



Sen. Mattie Hunter

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09600SB2104sam001

LRB096 11411 RLC 23436 a

1 AMENDMENT TO SENATE BILL 2104

2 AMENDMENT NO. _____. Amend Senate Bill 2104 on page 1,
3 line 4, by inserting "changing Section 8h and by" after "by";
4 and

5 on page 1, by inserting immediately below line 7 the following:

6 "(30 ILCS 105/8h)

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

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

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

1 which Section 70-50 of the Nurse Practice Act applies. No
2 transfers may be made under this Section from the Pet
3 Population Control Fund. Notwithstanding any other provision
4 of this Section, for fiscal year 2004, the total transfer under
5 this Section from the Road Fund or the State Construction
6 Account Fund shall not exceed the lesser of (i) 5% of the
7 revenues to be deposited into the fund during that fiscal year
8 or (ii) 25% of the beginning balance in the fund. For fiscal
9 year 2005 through fiscal year 2007, no amounts may be
10 transferred under this Section from the Road Fund, the State
11 Construction Account Fund, the Criminal Justice Information
12 Systems Trust Fund, the Wireless Service Emergency Fund, or the
13 Mandatory Arbitration Fund.

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

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

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

26 (b) This Section does not apply to: (i) the Ticket For The

1 Cure Fund; (ii) any fund established under the Community Senior
2 Services and Resources Act; or (iii) on or after January 1,
3 2006 (the effective date of Public Act 94-511), the Child Labor
4 and Day and Temporary Labor Enforcement Fund.

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

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

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

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

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

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

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

1 (j) This Section does not apply to the Trucking and
2 Environmental Education Fund.

3 (Source: P.A. 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511,
4 eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05;
5 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff.
6 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773,
7 eff. 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06;
8 94-839, eff. 6-6-06; 95-331, eff. 8-21-07; 95-410, eff.
9 8-24-07; 95-481, eff. 8-28-07; 95-629, eff. 9-25-07; 95-639,
10 eff. 10-5-07; 95-695, eff. 11-5-07; 95-744, eff. 7-18-08;
11 95-876, eff. 8-21-08.)"; and

12 on page 5, line 4, by replacing "\$250" with "\$90"; and

13 on page 5, line 12, by replacing "\$150" with "\$20"; and

14 on page 5, line 16, by replacing "\$50" with "\$20"; and

15 on page 6, line 3, by inserting after the period the following:
16 "Notwithstanding any other law to the contrary, the Fund is not
17 subject to sweeps, administrative charges or charge-backs, or
18 any other fiscal or budgetary maneuver that would in any way
19 transfer moneys from the Fund into any other fund of the
20 State."