school
20 year, the Foundation Level of support is \$4,964. For the
21 2005-2006 school year, the Foundation Level of support is
22 \$5,164. For the 2006-2007 school year, the Foundation Level of
23 support is \$5,334. For the 2007-2008 school year, the
24 Foundation Level of support is \$5,734.

25 (3) For the 2008-2009 ~~2007-2008~~ school year and each school

1 year thereafter, the Foundation Level of support is \$5,959
2 ~~\$5,734~~ or such greater amount as may be established by law by
3 the General Assembly.

4 (C) Average Daily Attendance.

5 (1) For purposes of calculating general State aid pursuant
6 to subsection (E), an Average Daily Attendance figure shall be
7 utilized. The Average Daily Attendance figure for formula
8 calculation purposes shall be the monthly average of the actual
9 number of pupils in attendance of each school district, as
10 further averaged for the best 3 months of pupil attendance for
11 each school district. In compiling the figures for the number
12 of pupils in attendance, school districts and the State Board
13 of Education shall, for purposes of general State aid funding,
14 conform attendance figures to the requirements of subsection
15 (F).

16 (2) The Average Daily Attendance figures utilized in
17 subsection (E) shall be the requisite attendance data for the
18 school year immediately preceding the school year for which
19 general State aid is being calculated or the average of the
20 attendance data for the 3 preceding school years, whichever is
21 greater. The Average Daily Attendance figures utilized in
22 subsection (H) shall be the requisite attendance data for the
23 school year immediately preceding the school year for which
24 general State aid is being calculated.

1 (D) Available Local Resources.

2 (1) For purposes of calculating general State aid pursuant
3 to subsection (E), a representation of Available Local
4 Resources per pupil, as that term is defined and determined in
5 this subsection, shall be utilized. Available Local Resources
6 per pupil shall include a calculated dollar amount representing
7 local school district revenues from local property taxes and
8 from Corporate Personal Property Replacement Taxes, expressed
9 on the basis of pupils in Average Daily Attendance. Calculation
10 of Available Local Resources shall exclude any tax amnesty
11 funds received as a result of Public Act 93-26.

12 (2) In determining a school district's revenue from local
13 property taxes, the State Board of Education shall utilize the
14 equalized assessed valuation of all taxable property of each
15 school district as of September 30 of the previous year. The
16 equalized assessed valuation utilized shall be obtained and
17 determined as provided in subsection (G).

18 (3) For school districts maintaining grades kindergarten
19 through 12, local property tax revenues per pupil shall be
20 calculated as the product of the applicable equalized assessed
21 valuation for the district multiplied by 3.00%, and divided by
22 the district's Average Daily Attendance figure. For school
23 districts maintaining grades kindergarten through 8, local
24 property tax revenues per pupil shall be calculated as the
25 product of the applicable equalized assessed valuation for the
26 district multiplied by 2.30%, and divided by the district's

1 Average Daily Attendance figure. For school districts
2 maintaining grades 9 through 12, local property tax revenues
3 per pupil shall be the applicable equalized assessed valuation
4 of the district multiplied by 1.05%, and divided by the
5 district's Average Daily Attendance figure.

6 For partial elementary unit districts created pursuant to
7 Article 11E of this Code, local property tax revenues per pupil
8 shall be calculated as the product of the equalized assessed
9 valuation for property within the elementary and high school
10 classification of the partial elementary unit district
11 multiplied by 2.06% and divided by the Average Daily Attendance
12 figure for grades kindergarten through 8, plus the product of
13 the equalized assessed valuation for property within the high
14 school only classification of the partial elementary unit
15 district multiplied by 0.94% and divided by the Average Daily
16 Attendance figure for grades 9 through 12.

17 (4) The Corporate Personal Property Replacement Taxes paid
18 to each school district during the calendar year 2 years before
19 the calendar year in which a school year begins, divided by the
20 Average Daily Attendance figure for that district, shall be
21 added to the local property tax revenues per pupil as derived
22 by the application of the immediately preceding paragraph (3).
23 The sum of these per pupil figures for each school district
24 shall constitute Available Local Resources as that term is
25 utilized in subsection (E) in the calculation of general State
26 aid.

1 (E) Computation of General State Aid.

2 (1) For each school year, the amount of general State aid
3 allotted to a school district shall be computed by the State
4 Board of Education as provided in this subsection.

5 (2) For any school district for which Available Local
6 Resources per pupil is less than the product of 0.93 times the
7 Foundation Level, general State aid for that district shall be
8 calculated as an amount equal to the Foundation Level minus
9 Available Local Resources, multiplied by the Average Daily
10 Attendance of the school district.

11 (3) For any school district for which Available Local
12 Resources per pupil is equal to or greater than the product of
13 0.93 times the Foundation Level and less than the product of
14 1.75 times the Foundation Level, the general State aid per
15 pupil shall be a decimal proportion of the Foundation Level
16 derived using a linear algorithm. Under this linear algorithm,
17 the calculated general State aid per pupil shall decline in
18 direct linear fashion from 0.07 times the Foundation Level for
19 a school district with Available Local Resources equal to the
20 product of 0.93 times the Foundation Level, to 0.05 times the
21 Foundation Level for a school district with Available Local
22 Resources equal to the product of 1.75 times the Foundation
23 Level. The allocation of general State aid for school districts
24 subject to this paragraph 3 shall be the calculated general
25 State aid per pupil figure multiplied by the Average Daily

1 Attendance of the school district.

2 (4) For any school district for which Available Local
3 Resources per pupil equals or exceeds the product of 1.75 times
4 the Foundation Level, the general State aid for the school
5 district shall be calculated as the product of \$218 multiplied
6 by the Average Daily Attendance of the school district.

7 (5) The amount of general State aid allocated to a school
8 district for the 1999-2000 school year meeting the requirements
9 set forth in paragraph (4) of subsection (G) shall be increased
10 by an amount equal to the general State aid that would have
11 been received by the district for the 1998-1999 school year by
12 utilizing the Extension Limitation Equalized Assessed
13 Valuation as calculated in paragraph (4) of subsection (G) less
14 the general State aid allotted for the 1998-1999 school year.
15 This amount shall be deemed a one time increase, and shall not
16 affect any future general State aid allocations.

17 (F) Compilation of Average Daily Attendance.

18 (1) Each school district shall, by July 1 of each year,
19 submit to the State Board of Education, on forms prescribed by
20 the State Board of Education, attendance figures for the school
21 year that began in the preceding calendar year. The attendance
22 information so transmitted shall identify the average daily
23 attendance figures for each month of the school year. Beginning
24 with the general State aid claim form for the 2002-2003 school
25 year, districts shall calculate Average Daily Attendance as

1 provided in subdivisions (a), (b), and (c) of this paragraph
2 (1).

3 (a) In districts that do not hold year-round classes,
4 days of attendance in August shall be added to the month of
5 September and any days of attendance in June shall be added
6 to the month of May.

7 (b) In districts in which all buildings hold year-round
8 classes, days of attendance in July and August shall be
9 added to the month of September and any days of attendance
10 in June shall be added to the month of May.

11 (c) In districts in which some buildings, but not all,
12 hold year-round classes, for the non-year-round buildings,
13 days of attendance in August shall be added to the month of
14 September and any days of attendance in June shall be added
15 to the month of May. The average daily attendance for the
16 year-round buildings shall be computed as provided in
17 subdivision (b) of this paragraph (1). To calculate the
18 Average Daily Attendance for the district, the average
19 daily attendance for the year-round buildings shall be
20 multiplied by the days in session for the non-year-round
21 buildings for each month and added to the monthly
22 attendance of the non-year-round buildings.

23 Except as otherwise provided in this Section, days of
24 attendance by pupils shall be counted only for sessions of not
25 less than 5 clock hours of school work per day under direct
26 supervision of: (i) teachers, or (ii) non-teaching personnel or

1 volunteer personnel when engaging in non-teaching duties and
2 supervising in those instances specified in subsection (a) of
3 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
4 of legal school age and in kindergarten and grades 1 through
5 12.

6 Days of attendance by tuition pupils shall be accredited
7 only to the districts that pay the tuition to a recognized
8 school.

9 (2) Days of attendance by pupils of less than 5 clock hours
10 of school shall be subject to the following provisions in the
11 compilation of Average Daily Attendance.

12 (a) Pupils regularly enrolled in a public school for
13 only a part of the school day may be counted on the basis
14 of 1/6 day for every class hour of instruction of 40
15 minutes or more attended pursuant to such enrollment,
16 unless a pupil is enrolled in a block-schedule format of 80
17 minutes or more of instruction, in which case the pupil may
18 be counted on the basis of the proportion of minutes of
19 school work completed each day to the minimum number of
20 minutes that school work is required to be held that day.

21 (b) Days of attendance may be less than 5 clock hours
22 on the opening and closing of the school term, and upon the
23 first day of pupil attendance, if preceded by a day or days
24 utilized as an institute or teachers' workshop.

25 (c) A session of 4 or more clock hours may be counted
26 as a day of attendance upon certification by the regional

1 superintendent, and approved by the State Superintendent
2 of Education to the extent that the district has been
3 forced to use daily multiple sessions.

4 (d) A session of 3 or more clock hours may be counted
5 as a day of attendance (1) when the remainder of the school
6 day or at least 2 hours in the evening of that day is
7 utilized for an in-service training program for teachers,
8 up to a maximum of 5 days per school year of which a
9 maximum of 4 days of such 5 days may be used for
10 parent-teacher conferences, provided a district conducts
11 an in-service training program for teachers which has been
12 approved by the State Superintendent of Education; or, in
13 lieu of 4 such days, 2 full days may be used, in which
14 event each such day may be counted as a day of attendance;
15 and (2) when days in addition to those provided in item (1)
16 are scheduled by a school pursuant to its school
17 improvement plan adopted under Article 34 or its revised or
18 amended school improvement plan adopted under Article 2,
19 provided that (i) such sessions of 3 or more clock hours
20 are scheduled to occur at regular intervals, (ii) the
21 remainder of the school days in which such sessions occur
22 are utilized for in-service training programs or other
23 staff development activities for teachers, and (iii) a
24 sufficient number of minutes of school work under the
25 direct supervision of teachers are added to the school days
26 between such regularly scheduled sessions to accumulate

1 not less than the number of minutes by which such sessions
2 of 3 or more clock hours fall short of 5 clock hours. Any
3 full days used for the purposes of this paragraph shall not
4 be considered for computing average daily attendance. Days
5 scheduled for in-service training programs, staff
6 development activities, or parent-teacher conferences may
7 be scheduled separately for different grade levels and
8 different attendance centers of the district.

9 (e) A session of not less than one clock hour of
10 teaching hospitalized or homebound pupils on-site or by
11 telephone to the classroom may be counted as 1/2 day of
12 attendance, however these pupils must receive 4 or more
13 clock hours of instruction to be counted for a full day of
14 attendance.

15 (f) A session of at least 4 clock hours may be counted
16 as a day of attendance for first grade pupils, and pupils
17 in full day kindergartens, and a session of 2 or more hours
18 may be counted as 1/2 day of attendance by pupils in
19 kindergartens which provide only 1/2 day of attendance.

20 (g) For children with disabilities who are below the
21 age of 6 years and who cannot attend 2 or more clock hours
22 because of their disability or immaturity, a session of not
23 less than one clock hour may be counted as 1/2 day of
24 attendance; however for such children whose educational
25 needs so require a session of 4 or more clock hours may be
26 counted as a full day of attendance.

1 (h) A recognized kindergarten which provides for only
2 1/2 day of attendance by each pupil shall not have more
3 than 1/2 day of attendance counted in any one day. However,
4 kindergartens may count 2 1/2 days of attendance in any 5
5 consecutive school days. When a pupil attends such a
6 kindergarten for 2 half days on any one school day, the
7 pupil shall have the following day as a day absent from
8 school, unless the school district obtains permission in
9 writing from the State Superintendent of Education.
10 Attendance at kindergartens which provide for a full day of
11 attendance by each pupil shall be counted the same as
12 attendance by first grade pupils. Only the first year of
13 attendance in one kindergarten shall be counted, except in
14 case of children who entered the kindergarten in their
15 fifth year whose educational development requires a second
16 year of kindergarten as determined under the rules and
17 regulations of the State Board of Education.

18 (i) On the days when the Prairie State Achievement
19 Examination is administered under subsection (c) of
20 Section 2-3.64 of this Code, the day of attendance for a
21 pupil whose school day must be shortened to accommodate
22 required testing procedures may be less than 5 clock hours
23 and shall be counted towards the 176 days of actual pupil
24 attendance required under Section 10-19 of this Code,
25 provided that a sufficient number of minutes of school work
26 in excess of 5 clock hours are first completed on other

1 school days to compensate for the loss of school work on
2 the examination days.

3 (G) Equalized Assessed Valuation Data.

4 (1) For purposes of the calculation of Available Local
5 Resources required pursuant to subsection (D), the State Board
6 of Education shall secure from the Department of Revenue the
7 value as equalized or assessed by the Department of Revenue of
8 all taxable property of every school district, together with
9 (i) the applicable tax rate used in extending taxes for the
10 funds of the district as of September 30 of the previous year
11 and (ii) the limiting rate for all school districts subject to
12 property tax extension limitations as imposed under the
13 Property Tax Extension Limitation Law.

14 The Department of Revenue shall add to the equalized
15 assessed value of all taxable property of each school district
16 situated entirely or partially within a county that is or was
17 subject to the provisions of Section 15-176 or 15-177 of the
18 Property Tax Code (a) an amount equal to the total amount by
19 which the homestead exemption allowed under Section 15-176 or
20 15-177 of the Property Tax Code for real property situated in
21 that school district exceeds the total amount that would have
22 been allowed in that school district if the maximum reduction
23 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
24 all other counties in tax year 2003 or (ii) \$5,000 in all
25 counties in tax year 2004 and thereafter and (b) an amount

1 equal to the aggregate amount for the taxable year of all
2 additional exemptions under Section 15-175 of the Property Tax
3 Code for owners with a household income of \$30,000 or less. The
4 county clerk of any county that is or was subject to the
5 provisions of Section 15-176 or 15-177 of the Property Tax Code
6 shall annually calculate and certify to the Department of
7 Revenue for each school district all homestead exemption
8 amounts under Section 15-176 or 15-177 of the Property Tax Code
9 and all amounts of additional exemptions under Section 15-175
10 of the Property Tax Code for owners with a household income of
11 \$30,000 or less. It is the intent of this paragraph that if the
12 general homestead exemption for a parcel of property is
13 determined under Section 15-176 or 15-177 of the Property Tax
14 Code rather than Section 15-175, then the calculation of
15 Available Local Resources shall not be affected by the
16 difference, if any, between the amount of the general homestead
17 exemption allowed for that parcel of property under Section
18 15-176 or 15-177 of the Property Tax Code and the amount that
19 would have been allowed had the general homestead exemption for
20 that parcel of property been determined under Section 15-175 of
21 the Property Tax Code. It is further the intent of this
22 paragraph that if additional exemptions are allowed under
23 Section 15-175 of the Property Tax Code for owners with a
24 household income of less than \$30,000, then the calculation of
25 Available Local Resources shall not be affected by the
26 difference, if any, because of those additional exemptions.

1 This equalized assessed valuation, as adjusted further by
2 the requirements of this subsection, shall be utilized in the
3 calculation of Available Local Resources.

4 (2) The equalized assessed valuation in paragraph (1) shall
5 be adjusted, as applicable, in the following manner:

6 (a) For the purposes of calculating State aid under
7 this Section, with respect to any part of a school district
8 within a redevelopment project area in respect to which a
9 municipality has adopted tax increment allocation
10 financing pursuant to the Tax Increment Allocation
11 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
12 of the Illinois Municipal Code or the Industrial Jobs
13 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
14 Illinois Municipal Code, no part of the current equalized
15 assessed valuation of real property located in any such
16 project area which is attributable to an increase above the
17 total initial equalized assessed valuation of such
18 property shall be used as part of the equalized assessed
19 valuation of the district, until such time as all
20 redevelopment project costs have been paid, as provided in
21 Section 11-74.4-8 of the Tax Increment Allocation
22 Redevelopment Act or in Section 11-74.6-35 of the
23 Industrial Jobs Recovery Law. For the purpose of the
24 equalized assessed valuation of the district, the total
25 initial equalized assessed valuation or the current
26 equalized assessed valuation, whichever is lower, shall be

1 used until such time as all redevelopment project costs
2 have been paid.

3 (b) The real property equalized assessed valuation for
4 a school district shall be adjusted by subtracting from the
5 real property value as equalized or assessed by the
6 Department of Revenue for the district an amount computed
7 by dividing the amount of any abatement of taxes under
8 Section 18-170 of the Property Tax Code by 3.00% for a
9 district maintaining grades kindergarten through 12, by
10 2.30% for a district maintaining grades kindergarten
11 through 8, or by 1.05% for a district maintaining grades 9
12 through 12 and adjusted by an amount computed by dividing
13 the amount of any abatement of taxes under subsection (a)
14 of Section 18-165 of the Property Tax Code by the same
15 percentage rates for district type as specified in this
16 subparagraph (b).

17 (3) For the 1999-2000 school year and each school year
18 thereafter, if a school district meets all of the criteria of
19 this subsection (G) (3), the school district's Available Local
20 Resources shall be calculated under subsection (D) using the
21 district's Extension Limitation Equalized Assessed Valuation
22 as calculated under this subsection (G) (3).

23 For purposes of this subsection (G) (3) the following terms
24 shall have the following meanings:

25 "Budget Year": The school year for which general State
26 aid is calculated and awarded under subsection (E).

1 "Base Tax Year": The property tax levy year used to
2 calculate the Budget Year allocation of general State aid.

3 "Preceding Tax Year": The property tax levy year
4 immediately preceding the Base Tax Year.

5 "Base Tax Year's Tax Extension": The product of the
6 equalized assessed valuation utilized by the County Clerk
7 in the Base Tax Year multiplied by the limiting rate as
8 calculated by the County Clerk and defined in the Property
9 Tax Extension Limitation Law.

10 "Preceding Tax Year's Tax Extension": The product of
11 the equalized assessed valuation utilized by the County
12 Clerk in the Preceding Tax Year multiplied by the Operating
13 Tax Rate as defined in subsection (A).

14 "Extension Limitation Ratio": A numerical ratio,
15 certified by the County Clerk, in which the numerator is
16 the Base Tax Year's Tax Extension and the denominator is
17 the Preceding Tax Year's Tax Extension.

18 "Operating Tax Rate": The operating tax rate as defined
19 in subsection (A).

20 If a school district is subject to property tax extension
21 limitations as imposed under the Property Tax Extension
22 Limitation Law, the State Board of Education shall calculate
23 the Extension Limitation Equalized Assessed Valuation of that
24 district. For the 1999-2000 school year, the Extension
25 Limitation Equalized Assessed Valuation of a school district as
26 calculated by the State Board of Education shall be equal to

1 the product of the district's 1996 Equalized Assessed Valuation
2 and the district's Extension Limitation Ratio. For the
3 2000-2001 school year and each school year thereafter, the
4 Extension Limitation Equalized Assessed Valuation of a school
5 district as calculated by the State Board of Education shall be
6 equal to the product of the Equalized Assessed Valuation last
7 used in the calculation of general State aid and the district's
8 Extension Limitation Ratio. If the Extension Limitation
9 Equalized Assessed Valuation of a school district as calculated
10 under this subsection (G)(3) is less than the district's
11 equalized assessed valuation as calculated pursuant to
12 subsections (G)(1) and (G)(2), then for purposes of calculating
13 the district's general State aid for the Budget Year pursuant
14 to subsection (E), that Extension Limitation Equalized
15 Assessed Valuation shall be utilized to calculate the
16 district's Available Local Resources under subsection (D).

17 Partial elementary unit districts created in accordance
18 with Article 11E of this Code shall not be eligible for the
19 adjustment in this subsection (G)(3) until the fifth year
20 following the effective date of the reorganization.

21 (4) For the purposes of calculating general State aid for
22 the 1999-2000 school year only, if a school district
23 experienced a triennial reassessment on the equalized assessed
24 valuation used in calculating its general State financial aid
25 apportionment for the 1998-1999 school year, the State Board of
26 Education shall calculate the Extension Limitation Equalized

1 Assessed Valuation that would have been used to calculate the
2 district's 1998-1999 general State aid. This amount shall equal
3 the product of the equalized assessed valuation used to
4 calculate general State aid for the 1997-1998 school year and
5 the district's Extension Limitation Ratio. If the Extension
6 Limitation Equalized Assessed Valuation of the school district
7 as calculated under this paragraph (4) is less than the
8 district's equalized assessed valuation utilized in
9 calculating the district's 1998-1999 general State aid
10 allocation, then for purposes of calculating the district's
11 general State aid pursuant to paragraph (5) of subsection (E),
12 that Extension Limitation Equalized Assessed Valuation shall
13 be utilized to calculate the district's Available Local
14 Resources.

15 (5) For school districts having a majority of their
16 equalized assessed valuation in any county except Cook, DuPage,
17 Kane, Lake, McHenry, or Will, if the amount of general State
18 aid allocated to the school district for the 1999-2000 school
19 year under the provisions of subsection (E), (H), and (J) of
20 this Section is less than the amount of general State aid
21 allocated to the district for the 1998-1999 school year under
22 these subsections, then the general State aid of the district
23 for the 1999-2000 school year only shall be increased by the
24 difference between these amounts. The total payments made under
25 this paragraph (5) shall not exceed \$14,000,000. Claims shall
26 be prorated if they exceed \$14,000,000.

1 (H) Supplemental General State Aid.

2 (1) In addition to the general State aid a school district
3 is allotted pursuant to subsection (E), qualifying school
4 districts shall receive a grant, paid in conjunction with a
5 district's payments of general State aid, for supplemental
6 general State aid based upon the concentration level of
7 children from low-income households within the school
8 district. Supplemental State aid grants provided for school
9 districts under this subsection shall be appropriated for
10 distribution to school districts as part of the same line item
11 in which the general State financial aid of school districts is
12 appropriated under this Section. If the appropriation in any
13 fiscal year for general State aid and supplemental general
14 State aid is insufficient to pay the amounts required under the
15 general State aid and supplemental general State aid
16 calculations, then the State Board of Education shall ensure
17 that each school district receives the full amount due for
18 general State aid and the remainder of the appropriation shall
19 be used for supplemental general State aid, which the State
20 Board of Education shall calculate and pay to eligible
21 districts on a prorated basis.

22 (1.5) This paragraph (1.5) applies only to those school
23 years preceding the 2003-2004 school year. For purposes of this
24 subsection (H), the term "Low-Income Concentration Level"
25 shall be the low-income eligible pupil count from the most

1 recently available federal census divided by the Average Daily
2 Attendance of the school district. If, however, (i) the
3 percentage decrease from the 2 most recent federal censuses in
4 the low-income eligible pupil count of a high school district
5 with fewer than 400 students exceeds by 75% or more the
6 percentage change in the total low-income eligible pupil count
7 of contiguous elementary school districts, whose boundaries
8 are coterminous with the high school district, or (ii) a high
9 school district within 2 counties and serving 5 elementary
10 school districts, whose boundaries are coterminous with the
11 high school district, has a percentage decrease from the 2 most
12 recent federal censuses in the low-income eligible pupil count
13 and there is a percentage increase in the total low-income
14 eligible pupil count of a majority of the elementary school
15 districts in excess of 50% from the 2 most recent federal
16 censuses, then the high school district's low-income eligible
17 pupil count from the earlier federal census shall be the number
18 used as the low-income eligible pupil count for the high school
19 district, for purposes of this subsection (H). The changes made
20 to this paragraph (1) by Public Act 92-28 shall apply to
21 supplemental general State aid grants for school years
22 preceding the 2003-2004 school year that are paid in fiscal
23 year 1999 or thereafter and to any State aid payments made in
24 fiscal year 1994 through fiscal year 1998 pursuant to
25 subsection 1(n) of Section 18-8 of this Code (which was
26 repealed on July 1, 1998), and any high school district that is

1 affected by Public Act 92-28 is entitled to a recomputation of
2 its supplemental general State aid grant or State aid paid in
3 any of those fiscal years. This recomputation shall not be
4 affected by any other funding.

5 (1.10) This paragraph (1.10) applies to the 2003-2004
6 school year and each school year thereafter. For purposes of
7 this subsection (H), the term "Low-Income Concentration Level"
8 shall, for each fiscal year, be the low-income eligible pupil
9 count as of July 1 of the immediately preceding fiscal year (as
10 determined by the Department of Human Services based on the
11 number of pupils who are eligible for at least one of the
12 following low income programs: Medicaid, KidCare, TANF, or Food
13 Stamps, excluding pupils who are eligible for services provided
14 by the Department of Children and Family Services, averaged
15 over the 2 immediately preceding fiscal years for fiscal year
16 2004 and over the 3 immediately preceding fiscal years for each
17 fiscal year thereafter) divided by the Average Daily Attendance
18 of the school district.

19 (2) Supplemental general State aid pursuant to this
20 subsection (H) shall be provided as follows for the 1998-1999,
21 1999-2000, and 2000-2001 school years only:

22 (a) For any school district with a Low Income
23 Concentration Level of at least 20% and less than 35%, the
24 grant for any school year shall be \$800 multiplied by the
25 low income eligible pupil count.

26 (b) For any school district with a Low Income

1 Concentration Level of at least 35% and less than 50%, the
2 grant for the 1998-1999 school year shall be \$1,100
3 multiplied by the low income eligible pupil count.

4 (c) For any school district with a Low Income
5 Concentration Level of at least 50% and less than 60%, the
6 grant for the 1998-99 school year shall be \$1,500
7 multiplied by the low income eligible pupil count.

8 (d) For any school district with a Low Income
9 Concentration Level of 60% or more, the grant for the
10 1998-99 school year shall be \$1,900 multiplied by the low
11 income eligible pupil count.

12 (e) For the 1999-2000 school year, the per pupil amount
13 specified in subparagraphs (b), (c), and (d) immediately
14 above shall be increased to \$1,243, \$1,600, and \$2,000,
15 respectively.

16 (f) For the 2000-2001 school year, the per pupil
17 amounts specified in subparagraphs (b), (c), and (d)
18 immediately above shall be \$1,273, \$1,640, and \$2,050,
19 respectively.

20 (2.5) Supplemental general State aid pursuant to this
21 subsection (H) shall be provided as follows for the 2002-2003
22 school year:

23 (a) For any school district with a Low Income
24 Concentration Level of less than 10%, the grant for each
25 school year shall be \$355 multiplied by the low income
26 eligible pupil count.

1 (b) For any school district with a Low Income
2 Concentration Level of at least 10% and less than 20%, the
3 grant for each school year shall be \$675 multiplied by the
4 low income eligible pupil count.

5 (c) For any school district with a Low Income
6 Concentration Level of at least 20% and less than 35%, the
7 grant for each school year shall be \$1,330 multiplied by
8 the low income eligible pupil count.

9 (d) For any school district with a Low Income
10 Concentration Level of at least 35% and less than 50%, the
11 grant for each school year shall be \$1,362 multiplied by
12 the low income eligible pupil count.

13 (e) For any school district with a Low Income
14 Concentration Level of at least 50% and less than 60%, the
15 grant for each school year shall be \$1,680 multiplied by
16 the low income eligible pupil count.

17 (f) For any school district with a Low Income
18 Concentration Level of 60% or more, the grant for each
19 school year shall be \$2,080 multiplied by the low income
20 eligible pupil count.

21 (2.10) Except as otherwise provided, supplemental general
22 State aid pursuant to this subsection (H) shall be provided as
23 follows for the 2003-2004 school year and each school year
24 thereafter:

25 (a) For any school district with a Low Income
26 Concentration Level of 15% or less, the grant for each

1 school year shall be \$355 multiplied by the low income
2 eligible pupil count.

3 (b) For any school district with a Low Income
4 Concentration Level greater than 15%, the grant for each
5 school year shall be \$294.25 added to the product of \$2,700
6 and the square of the Low Income Concentration Level, all
7 multiplied by the low income eligible pupil count.

8 For the 2003-2004 school year and each school year
9 thereafter through the 2008-2009 ~~2007-2008~~ school year only,
10 the grant shall be no less than the grant for the 2002-2003
11 school year. For the 2009-2010 ~~2008-2009~~ school year only, the
12 grant shall be no less than the grant for the 2002-2003 school
13 year multiplied by 0.66. For the 2010-2011 ~~2009-2010~~ school
14 year only, the grant shall be no less than the grant for the
15 2002-2003 school year multiplied by 0.33. Notwithstanding the
16 provisions of this paragraph to the contrary, if for any school
17 year supplemental general State aid grants are prorated as
18 provided in paragraph (1) of this subsection (H), then the
19 grants under this paragraph shall be prorated.

20 For the 2003-2004 school year only, the grant shall be no
21 greater than the grant received during the 2002-2003 school
22 year added to the product of 0.25 multiplied by the difference
23 between the grant amount calculated under subsection (a) or (b)
24 of this paragraph (2.10), whichever is applicable, and the
25 grant received during the 2002-2003 school year. For the
26 2004-2005 school year only, the grant shall be no greater than

1 the grant received during the 2002-2003 school year added to
2 the product of 0.50 multiplied by the difference between the
3 grant amount calculated under subsection (a) or (b) of this
4 paragraph (2.10), whichever is applicable, and the grant
5 received during the 2002-2003 school year. For the 2005-2006
6 school year only, the grant shall be no greater than the grant
7 received during the 2002-2003 school year added to the product
8 of 0.75 multiplied by the difference between the grant amount
9 calculated under subsection (a) or (b) of this paragraph
10 (2.10), whichever is applicable, and the grant received during
11 the 2002-2003 school year.

12 (3) School districts with an Average Daily Attendance of
13 more than 1,000 and less than 50,000 that qualify for
14 supplemental general State aid pursuant to this subsection
15 shall submit a plan to the State Board of Education prior to
16 October 30 of each year for the use of the funds resulting from
17 this grant of supplemental general State aid for the
18 improvement of instruction in which priority is given to
19 meeting the education needs of disadvantaged children. Such
20 plan shall be submitted in accordance with rules and
21 regulations promulgated by the State Board of Education.

22 (4) School districts with an Average Daily Attendance of
23 50,000 or more that qualify for supplemental general State aid
24 pursuant to this subsection shall be required to distribute
25 from funds available pursuant to this Section, no less than
26 \$261,000,000 in accordance with the following requirements:

1 (a) The required amounts shall be distributed to the
2 attendance centers within the district in proportion to the
3 number of pupils enrolled at each attendance center who are
4 eligible to receive free or reduced-price lunches or
5 breakfasts under the federal Child Nutrition Act of 1966
6 and under the National School Lunch Act during the
7 immediately preceding school year.

8 (b) The distribution of these portions of supplemental
9 and general State aid among attendance centers according to
10 these requirements shall not be compensated for or
11 contravened by adjustments of the total of other funds
12 appropriated to any attendance centers, and the Board of
13 Education shall utilize funding from one or several sources
14 in order to fully implement this provision annually prior
15 to the opening of school.

16 (c) Each attendance center shall be provided by the
17 school district a distribution of noncategorical funds and
18 other categorical funds to which an attendance center is
19 entitled under law in order that the general State aid and
20 supplemental general State aid provided by application of
21 this subsection supplements rather than supplants the
22 noncategorical funds and other categorical funds provided
23 by the school district to the attendance centers.

24 (d) Any funds made available under this subsection that
25 by reason of the provisions of this subsection are not
26 required to be allocated and provided to attendance centers

1 may be used and appropriated by the board of the district
2 for any lawful school purpose.

3 (e) Funds received by an attendance center pursuant to
4 this subsection shall be used by the attendance center at
5 the discretion of the principal and local school council
6 for programs to improve educational opportunities at
7 qualifying schools through the following programs and
8 services: early childhood education, reduced class size or
9 improved adult to student classroom ratio, enrichment
10 programs, remedial assistance, attendance improvement, and
11 other educationally beneficial expenditures which
12 supplement the regular and basic programs as determined by
13 the State Board of Education. Funds provided shall not be
14 expended for any political or lobbying purposes as defined
15 by board rule.

16 (f) Each district subject to the provisions of this
17 subdivision (H) (4) shall submit an acceptable plan to meet
18 the educational needs of disadvantaged children, in
19 compliance with the requirements of this paragraph, to the
20 State Board of Education prior to July 15 of each year.
21 This plan shall be consistent with the decisions of local
22 school councils concerning the school expenditure plans
23 developed in accordance with part 4 of Section 34-2.3. The
24 State Board shall approve or reject the plan within 60 days
25 after its submission. If the plan is rejected, the district
26 shall give written notice of intent to modify the plan

1 within 15 days of the notification of rejection and then
2 submit a modified plan within 30 days after the date of the
3 written notice of intent to modify. Districts may amend
4 approved plans pursuant to rules promulgated by the State
5 Board of Education.

6 Upon notification by the State Board of Education that
7 the district has not submitted a plan prior to July 15 or a
8 modified plan within the time period specified herein, the
9 State aid funds affected by that plan or modified plan
10 shall be withheld by the State Board of Education until a
11 plan or modified plan is submitted.

12 If the district fails to distribute State aid to
13 attendance centers in accordance with an approved plan, the
14 plan for the following year shall allocate funds, in
15 addition to the funds otherwise required by this
16 subsection, to those attendance centers which were
17 underfunded during the previous year in amounts equal to
18 such underfunding.

19 For purposes of determining compliance with this
20 subsection in relation to the requirements of attendance
21 center funding, each district subject to the provisions of
22 this subsection shall submit as a separate document by
23 December 1 of each year a report of expenditure data for
24 the prior year in addition to any modification of its
25 current plan. If it is determined that there has been a
26 failure to comply with the expenditure provisions of this

1 subsection regarding contravention or supplanting, the
2 State Superintendent of Education shall, within 60 days of
3 receipt of the report, notify the district and any affected
4 local school council. The district shall within 45 days of
5 receipt of that notification inform the State
6 Superintendent of Education of the remedial or corrective
7 action to be taken, whether by amendment of the current
8 plan, if feasible, or by adjustment in the plan for the
9 following year. Failure to provide the expenditure report
10 or the notification of remedial or corrective action in a
11 timely manner shall result in a withholding of the affected
12 funds.

13 The State Board of Education shall promulgate rules and
14 regulations to implement the provisions of this
15 subsection. No funds shall be released under this
16 subdivision (H) (4) to any district that has not submitted a
17 plan that has been approved by the State Board of
18 Education.

19 (I) (Blank).

20 (J) Supplementary Grants in Aid.

21 (1) Notwithstanding any other provisions of this Section,
22 the amount of the aggregate general State aid in combination
23 with supplemental general State aid under this Section for
24 which each school district is eligible shall be no less than

1 the amount of the aggregate general State aid entitlement that
2 was received by the district under Section 18-8 (exclusive of
3 amounts received under subsections 5(p) and 5(p-5) of that
4 Section) for the 1997-98 school year, pursuant to the
5 provisions of that Section as it was then in effect. If a
6 school district qualifies to receive a supplementary payment
7 made under this subsection (J), the amount of the aggregate
8 general State aid in combination with supplemental general
9 State aid under this Section which that district is eligible to
10 receive for each school year shall be no less than the amount
11 of the aggregate general State aid entitlement that was
12 received by the district under Section 18-8 (exclusive of
13 amounts received under subsections 5(p) and 5(p-5) of that
14 Section) for the 1997-1998 school year, pursuant to the
15 provisions of that Section as it was then in effect.

16 (2) If, as provided in paragraph (1) of this subsection
17 (J), a school district is to receive aggregate general State
18 aid in combination with supplemental general State aid under
19 this Section for the 1998-99 school year and any subsequent
20 school year that in any such school year is less than the
21 amount of the aggregate general State aid entitlement that the
22 district received for the 1997-98 school year, the school
23 district shall also receive, from a separate appropriation made
24 for purposes of this subsection (J), a supplementary payment
25 that is equal to the amount of the difference in the aggregate
26 State aid figures as described in paragraph (1).

1 (3) (Blank).

2 (K) Grants to Laboratory and Alternative Schools.

3 In calculating the amount to be paid to the governing board
4 of a public university that operates a laboratory school under
5 this Section or to any alternative school that is operated by a
6 regional superintendent of schools, the State Board of
7 Education shall require by rule such reporting requirements as
8 it deems necessary.

9 As used in this Section, "laboratory school" means a public
10 school which is created and operated by a public university and
11 approved by the State Board of Education. The governing board
12 of a public university which receives funds from the State
13 Board under this subsection (K) may not increase the number of
14 students enrolled in its laboratory school from a single
15 district, if that district is already sending 50 or more
16 students, except under a mutual agreement between the school
17 board of a student's district of residence and the university
18 which operates the laboratory school. A laboratory school may
19 not have more than 1,000 students, excluding students with
20 disabilities in a special education program.

21 As used in this Section, "alternative school" means a
22 public school which is created and operated by a Regional
23 Superintendent of Schools and approved by the State Board of
24 Education. Such alternative schools may offer courses of
25 instruction for which credit is given in regular school

1 programs, courses to prepare students for the high school
2 equivalency testing program or vocational and occupational
3 training. A regional superintendent of schools may contract
4 with a school district or a public community college district
5 to operate an alternative school. An alternative school serving
6 more than one educational service region may be established by
7 the regional superintendents of schools of the affected
8 educational service regions. An alternative school serving
9 more than one educational service region may be operated under
10 such terms as the regional superintendents of schools of those
11 educational service regions may agree.

12 Each laboratory and alternative school shall file, on forms
13 provided by the State Superintendent of Education, an annual
14 State aid claim which states the Average Daily Attendance of
15 the school's students by month. The best 3 months' Average
16 Daily Attendance shall be computed for each school. The general
17 State aid entitlement shall be computed by multiplying the
18 applicable Average Daily Attendance by the Foundation Level as
19 determined under this Section.

20 (L) Payments, Additional Grants in Aid and Other Requirements.

21 (1) For a school district operating under the financial
22 supervision of an Authority created under Article 34A, the
23 general State aid otherwise payable to that district under this
24 Section, but not the supplemental general State aid, shall be
25 reduced by an amount equal to the budget for the operations of

1 the Authority as certified by the Authority to the State Board
2 of Education, and an amount equal to such reduction shall be
3 paid to the Authority created for such district for its
4 operating expenses in the manner provided in Section 18-11. The
5 remainder of general State school aid for any such district
6 shall be paid in accordance with Article 34A when that Article
7 provides for a disposition other than that provided by this
8 Article.

9 (2) (Blank).

10 (3) Summer school. Summer school payments shall be made as
11 provided in Section 18-4.3.

12 (M) Education Funding Advisory Board.

13 The Education Funding Advisory Board, hereinafter in this
14 subsection (M) referred to as the "Board", is hereby created.
15 The Board shall consist of 5 members who are appointed by the
16 Governor, by and with the advice and consent of the Senate. The
17 members appointed shall include representatives of education,
18 business, and the general public. One of the members so
19 appointed shall be designated by the Governor at the time the
20 appointment is made as the chairperson of the Board. The
21 initial members of the Board may be appointed any time after
22 the effective date of this amendatory Act of 1997. The regular
23 term of each member of the Board shall be for 4 years from the
24 third Monday of January of the year in which the term of the
25 member's appointment is to commence, except that of the 5

1 initial members appointed to serve on the Board, the member who
2 is appointed as the chairperson shall serve for a term that
3 commences on the date of his or her appointment and expires on
4 the third Monday of January, 2002, and the remaining 4 members,
5 by lots drawn at the first meeting of the Board that is held
6 after all 5 members are appointed, shall determine 2 of their
7 number to serve for terms that commence on the date of their
8 respective appointments and expire on the third Monday of
9 January, 2001, and 2 of their number to serve for terms that
10 commence on the date of their respective appointments and
11 expire on the third Monday of January, 2000. All members
12 appointed to serve on the Board shall serve until their
13 respective successors are appointed and confirmed. Vacancies
14 shall be filled in the same manner as original appointments. If
15 a vacancy in membership occurs at a time when the Senate is not
16 in session, the Governor shall make a temporary appointment
17 until the next meeting of the Senate, when he or she shall
18 appoint, by and with the advice and consent of the Senate, a
19 person to fill that membership for the unexpired term. If the
20 Senate is not in session when the initial appointments are
21 made, those appointments shall be made as in the case of
22 vacancies.

23 The Education Funding Advisory Board shall be deemed
24 established, and the initial members appointed by the Governor
25 to serve as members of the Board shall take office, on the date
26 that the Governor makes his or her appointment of the fifth

1 initial member of the Board, whether those initial members are
2 then serving pursuant to appointment and confirmation or
3 pursuant to temporary appointments that are made by the
4 Governor as in the case of vacancies.

5 The State Board of Education shall provide such staff
6 assistance to the Education Funding Advisory Board as is
7 reasonably required for the proper performance by the Board of
8 its responsibilities.

9 For school years after the 2000-2001 school year, the
10 Education Funding Advisory Board, in consultation with the
11 State Board of Education, shall make recommendations as
12 provided in this subsection (M) to the General Assembly for the
13 foundation level under subdivision (B)(3) of this Section and
14 for the supplemental general State aid grant level under
15 subsection (H) of this Section for districts with high
16 concentrations of children from poverty. The recommended
17 foundation level shall be determined based on a methodology
18 which incorporates the basic education expenditures of
19 low-spending schools exhibiting high academic performance. The
20 Education Funding Advisory Board shall make such
21 recommendations to the General Assembly on January 1 of odd
22 numbered years, beginning January 1, 2001.

23 (N) (Blank).

24 (O) References.

1 (1) References in other laws to the various subdivisions of
2 Section 18-8 as that Section existed before its repeal and
3 replacement by this Section 18-8.05 shall be deemed to refer to
4 the corresponding provisions of this Section 18-8.05, to the
5 extent that those references remain applicable.

6 (2) References in other laws to State Chapter 1 funds shall
7 be deemed to refer to the supplemental general State aid
8 provided under subsection (H) of this Section.

9 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
10 changes to this Section. Under Section 6 of the Statute on
11 Statutes there is an irreconcilable conflict between Public Act
12 93-808 and Public Act 93-838. Public Act 93-838, being the last
13 acted upon, is controlling. The text of Public Act 93-838 is
14 the law regardless of the text of Public Act 93-808.

15 (Source: P.A. 94-69, eff. 7-1-05; 94-438, eff. 8-4-05; 94-835,
16 eff. 6-6-06; 94-1019, eff. 7-10-06; 94-1105, eff. 6-1-07;
17 95-331, eff. 8-21-07; 95-644, eff. 10-12-07; 95-707, eff.
18 1-11-08; revised 1-14-08.)

19 Section 60. The Illinois Public Aid Code is amended by
20 changing Sections 4-2, 5-5.4, 12-4.11, and 12-10.7 and by
21 adding Sections 5-5.26, 12-10.7a, and 12-10.9 as follows:

22 (305 ILCS 5/4-2) (from Ch. 23, par. 4-2)

23 Sec. 4-2. Amount of aid.

1 (a) The amount and nature of financial aid shall be
2 determined in accordance with the grant amounts, rules and
3 regulations of the Illinois Department. Due regard shall be
4 given to the self-sufficiency requirements of the family and to
5 the income, money contributions and other support and resources
6 available, from whatever source. However, the amount and nature
7 of any financial aid is not affected by the payment of any
8 grant under the "Senior Citizens and Disabled Persons Property
9 Tax Relief and Pharmaceutical Assistance Act" or any
10 distributions or items of income described under subparagraph
11 (X) of paragraph (2) of subsection (a) of Section 203 of the
12 Illinois Income Tax Act. The aid shall be sufficient, when
13 added to all other income, money contributions and support to
14 provide the family with a grant in the amount established by
15 Department regulation. Beginning July 1, 2008, the Department
16 of Human Services shall increase TANF grant amounts in effect
17 on June 30, 2008 by 9%.

18 (b) The Illinois Department may conduct special projects,
19 which may be known as Grant Diversion Projects, under which
20 recipients of financial aid under this Article are placed in
21 jobs and their grants are diverted to the employer who in turn
22 makes payments to the recipients in the form of salary or other
23 employment benefits. The Illinois Department shall by rule
24 specify the terms and conditions of such Grant Diversion
25 Projects. Such projects shall take into consideration and be
26 coordinated with the programs administered under the Illinois

1 Emergency Employment Development Act.

2 (c) The amount and nature of the financial aid for a child
3 requiring care outside his own home shall be determined in
4 accordance with the rules and regulations of the Illinois
5 Department, with due regard to the needs and requirements of
6 the child in the foster home or institution in which he has
7 been placed.

8 (d) If the Department establishes grants for family units
9 consisting exclusively of a pregnant woman with no dependent
10 child or including her husband if living with her, the grant
11 amount for such a unit shall be equal to the grant amount for
12 an assistance unit consisting of one adult, or 2 persons if the
13 husband is included. Other than as herein described, an unborn
14 child shall not be counted in determining the size of an
15 assistance unit or for calculating grants.

16 Payments for basic maintenance requirements of a child or
17 children and the relative with whom the child or children are
18 living shall be prescribed, by rule, by the Illinois
19 Department.

20 Grants under this Article shall not be supplemented by
21 General Assistance provided under Article VI.

22 (e) Grants shall be paid to the parent or other person with
23 whom the child or children are living, except for such amount
24 as is paid in behalf of the child or his parent or other
25 relative to other persons or agencies pursuant to this Code or
26 the rules and regulations of the Illinois Department.

1 (f) Subject to subsection (f-5), an assistance unit,
2 receiving financial aid under this Article or temporarily
3 ineligible to receive aid under this Article under a penalty
4 imposed by the Illinois Department for failure to comply with
5 the eligibility requirements or that voluntarily requests
6 termination of financial assistance under this Article and
7 becomes subsequently eligible for assistance within 9 months,
8 shall not receive any increase in the amount of aid solely on
9 account of the birth of a child; except that an increase is not
10 prohibited when the birth is (i) of a child of a pregnant woman
11 who became eligible for aid under this Article during the
12 pregnancy, or (ii) of a child born within 10 months after the
13 date of implementation of this subsection, or (iii) of a child
14 conceived after a family became ineligible for assistance due
15 to income or marriage and at least 3 months of ineligibility
16 expired before any reapplication for assistance. This
17 subsection does not, however, prevent a unit from receiving a
18 general increase in the amount of aid that is provided to all
19 recipients of aid under this Article.

20 The Illinois Department is authorized to transfer funds,
21 and shall use any budgetary savings attributable to not
22 increasing the grants due to the births of additional children,
23 to supplement existing funding for employment and training
24 services for recipients of aid under this Article IV. The
25 Illinois Department shall target, to the extent the
26 supplemental funding allows, employment and training services

1 to the families who do not receive a grant increase after the
2 birth of a child. In addition, the Illinois Department shall
3 provide, to the extent the supplemental funding allows, such
4 families with up to 24 months of transitional child care
5 pursuant to Illinois Department rules. All remaining
6 supplemental funds shall be used for employment and training
7 services or transitional child care support.

8 In making the transfers authorized by this subsection, the
9 Illinois Department shall first determine, pursuant to
10 regulations adopted by the Illinois Department for this
11 purpose, the amount of savings attributable to not increasing
12 the grants due to the births of additional children. Transfers
13 may be made from General Revenue Fund appropriations for
14 distributive purposes authorized by Article IV of this Code
15 only to General Revenue Fund appropriations for employability
16 development services including operating and administrative
17 costs and related distributive purposes under Article IXA of
18 this Code. The Director, with the approval of the Governor,
19 shall certify the amount and affected line item appropriations
20 to the State Comptroller.

21 Nothing in this subsection shall be construed to prohibit
22 the Illinois Department from using funds under this Article IV
23 to provide assistance in the form of vouchers that may be used
24 to pay for goods and services deemed by the Illinois
25 Department, by rule, as suitable for the care of the child such
26 as diapers, clothing, school supplies, and cribs.

1 (f-5) Subsection (f) shall not apply to affect the monthly
2 assistance amount of any family as a result of the birth of a
3 child on or after January 1, 2004. As resources permit after
4 January 1, 2004, the Department may cease applying subsection
5 (f) to limit assistance to families receiving assistance under
6 this Article on January 1, 2004, with respect to children born
7 prior to that date. In any event, subsection (f) shall be
8 completely inoperative on and after July 1, 2007.

9 (g) (Blank).

10 (h) Notwithstanding any other provision of this Code, the
11 Illinois Department is authorized to reduce payment levels used
12 to determine cash grants under this Article after December 31
13 of any fiscal year if the Illinois Department determines that
14 the caseload upon which the appropriations for the current
15 fiscal year are based have increased by more than 5% and the
16 appropriation is not sufficient to ensure that cash benefits
17 under this Article do not exceed the amounts appropriated for
18 those cash benefits. Reductions in payment levels may be
19 accomplished by emergency rule under Section 5-45 of the
20 Illinois Administrative Procedure Act, except that the
21 limitation on the number of emergency rules that may be adopted
22 in a 24-month period shall not apply and the provisions of
23 Sections 5-115 and 5-125 of the Illinois Administrative
24 Procedure Act shall not apply. Increases in payment levels
25 shall be accomplished only in accordance with Section 5-40 of
26 the Illinois Administrative Procedure Act. Before any rule to

1 increase payment levels promulgated under this Section shall
2 become effective, a joint resolution approving the rule must be
3 adopted by a roll call vote by a majority of the members
4 elected to each chamber of the General Assembly.

5 (Source: P.A. 92-111, eff. 1-1-02; 93-598, eff. 8-26-03.)

6 (305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

7 Sec. 5-5.4. Standards of Payment - Department of Healthcare
8 and Family Services. The Department of Healthcare and Family
9 Services shall develop standards of payment of skilled nursing
10 and intermediate care services in facilities providing such
11 services under this Article which:

12 (1) Provide for the determination of a facility's payment
13 for skilled nursing and intermediate care services on a
14 prospective basis. The amount of the payment rate for all
15 nursing facilities certified by the Department of Public Health
16 under the Nursing Home Care Act as Intermediate Care for the
17 Developmentally Disabled facilities, Long Term Care for Under
18 Age 22 facilities, Skilled Nursing facilities, or Intermediate
19 Care facilities under the medical assistance program shall be
20 prospectively established annually on the basis of historical,
21 financial, and statistical data reflecting actual costs from
22 prior years, which shall be applied to the current rate year
23 and updated for inflation, except that the capital cost element
24 for newly constructed facilities shall be based upon projected
25 budgets. The annually established payment rate shall take

1 effect on July 1 in 1984 and subsequent years. No rate increase
2 and no update for inflation shall be provided on or after July
3 1, 1994 and before July 1, 2009 ~~2008~~, unless specifically
4 provided for in this Section. The changes made by Public Act
5 93-841 extending the duration of the prohibition against a rate
6 increase or update for inflation are effective retroactive to
7 July 1, 2004.

8 For facilities licensed by the Department of Public Health
9 under the Nursing Home Care Act as Intermediate Care for the
10 Developmentally Disabled facilities or Long Term Care for Under
11 Age 22 facilities, the rates taking effect on July 1, 1998
12 shall include an increase of 3%. For facilities licensed by the
13 Department of Public Health under the Nursing Home Care Act as
14 Skilled Nursing facilities or Intermediate Care facilities,
15 the rates taking effect on July 1, 1998 shall include an
16 increase of 3% plus \$1.10 per resident-day, as defined by the
17 Department. For facilities licensed by the Department of Public
18 Health under the Nursing Home Care Act as Intermediate Care
19 Facilities for the Developmentally Disabled or Long Term Care
20 for Under Age 22 facilities, the rates taking effect on January
21 1, 2006 shall include an increase of 3%. For facilities
22 licensed by the Department of Public Health under the Nursing
23 Home Care Act as Intermediate Care Facilities for the
24 Developmentally Disabled or Long Term Care for Under Age 22
25 facilities, the rates taking effect on January 1, 2009 shall
26 include an increase sufficient to provide a \$0.50 per hour wage

1 increase for non-executive staff.

2 For facilities licensed by the Department of Public Health
3 under the Nursing Home Care Act as Intermediate Care for the
4 Developmentally Disabled facilities or Long Term Care for Under
5 Age 22 facilities, the rates taking effect on July 1, 1999
6 shall include an increase of 1.6% plus \$3.00 per resident-day,
7 as defined by the Department. For facilities licensed by the
8 Department of Public Health under the Nursing Home Care Act as
9 Skilled Nursing facilities or Intermediate Care facilities,
10 the rates taking effect on July 1, 1999 shall include an
11 increase of 1.6% and, for services provided on or after October
12 1, 1999, shall be increased by \$4.00 per resident-day, as
13 defined by the Department.

14 For facilities licensed by the Department of Public Health
15 under the Nursing Home Care Act as Intermediate Care for the
16 Developmentally Disabled facilities or Long Term Care for Under
17 Age 22 facilities, the rates taking effect on July 1, 2000
18 shall include an increase of 2.5% per resident-day, as defined
19 by the Department. For facilities licensed by the Department of
20 Public Health under the Nursing Home Care Act as Skilled
21 Nursing facilities or Intermediate Care facilities, the rates
22 taking effect on July 1, 2000 shall include an increase of 2.5%
23 per resident-day, as defined by the Department.

24 For facilities licensed by the Department of Public Health
25 under the Nursing Home Care Act as skilled nursing facilities
26 or intermediate care facilities, a new payment methodology must

1 be implemented for the nursing component of the rate effective
2 July 1, 2003. The Department of Public Aid (now Healthcare and
3 Family Services) shall develop the new payment methodology
4 using the Minimum Data Set (MDS) as the instrument to collect
5 information concerning nursing home resident condition
6 necessary to compute the rate. The Department shall develop the
7 new payment methodology to meet the unique needs of Illinois
8 nursing home residents while remaining subject to the
9 appropriations provided by the General Assembly. A transition
10 period from the payment methodology in effect on June 30, 2003
11 to the payment methodology in effect on July 1, 2003 shall be
12 provided for a period not exceeding 3 years and 184 days after
13 implementation of the new payment methodology as follows:

14 (A) For a facility that would receive a lower nursing
15 component rate per patient day under the new system than
16 the facility received effective on the date immediately
17 preceding the date that the Department implements the new
18 payment methodology, the nursing component rate per
19 patient day for the facility shall be held at the level in
20 effect on the date immediately preceding the date that the
21 Department implements the new payment methodology until a
22 higher nursing component rate of reimbursement is achieved
23 by that facility.

24 (B) For a facility that would receive a higher nursing
25 component rate per patient day under the payment
26 methodology in effect on July 1, 2003 than the facility

1 received effective on the date immediately preceding the
2 date that the Department implements the new payment
3 methodology, the nursing component rate per patient day for
4 the facility shall be adjusted.

5 (C) Notwithstanding paragraphs (A) and (B), the
6 nursing component rate per patient day for the facility
7 shall be adjusted subject to appropriations provided by the
8 General Assembly.

9 For facilities licensed by the Department of Public Health
10 under the Nursing Home Care Act as Intermediate Care for the
11 Developmentally Disabled facilities or Long Term Care for Under
12 Age 22 facilities, the rates taking effect on March 1, 2001
13 shall include a statewide increase of 7.85%, as defined by the
14 Department.

15 Notwithstanding any other provision of this Section, for
16 facilities licensed by the Department of Public Health under
17 the Nursing Home Care Act as skilled nursing facilities or
18 intermediate care facilities, the numerator of the ratio used
19 by the Department of Healthcare and Family Services to compute
20 the rate payable under this Section using the Minimum Data Set
21 (MDS) methodology shall incorporate the following annual
22 amounts as the additional funds appropriated to the Department
23 specifically to pay for rates based on the MDS nursing
24 component methodology in excess of the funding in effect on
25 December 31, 2006:

26 (i) For rates taking effect January 1, 2007,

1 \$60,000,000.

2 (ii) For rates taking effect January 1, 2008,
3 \$110,000,000.

4 (iii) For rates taking effect January 1, 2009,
5 \$194,000,000.

6 Notwithstanding any other provision of this Section, for
7 facilities licensed by the Department of Public Health under
8 the Nursing Home Care Act as skilled nursing facilities or
9 intermediate care facilities, the support component of the
10 rates taking effect on January 1, 2008 shall be computed using
11 the most recent cost reports on file with the Department of
12 Healthcare and Family Services no later than April 1, 2005,
13 updated for inflation to January 1, 2006.

14 For facilities licensed by the Department of Public Health
15 under the Nursing Home Care Act as Intermediate Care for the
16 Developmentally Disabled facilities or Long Term Care for Under
17 Age 22 facilities, the rates taking effect on April 1, 2002
18 shall include a statewide increase of 2.0%, as defined by the
19 Department. This increase terminates on July 1, 2002; beginning
20 July 1, 2002 these rates are reduced to the level of the rates
21 in effect on March 31, 2002, as defined by the Department.

22 For facilities licensed by the Department of Public Health
23 under the Nursing Home Care Act as skilled nursing facilities
24 or intermediate care facilities, the rates taking effect on
25 July 1, 2001 shall be computed using the most recent cost
26 reports on file with the Department of Public Aid no later than

1 April 1, 2000, updated for inflation to January 1, 2001. For
2 rates effective July 1, 2001 only, rates shall be the greater
3 of the rate computed for July 1, 2001 or the rate effective on
4 June 30, 2001.

5 Notwithstanding any other provision of this Section, for
6 facilities licensed by the Department of Public Health under
7 the Nursing Home Care Act as skilled nursing facilities or
8 intermediate care facilities, the Illinois Department shall
9 determine by rule the rates taking effect on July 1, 2002,
10 which shall be 5.9% less than the rates in effect on June 30,
11 2002.

12 Notwithstanding any other provision of this Section, for
13 facilities licensed by the Department of Public Health under
14 the Nursing Home Care Act as skilled nursing facilities or
15 intermediate care facilities, if the payment methodologies
16 required under Section 5A-12 and the waiver granted under 42
17 CFR 433.68 are approved by the United States Centers for
18 Medicare and Medicaid Services, the rates taking effect on July
19 1, 2004 shall be 3.0% greater than the rates in effect on June
20 30, 2004. These rates shall take effect only upon approval and
21 implementation of the payment methodologies required under
22 Section 5A-12.

23 Notwithstanding any other provisions of this Section, for
24 facilities licensed by the Department of Public Health under
25 the Nursing Home Care Act as skilled nursing facilities or
26 intermediate care facilities, the rates taking effect on

1 January 1, 2005 shall be 3% more than the rates in effect on
2 December 31, 2004.

3 Notwithstanding any other provision of this Section, for
4 facilities licensed by the Department of Public Health under
5 the Nursing Home Care Act as skilled nursing facilities or
6 intermediate care facilities, effective January 1, 2009, the
7 per diem support component of the rates effective on January 1,
8 2008, computed using the most recent cost reports on file with
9 the Department of Healthcare and Family Services no later than
10 April 1, 2005, updated for inflation to January 1, 2006, shall
11 be increased to the amount that would have been derived using
12 standard Department of Healthcare and Family Services methods,
13 procedures, and inflators.

14 Notwithstanding any other provisions of this Section, for
15 facilities licensed by the Department of Public Health under
16 the Nursing Home Care Act as intermediate care facilities that
17 are federally defined as Institutions for Mental Disease, a
18 socio-development component rate equal to 6.6% of the
19 facility's nursing component rate as of January 1, 2006 shall
20 be established and paid effective July 1, 2006. The
21 socio-development component of the rate shall be increased by a
22 factor of 2.53 on the first day of the month that begins at
23 least 45 days after January 11, 2008 (the effective date of
24 Public Act 95-707). As of August 1, 2008, the socio-development
25 component rate shall be equal to 6.6% of the facility's nursing
26 component rate as of January 1, 2006, multiplied by a factor of

1 ~~3.53 the effective date of this amendatory Act of the 95th~~
2 ~~General Assembly.~~ The Illinois Department may by rule adjust
3 these socio-development component rates, but in no case may
4 such rates be diminished.

5 For facilities licensed by the Department of Public Health
6 under the Nursing Home Care Act as Intermediate Care for the
7 Developmentally Disabled facilities or as long-term care
8 facilities for residents under 22 years of age, the rates
9 taking effect on July 1, 2003 shall include a statewide
10 increase of 4%, as defined by the Department.

11 For facilities licensed by the Department of Public Health
12 under the Nursing Home Care Act as Intermediate Care for the
13 Developmentally Disabled facilities or Long Term Care for Under
14 Age 22 facilities, the rates taking effect on the first day of
15 the month that begins at least 45 days after the effective date
16 of this amendatory Act of the 95th General Assembly shall
17 include a statewide increase of 2.5%, as defined by the
18 Department.

19 Notwithstanding any other provision of this Section, for
20 facilities licensed by the Department of Public Health under
21 the Nursing Home Care Act as skilled nursing facilities or
22 intermediate care facilities, effective January 1, 2005,
23 facility rates shall be increased by the difference between (i)
24 a facility's per diem property, liability, and malpractice
25 insurance costs as reported in the cost report filed with the
26 Department of Public Aid and used to establish rates effective

1 July 1, 2001 and (ii) those same costs as reported in the
2 facility's 2002 cost report. These costs shall be passed
3 through to the facility without caps or limitations, except for
4 adjustments required under normal auditing procedures.

5 Rates established effective each July 1 shall govern
6 payment for services rendered throughout that fiscal year,
7 except that rates established on July 1, 1996 shall be
8 increased by 6.8% for services provided on or after January 1,
9 1997. Such rates will be based upon the rates calculated for
10 the year beginning July 1, 1990, and for subsequent years
11 thereafter until June 30, 2001 shall be based on the facility
12 cost reports for the facility fiscal year ending at any point
13 in time during the previous calendar year, updated to the
14 midpoint of the rate year. The cost report shall be on file
15 with the Department no later than April 1 of the current rate
16 year. Should the cost report not be on file by April 1, the
17 Department shall base the rate on the latest cost report filed
18 by each skilled care facility and intermediate care facility,
19 updated to the midpoint of the current rate year. In
20 determining rates for services rendered on and after July 1,
21 1985, fixed time shall not be computed at less than zero. The
22 Department shall not make any alterations of regulations which
23 would reduce any component of the Medicaid rate to a level
24 below what that component would have been utilizing in the rate
25 effective on July 1, 1984.

26 (2) Shall take into account the actual costs incurred by

1 facilities in providing services for recipients of skilled
2 nursing and intermediate care services under the medical
3 assistance program.

4 (3) Shall take into account the medical and psycho-social
5 characteristics and needs of the patients.

6 (4) Shall take into account the actual costs incurred by
7 facilities in meeting licensing and certification standards
8 imposed and prescribed by the State of Illinois, any of its
9 political subdivisions or municipalities and by the U.S.
10 Department of Health and Human Services pursuant to Title XIX
11 of the Social Security Act.

12 The Department of Healthcare and Family Services shall
13 develop precise standards for payments to reimburse nursing
14 facilities for any utilization of appropriate rehabilitative
15 personnel for the provision of rehabilitative services which is
16 authorized by federal regulations, including reimbursement for
17 services provided by qualified therapists or qualified
18 assistants, and which is in accordance with accepted
19 professional practices. Reimbursement also may be made for
20 utilization of other supportive personnel under appropriate
21 supervision.

22 (Source: P.A. 94-48, eff. 7-1-05; 94-85, eff. 6-28-05; 94-697,
23 eff. 11-21-05; 94-838, eff. 6-6-06; 94-964, eff. 6-28-06;
24 95-12, eff. 7-2-07; 95-331, eff. 8-21-07; 95-707, eff.
25 1-11-08.)

1 (305 ILCS 5/5-5.26 new)

2 Sec. 5-5.26. Multiple sclerosis; home services; waiver.
3 The Department of Healthcare and Family Services shall apply
4 for a waiver of federal law and regulations to the extent
5 necessary to claim federal financial participation for medical
6 assistance for services provided under the Department of Human
7 Services' Home Services Program for persons with multiple
8 sclerosis who are (i) over 60 years of age, and (ii) have
9 assets not exceeding \$17,500. In determining whether a person's
10 assets meet this requirement, the Department must disregard
11 retirement assets up to a total of \$500,000 and disregard all
12 life insurance assets.

13 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

14 Sec. 12-4.11. Grant amounts. The Department, with due
15 regard for and subject to budgetary limitations, shall
16 establish grant amounts for each of the programs, by
17 regulation. The grant amounts may vary by program, size of
18 assistance unit and geographic area.

19 Aid payments shall not be reduced except: (1) for changes
20 in the cost of items included in the grant amounts, or (2) for
21 changes in the expenses of the recipient, or (3) for changes in
22 the income or resources available to the recipient, or (4) for
23 changes in grants resulting from adoption of a consolidated
24 grant amount. Beginning July 1, 2008, the Department of Human
25 Services shall increase TANF grant amounts in effect on June

1 30, 2008 by 9%.

2 In fixing standards to govern payments or reimbursements
3 for funeral and burial expenses, the Department shall establish
4 a minimum allowable amount of not less than \$1,000 for
5 Department payment of funeral services and not less than \$500
6 for Department payment of burial or cremation services. On
7 January 1, 2006, July 1, 2006, and July 1, 2007, the Department
8 shall increase the minimum reimbursement amount for funeral and
9 burial expenses under this Section by a percentage equal to the
10 percentage increase in the Consumer Price Index for All Urban
11 Consumers, if any, during the 12 months immediately preceding
12 that January 1 or July 1. In establishing the minimum allowable
13 amount, the Department shall take into account the services
14 essential to a dignified, low-cost (i) funeral and (ii) burial
15 or cremation, including reasonable amounts that may be
16 necessary for burial space and cemetery charges, and any
17 applicable taxes or other required governmental fees or
18 charges. If no person has agreed to pay the total cost of the
19 (i) funeral and (ii) burial or cremation charges, the
20 Department shall pay the vendor the actual costs of the (i)
21 funeral and (ii) burial or cremation, or the minimum allowable
22 amount for each service as established by the Department,
23 whichever is less, provided that the Department reduces its
24 payments by the amount available from the following sources:
25 the decedent's assets and available resources and the
26 anticipated amounts of any death benefits available to the

1 decedent's estate, and amounts paid and arranged to be paid by
2 the decedent's legally responsible relatives. A legally
3 responsible relative is expected to pay (i) funeral and (ii)
4 burial or cremation expenses unless financially unable to do
5 so.

6 Nothing contained in this Section or in any other Section
7 of this Code shall be construed to prohibit the Illinois
8 Department (1) from consolidating existing standards on the
9 basis of any standards which are or were in effect on, or
10 subsequent to July 1, 1969, or (2) from employing any
11 consolidated standards in determining need for public aid and
12 the amount of money payment or grant for individual recipients
13 or recipient families.

14 (Source: P.A. 94-669, eff. 8-23-05.)

15 (305 ILCS 5/12-10.7)

16 Sec. 12-10.7. The Health and Human Services Medicaid Trust
17 Fund.

18 (a) The Health and Human Services Medicaid Trust Fund shall
19 consist of (i) moneys appropriated or transferred into the
20 Fund, pursuant to statute, (ii) federal financial
21 participation moneys received pursuant to expenditures from
22 the Fund, and (iii) the interest earned on moneys in the Fund.

23 (b) Subject to appropriation, the moneys in the Fund shall
24 be used by a State agency for such purposes as that agency may,
25 by the appropriation language, be directed.

1 (c) In addition to any other transfers that may be provided
2 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 \$3,500,000 from the Health
5 and Human Services Medicaid Trust Fund to the Human Services
6 Priority Capital Program Fund.

7 (d) In addition to any other transfers that may be provided
8 for by law, on July 1, 2008, or as soon thereafter as
9 practical, the State Comptroller shall direct and the State
10 Treasurer shall transfer the sum of \$3,500,000 from the Health
11 and Human Services Medicaid Trust Fund to the Human Services
12 Priority Capital Program Fund.

13 (Source: P.A. 95-707, eff. 1-11-08.)

14 (305 ILCS 5/12-10.7a new)

15 Sec. 12-10.7a. The Money Follows the Person Budget Transfer
16 Fund is hereby created as special fund in the State treasury.

17 (a) Notwithstanding any State law to the contrary, the
18 following moneys shall be deposited into the Fund:

19 (1) enhanced federal financial participation funds
20 related to any spending under a Money Follows the Person
21 demonstration project as approved by the federal Centers
22 for Medicare and Medicaid Services on May 14, 2007, and as
23 codified at 20 ILCS 2407/51 et seq., regardless of whether
24 such spending occurred from the Money Follows the Person
25 Budget Transfer Fund;

1 (2) federal financial participation funds related to
2 any spending under a Money Follows the Person demonstration
3 project as approved by the federal Centers for Medicare and
4 Medicaid Services on May 14, 2007, and as codified at 20
5 ILCS 2407/51 et seq., that occurred from the Money Follows
6 the Person Budget Transfer Fund;

7 (3) deposits made via the voucher-warrant process from
8 institutional long-term care appropriations to the
9 Department of Healthcare and Family Services and
10 institutional developmentally disabled long-term care
11 appropriations to the Department of Human Services;

12 (4) deposits made via the voucher-warrant process from
13 appropriation lines used to fund community-based services
14 for individuals eligible for nursing facility level of care
15 to the Department of Human Services, the Department on
16 Aging, or the Department of Healthcare and Family Services;

17 (5) interest earned on moneys in the Fund; and

18 (6) all other moneys received by the Fund from any
19 source.

20 (b) Subject to appropriation, moneys in the Fund may be
21 used by the Department of Healthcare and Family Services for
22 reimbursement or payment for:

23 (1) expenses related to rebalancing long-term care
24 services between institutional and community-based
25 settings as authorized under a Money Follows the Person
26 demonstration project as approved by the federal Centers

1 for Medicare and Medicaid Services on May 14, 2007, and as
2 codified at 20 ILCS 2407/51 et seq.;

3 (2) expenses for community-based services for
4 individuals eligible for nursing facility level of care in
5 the Department of Human Services, the Department on Aging,
6 or the Department of Healthcare and Family Services to the
7 extent the expenses reimbursed or paid are in excess of the
8 amounts budgeted to those Departments each fiscal year for
9 persons transitioning out of institutional long-term care
10 settings under a Money Follows the Person demonstration
11 project as approved by the federal Centers for Medicare and
12 Medicaid Services on May 14, 2007, and as codified at 20
13 ILCS 2407/51 et seq.;

14 (3) expenses for institutional long-term care services
15 at the Department of Healthcare and Family Services to the
16 extent that the expenses reimbursed or paid are for
17 services in excess of the amount budgeted to the Department
18 each fiscal year for persons who had or otherwise were
19 expected to transition out of institutional long-term care
20 settings under a Money Follows the Person demonstration
21 project as approved by the federal Centers for Medicare and
22 Medicaid Services on May 14, 2007, and as codified at 20
23 ILCS 2407/51 et seq.; and

24 (4) expenses, including operational, administrative,
25 and refund expenses, necessary to implement and operate a
26 Money Follows the Person demonstration project as approved

1 by the federal Centers for Medicare and Medicaid Services
2 on May 14, 2007, and as codified at 20 ILCS 2407/51 et seq.
3 Expenses reimbursed or paid on behalf of other agencies by
4 the Department of Healthcare and Family Services under this
5 subsection shall be pursuant to an interagency agreement and
6 allowable under a Money Follows the Person demonstration
7 project as approved by the federal Centers for Medicare and
8 Medicaid Services on May 14, 2007, and as codified at 20 ILCS
9 2407/51 et seq.

10 (305 ILCS 5/12-10.9 new)

11 Sec. 12-10.9. Mental health services. The Department of
12 Healthcare and Family Services shall utilize up to \$2,000,000
13 of the Fiscal Year 2009 appropriations for federally defined
14 Institutions for Mental Disease to pay providers of community
15 mental health services that are certified by the Department of
16 Human Services (DHS) and are located in DHS Division of Mental
17 Health Region 1 North, for the provision of Resident Review
18 Services, Targeted Case Management Services, Community
19 Transition Services, Community Support Services, Assertive
20 Community Treatment, Psychosocial Rehabilitation Services, and
21 individually required ancillary mental health services, in an
22 initiative parallel to the Money Follows the Person Rebalancing
23 Demonstration targeting residents of federally defined
24 Institutions for Mental Disease.

1 Section 70. The Illinois Affordable Housing Act is amended
2 by changing Section 8 as follows:

3 (310 ILCS 65/8) (from Ch. 67 1/2, par. 1258)

4 Sec. 8. Uses of Trust Fund.

5 (a) Subject to annual appropriation to the Funding Agent
6 and subject to the prior dedication, allocation, transfer and
7 use of Trust Fund Moneys as provided in Sections 8(b), 8(c) and
8 9 of this Act, the Trust Fund may be used to make grants,
9 mortgages, or other loans to acquire, construct, rehabilitate,
10 develop, operate, insure, and retain affordable single-family
11 and multi-family housing in this State for low-income and very
12 low-income households. The majority of monies appropriated to
13 the Trust Fund in any given year are to be used for affordable
14 housing for very low-income households. For the fiscal years
15 2007, ~~and 2008,~~ and 2009 only, the Department of Human Services
16 is authorized to receive appropriations and spend moneys from
17 the Illinois Affordable Housing Trust Fund for the purpose of
18 developing and coordinating public and private resources
19 targeted to meet the affordable housing needs of low-income,
20 very low-income, and special needs households in the State of
21 Illinois.

22 (b) For each fiscal year commencing with fiscal year 1994,
23 the Program Administrator shall certify from time to time to
24 the Funding Agent, the Comptroller and the State Treasurer
25 amounts, up to an aggregate in any fiscal year of \$10,000,000,

1 of Trust Fund Moneys expected to be used or pledged by the
2 Program Administrator during the fiscal year for the purposes
3 and uses specified in Sections 8(c) and 9 of this Act. Subject
4 to annual appropriation, upon receipt of such certification,
5 the Funding Agent and the Comptroller shall dedicate and the
6 State Treasurer shall transfer not less often than monthly to
7 the Program Administrator or its designated payee, without
8 requisition or further request therefor, all amounts
9 accumulated in the Trust Fund within the State Treasury and not
10 already transferred to the Loan Commitment Account prior to the
11 Funding Agent's receipt of such certification, until the
12 Program Administrator has received the aggregate amount
13 certified by the Program Administrator, to be used solely for
14 the purposes and uses authorized and provided in Sections 8(c)
15 and 9 of this Act. Neither the Comptroller nor the Treasurer
16 shall transfer, dedicate or allocate any of the Trust Fund
17 Moneys transferred or certified for transfer by the Program
18 Administrator as provided above to any other fund, nor shall
19 the Governor authorize any such transfer, dedication or
20 allocation, nor shall any of the Trust Fund Moneys so
21 dedicated, allocated or transferred be used, temporarily or
22 otherwise, for interfund borrowing, or be otherwise used or
23 appropriated, except as expressly authorized and provided in
24 Sections 8(c) and 9 of this Act for the purposes and subject to
25 the priorities, limitations and conditions provided for
26 therein until such obligations, uses and dedications as therein

1 provided, have been satisfied.

2 (c) Notwithstanding Section 5(b) of this Act, any Trust
3 Fund Moneys transferred to the Program Administrator pursuant
4 to Section 8(b) of this Act, or otherwise obtained, paid to or
5 held by or for the Program Administrator, or pledged pursuant
6 to resolution of the Program Administrator, for Affordable
7 Housing Program Trust Fund Bonds or Notes under the Illinois
8 Housing Development Act, and all proceeds, payments and
9 receipts from investments or use of such moneys, including any
10 residual or additional funds or moneys generated or obtained in
11 connection with any of the foregoing, may be held, pledged,
12 applied or dedicated by the Program Administrator as follows:

13 (1) as required by the terms of any pledge of or
14 resolution of the Program Administrator authorized under
15 Section 9 of this Act in connection with Affordable Housing
16 Program Trust Fund Bonds or Notes issued pursuant to the
17 Illinois Housing Development Act;

18 (2) to or for costs of issuance and administration and
19 the payments of any principal, interest, premium or other
20 amounts or expenses incurred or accrued in connection with
21 Affordable Housing Program Trust Fund Bonds or Notes,
22 including rate protection contracts and credit support
23 arrangements pertaining thereto, and, provided such
24 expenses, fees and charges are obligations, whether
25 recourse or nonrecourse, and whether financed with or paid
26 from the proceeds of Affordable Housing Program Trust Fund

1 Bonds or Notes, of the developers, mortgagors or other
2 users, the Program Administrator's expenses and servicing,
3 administration and origination fees and charges in
4 connection with any loans, mortgages, or developments
5 funded or financed or expected to be funded or financed, in
6 whole or in part, from the issuance of Affordable Housing
7 Program Trust Fund Bonds or Notes;

8 (3) to or for costs of issuance and administration and
9 the payments of principal, interest, premium, loan fees,
10 and other amounts or other obligations of the Program
11 Administrator, including rate protection contracts and
12 credit support arrangements pertaining thereto, for loans,
13 commercial paper or other notes or bonds issued by the
14 Program Administrator pursuant to the Illinois Housing
15 Development Act, provided that the proceeds of such loans,
16 commercial paper or other notes or bonds are paid or
17 expended in connection with, or refund or repay, loans,
18 commercial paper or other notes or bonds issued or made in
19 connection with bridge loans or loans for the construction,
20 renovation, redevelopment, restructuring, reorganization
21 of Affordable Housing and related expenses, including
22 development costs, technical assistance, or other amounts
23 to construct, preserve, improve, renovate, rehabilitate,
24 refinance, or assist Affordable Housing, including
25 financially troubled Affordable Housing, permanent or
26 other financing for which has been funded or financed or is

1 expected to be funded or financed in whole or in part by
2 the Program Administrator through the issuance of or use of
3 proceeds from Affordable Housing Program Trust Fund Bonds
4 or Notes;

5 (4) to or for direct expenditures or reimbursement for
6 development costs, technical assistance, or other amounts
7 to construct, preserve, improve, renovate, rehabilitate,
8 refinance, or assist Affordable Housing, including
9 financially troubled Affordable Housing, permanent or
10 other financing for which has been funded or financed or is
11 expected to be funded or financed in whole or in part by
12 the Program Administrator through the issuance of or use of
13 proceeds from Affordable Housing Program Trust Fund Bonds
14 or Notes; and

15 (5) for deposit into any residual, sinking, reserve or
16 revolving fund or pool established by the Program
17 Administrator, whether or not pledged to secure Affordable
18 Housing Program Trust Fund Bonds or Notes, to support or be
19 utilized for the issuance, redemption, or payment of the
20 principal, interest, premium or other amounts payable on or
21 with respect to any existing, additional or future
22 Affordable Housing Program Trust Fund Bonds or Notes, or to
23 or for any other expenditure authorized by this Section
24 8(c).

25 (d) All or a portion of the Trust Fund Moneys on deposit or
26 to be deposited in the Trust Fund not already certified for

1 transfer or transferred to the Program Administrator pursuant
2 to Section 8(b) of this Act may be used to secure the repayment
3 of Affordable Housing Program Trust Fund Bonds or Notes, or
4 otherwise to supplement or support Affordable Housing funded or
5 financed or intended to be funded or financed, in whole or in
6 part, by Affordable Housing Program Trust Fund Bonds or Notes.

7 (e) Assisted housing may include housing for special needs
8 populations such as the homeless, single-parent families, the
9 elderly, or the physically and mentally disabled. The Trust
10 Fund shall be used to implement a demonstration congregate
11 housing project for any such special needs population.

12 (f) Grants from the Trust Fund may include, but are not
13 limited to, rental assistance and security deposit subsidies
14 for low and very low-income households.

15 (g) The Trust Fund may be used to pay actual and reasonable
16 costs for Commission members to attend Commission meetings, and
17 any litigation costs and expenses, including legal fees,
18 incurred by the Program Administrator in any litigation related
19 to this Act or its action as Program Administrator.

20 (h) The Trust Fund may be used to make grants for (1) the
21 provision of technical assistance, (2) outreach, and (3)
22 building an organization's capacity to develop affordable
23 housing projects.

24 (i) Amounts on deposit in the Trust Fund may be used to
25 reimburse the Program Administrator and the Funding Agent for
26 costs incurred in the performance of their duties under this

1 Act, excluding costs and fees of the Program Administrator
2 associated with the Program Escrow to the extent withheld
3 pursuant to paragraph (8) of subsection (b) of Section 5.
4 (Source: P.A. 94-839, eff. 6-6-06; 95-707, eff. 1-11-08.)

5 Section 999. Effective date. This Act takes effect July 1,
6 2008.".