

1 AN ACT concerning finance.

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

4 Article 1. SHORT TITLE; PURPOSE

5 Section 1. Short title. This Act may be cited as the FY2012  
6 Budget Implementation (Finance) Act.

7 Section 5. Purpose. It is the purpose of this Act to make  
8 changes in State programs that are necessary to implement the  
9 Fiscal Year 2012 budget recommendations concerning finance.

10 Article 5. AMENDATORY PROVISIONS

11 Section 5-5. The State Comptroller Act is amended by  
12 changing Section 21 as follows:

13 (15 ILCS 405/21) (from Ch. 15, par. 221)

14 Sec. 21. Rules and Regulations - Imprest accounts. The  
15 Comptroller shall promulgate rules and regulations to  
16 implement the exercise of his or her powers and performance of  
17 his or her duties under this Act and to guide and assist State  
18 agencies in complying with this Act. Any rule or regulation  
19 specifically requiring the approval of the State Treasurer

1 under this Act for adoption by the Comptroller shall require  
2 the approval of the State Treasurer for modification or repeal.

3 The Comptroller may provide in his or her rules and  
4 regulations for periodic transfers, with the approval of the  
5 State Treasurer, for use in accordance with the imprest system,  
6 subject to the rules and regulations of the Comptroller as  
7 respects vouchers, controls and reports, as follows:

8 (a) To the University of Illinois, Southern Illinois  
9 University, Chicago State University, Eastern Illinois  
10 University, Governors State University, Illinois State  
11 University, Northeastern Illinois University, Northern  
12 Illinois University, Western Illinois University, and  
13 State Community College of East St. Louis under the  
14 jurisdiction of the Illinois Community College Board  
15 (abolished under Section 2-12.1 of the Public Community  
16 College Act), not to exceed \$200,000 for each campus.

17 (b) To the Department of Agriculture and the Department  
18 of Commerce and Economic Opportunity for the operation and  
19 closing of overseas offices, not to exceed \$500,000  
20 ~~\$200,000~~ for each Department for each overseas office.

21 (c) To the Department of Agriculture for the purpose of  
22 making change for activities at each State Fair, not to  
23 exceed \$200,000, to be returned within 5 days of the  
24 termination of such activity.

25 (d) To the Department of Agriculture to pay (i) State  
26 Fair premiums and awards and State Fair entertainment

1 contracts at each State Fair, and (ii) ticket refunds for  
2 cancelled events. The amount transferred from any fund  
3 shall not exceed the appropriation for each specific  
4 purpose. This authorization shall terminate each year  
5 within 60 days of the close of each State Fair. The  
6 Department shall be responsible for withholding State  
7 income tax, where necessary, as required by Section 709 of  
8 the Illinois Income Tax Act.

9 (e) To the State Treasurer to pay for securities'  
10 safekeeping charges assessed by the Board of Governors of  
11 the Federal Reserve System as a consequence of the  
12 Treasurer's use of the government securities' book-entry  
13 system. This account shall not exceed \$25,000.

14 (f) To the Illinois Mathematics and Science Academy,  
15 not to exceed \$100,000.

16 (g) To the Department of Natural Resources to pay out  
17 cash prizes associated with competitions held at the World  
18 Shooting and Recreational Complex, to purchase awards  
19 associated with competitions held at the World Shooting and  
20 Recreational Complex, to pay State and national membership  
21 dues associated with competitions held at the World  
22 Shooting and Recreational Complex, and to pay State and  
23 national membership target fees associated with  
24 competitions held at the World Shooting and Recreational  
25 Complex. The amount of funds advanced to the account  
26 created by this subsection (g) must not exceed \$250,000 in

1 any fiscal year.

2 (Source: P.A. 95-220, eff. 8-16-07; 96-785, eff. 8-28-09;  
3 96-1118, eff. 7-20-10; revised 9-16-10.)

4 Section 5-10. The State Finance Act is amended by changing  
5 Sections 5h, 6z-43, 6z-69, 6z-70, 8.3, and 8g, and by adding  
6 Section 5.786 as follows:

7 (30 ILCS 105/5.786 new)

8 Sec. 5.786. Attorney General Tobacco Fund. There is hereby  
9 created in the State treasury the Attorney General Tobacco Fund  
10 to be used, subject to appropriation, exclusively by the  
11 Attorney General for enforcement of the tobacco Master  
12 Settlement Agreement and for law enforcement activities of the  
13 Attorney General.

14 (30 ILCS 105/5h)

15 Sec. 5h. Cash flow borrowing and general funds liquidity.

16 (a) In order to meet cash flow deficits and to maintain  
17 liquidity in the General Revenue Fund, the Healthcare Provider  
18 Relief Fund, and the Common School Fund, on and after July 1,  
19 2010 and through June 30, 2011, the State Treasurer and the  
20 State Comptroller shall make transfers to the General Revenue  
21 Fund, the Healthcare Provider Relief Fund, or the Common School  
22 Fund, as directed by the Governor, out of special funds of the  
23 State, to the extent allowed by federal law. No transfer may be

1 made from a fund under this Section that would have the effect  
2 of reducing the available balance in the fund to an amount less  
3 than the amount remaining unexpended and unreserved from the  
4 total appropriation from that fund estimated to be expended for  
5 that fiscal year. No such transfer may reduce the cumulative  
6 balance of all of the special funds of the State to an amount  
7 less than the total debt service payable during the 12 months  
8 immediately following the date of the transfer on any bonded  
9 indebtedness of the State and any certificates issued under the  
10 Short Term Borrowing Act. Notwithstanding any other provision  
11 of this Section, no such transfer may be made from any special  
12 fund that is exclusively collected by or appropriated to any  
13 other constitutional officer without the written approval of  
14 that constitutional officer.

15 (b) If moneys have been transferred to the General Revenue  
16 Fund, the Healthcare Provider Relief Fund, or the Common School  
17 Fund pursuant to subsection (a) of this Section, this  
18 amendatory Act of the 96th General Assembly shall constitute  
19 the irrevocable and continuing authority for and direction to  
20 the State Treasurer and State Comptroller to reimburse the  
21 funds of origin from the General Revenue Fund, the Healthcare  
22 Provider Relief Fund, or the Common School Fund, as  
23 appropriate, by transferring to the funds of origin, at such  
24 times and in such amounts as directed by the Governor when  
25 necessary to support appropriated expenditures from the funds,  
26 an amount equal to that transferred from them plus any interest

1 that would have accrued thereon had the transfer not occurred,  
2 except that any moneys transferred pursuant to subsection (a)  
3 of this Section shall be repaid to the fund of origin within 18  
4 months after the date on which they were borrowed.

5 (c) On the first day of each quarterly period in each  
6 fiscal year, the Governor's Office of Management and Budget  
7 shall provide to the President and the Minority Leader of the  
8 Senate, the Speaker and the Minority Leader of the House of  
9 Representatives, and the Commission on Government Forecasting  
10 and Accountability a report on all transfers made pursuant to  
11 this Section in the prior quarterly period. The report must be  
12 provided in both written and electronic format. The report must  
13 include all of the following:

14 (1) The date each transfer was made.

15 (2) The amount of each transfer.

16 (3) In the case of a transfer from the General Revenue  
17 Fund, the Healthcare Provider Relief Fund, or the Common  
18 School Fund to a fund of origin pursuant to subsection (b)  
19 of this Section, the amount of interest being paid to the  
20 fund of origin.

21 (4) The end of day balance of both the fund of origin  
22 and the General Revenue Fund, the Healthcare Provider  
23 Relief Fund, or the Common School Fund, whichever the case  
24 may be, on the date the transfer was made.

25 (Source: P.A. 96-958, eff. 7-1-10; 96-1500, eff. 1-18-11.)

1 (30 ILCS 105/6z-43)

2 Sec. 6z-43. Tobacco Settlement Recovery Fund.

3 (a) There is created in the State Treasury a special fund  
4 to be known as the Tobacco Settlement Recovery Fund, which  
5 shall contain 3 accounts: (i) the General Account, (ii) the  
6 Tobacco Settlement Bond Proceeds Account and (iii) the Tobacco  
7 Settlement Residual Account. There shall be deposited into the  
8 several accounts of the Tobacco Settlement Recovery Fund and  
9 the Attorney General Tobacco Fund all monies paid to the State  
10 pursuant to (1) the Master Settlement Agreement entered in the  
11 case of People of the State of Illinois v. Philip Morris, et  
12 al. (Circuit Court of Cook County, No. 96-L13146) and (2) any  
13 settlement with or judgment against any tobacco product  
14 manufacturer other than one participating in the Master  
15 Settlement Agreement in satisfaction of any released claim as  
16 defined in the Master Settlement Agreement, as well as any  
17 other monies as provided by law. Moneys shall be deposited into  
18 the Tobacco Settlement Bond Proceeds Account and the Tobacco  
19 Settlement Residual Account as provided by the terms of the  
20 Railsplitter Tobacco Settlement Authority Act, provided that  
21 an annual amount not less than \$2,500,000, subject to  
22 appropriation, shall be deposited into the Attorney General  
23 Tobacco Fund ~~Tobacco Settlement Residual Account~~ for use only  
24 by the Attorney General's office. The scheduled \$2,500,000  
25 deposit into the Tobacco Settlement Residual Account for fiscal  
26 year 2011 should be transferred to the Attorney General Tobacco

1 Fund in fiscal year 2012 as soon as this fund has been  
2 established ~~General for enforcement of the Master Settlement~~  
3 ~~Agreement~~. All other moneys available to be deposited into the  
4 Tobacco Settlement Recovery Fund shall be deposited into the  
5 General Account. An investment made from moneys credited to a  
6 specific account constitutes part of that account and such  
7 account shall be credited with all income from the investment  
8 of such moneys. The Treasurer may invest the moneys in the  
9 several accounts the Fund in the same manner, in the same types  
10 of investments, and subject to the same limitations provided in  
11 the Illinois Pension Code for the investment of pension funds  
12 other than those established under Article 3 or 4 of the Code.  
13 Notwithstanding the foregoing, to the extent necessary to  
14 preserve the tax-exempt status of any bonds issued pursuant to  
15 the Railsplitter Tobacco Settlement Authority Act, the  
16 interest on which is intended to be excludable from the gross  
17 income of the owners for federal income tax purposes, moneys on  
18 deposit in the Tobacco Settlement Bond Proceeds Account and the  
19 Tobacco Settlement Residual Account may be invested in  
20 obligations the interest upon which is tax-exempt under the  
21 provisions of Section 103 of the Internal Revenue Code of 1986,  
22 as now or hereafter amended, or any successor code or  
23 provision.

24 (b) Moneys on deposit in the Tobacco Settlement Bond  
25 Proceeds Account and the Tobacco Settlement Residual Account  
26 may be expended, subject to appropriation, for the purposes



1 authorized in Section 6(g) of the Railsplitter Tobacco  
2 Settlement Authority Act.

3 (c) As soon as may be practical after June 30, 2001, upon  
4 notification from and at the direction of the Governor, the  
5 State Comptroller shall direct and the State Treasurer shall  
6 transfer the unencumbered balance in the Tobacco Settlement  
7 Recovery Fund as of June 30, 2001, as determined by the  
8 Governor, into the Budget Stabilization Fund. The Treasurer may  
9 invest the moneys in the Budget Stabilization Fund in the same  
10 manner, in the same types of investments, and subject to the  
11 same limitations provided in the Illinois Pension Code for the  
12 investment of pension funds other than those established under  
13 Article 3 or 4 of the Code.

14 (d) All federal financial participation moneys received  
15 pursuant to expenditures from the Fund shall be deposited into  
16 the General Account.

17 (Source: P.A. 95-331, eff. 8-21-07; 96-958, eff. 7-1-10.)

18 (30 ILCS 105/6z-69)

19 Sec. 6z-69. Comprehensive Regional Planning Fund.

20 (a) As soon as possible after July 1, 2007, and on each  
21 July 1 thereafter until July 1, 2010, the State Treasurer shall  
22 transfer \$5,000,000 from the General Revenue Fund to the  
23 Comprehensive Regional Planning Fund.

24 (b) Subject to appropriation, the Illinois Department of  
25 Transportation shall make lump sum distributions from the

1 Comprehensive Regional Planning Fund as soon as possible after  
2 each July 1 to the recipients and in the amounts specified in  
3 subsection (c). The recipients must use the moneys for  
4 comprehensive regional planning purposes.

5 (c) Each year's distribution under subsection (b) shall be  
6 as follows: (i) 70% to the Chicago Metropolitan Agency for  
7 Planning (CMAP); (ii) 25% to the State's other Metropolitan  
8 Planning Organizations (exclusive of CMAP), each Organization  
9 receiving a percentage equal to the percent its area population  
10 represents to the total population of the areas of all the  
11 State's Metropolitan Planning Organizations (exclusive of  
12 CMAP); and (iii) 5% to the State's Rural Planning Agencies,  
13 each Agency receiving a percentage equal to the percent its  
14 area population represents to the total population of the areas  
15 of all the State's Rural Planning Agencies.

16 (d) Notwithstanding any other provision of law, in addition  
17 to any other transfers that may be provided by law, on July 1,  
18 2011, or as soon thereafter as practical, the State Comptroller  
19 shall direct and the State Treasurer shall transfer the  
20 remaining balance from the Comprehensive Regional Planning  
21 Fund into the General Revenue Fund. Upon completion of the  
22 transfers, the Comprehensive Regional Planning Fund is  
23 dissolved, and any future deposits due to that Fund and any  
24 outstanding obligations or liabilities of that Fund pass to the  
25 General Revenue Fund.

26 (Source: P.A. 95-677, eff. 10-11-07; 96-328, eff. 8-11-09.)

1 (30 ILCS 105/6z-70)

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

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

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

13 (c) Notwithstanding any other provision of State law to the  
14 contrary, on or after July 1, 2007, and until June 30, 2008, in  
15 addition to any other transfers that may be provided for by  
16 law, at the direction of and upon notification of the Secretary  
17 of State, the State Comptroller shall direct and the State  
18 Treasurer shall transfer amounts into the Secretary of State  
19 Identification Security and Theft Prevention Fund from the  
20 designated funds not exceeding the following totals:

- 21 Lobbyist Registration Administration Fund ..... \$100,000
- 22 Registered Limited Liability Partnership Fund .... \$75,000
- 23 Securities Investors Education Fund ..... \$500,000
- 24 Securities Audit and Enforcement Fund ..... \$5,725,000
- 25 Department of Business Services

1 Special Operations Fund ..... \$3,000,000

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

3 (d) Notwithstanding any other provision of State law to the  
4 contrary, on or after July 1, 2008, and until June 30, 2009, in  
5 addition to any other transfers that may be provided for by  
6 law, at the direction of and upon notification of the Secretary  
7 of State, the State Comptroller shall direct and the State  
8 Treasurer shall transfer amounts into the Secretary of State  
9 Identification Security and Theft Prevention Fund from the  
10 designated funds not exceeding the following totals:

11 Lobbyist Registration Administration Fund ..... \$100,000

12 Registered Limited Liability Partnership Fund .... \$75,000

13 Securities Investors Education Fund ..... \$500,000

14 Securities Audit and Enforcement Fund ..... \$5,725,000

15 Department of Business Services

16 Special Operations Fund ..... \$3,000,000

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

18 State Parking Facility Maintenance Fund ..... \$100,000

19 (e) Notwithstanding any other provision of State law to the  
20 contrary, on or after July 1, 2009, and until June 30, 2010, in  
21 addition to any other transfers that may be provided for by  
22 law, at the direction of and upon notification of the Secretary  
23 of State, the State Comptroller shall direct and the State  
24 Treasurer shall transfer amounts into the Secretary of State  
25 Identification Security and Theft Prevention Fund from the  
26 designated funds not exceeding the following totals:

1	Lobbyist Registration Administration Fund .....	\$100,000
2	Registered Limited Liability Partnership Fund ....	\$175,000
3	Securities Investors Education Fund .....	\$750,000
4	Securities Audit and Enforcement Fund .....	\$750,000
5	Department of Business Services	
6	Special Operations Fund .....	\$3,000,000
7	Corporate Franchise Tax Refund Fund .....	\$3,000,000
8	State Parking Facility Maintenance Fund .....	\$100,000

9 (f) Notwithstanding any other provision of State law to the  
10 contrary, on or after July 1, 2010, and until June 30, 2011, in  
11 addition to any other transfers that may be provided for by  
12 law, at the direction of and upon notification of the Secretary  
13 of State, the State Comptroller shall direct and the State  
14 Treasurer shall transfer amounts into the Secretary of State  
15 Identification Security and Theft Prevention Fund from the  
16 designated funds not exceeding the following totals:

17	Registered Limited Liability Partnership Fund ....	\$287,000
18	Securities Investors Education Board .....	\$750,000
19	Securities Audit and Enforcement Fund .....	\$750,000
20	Department of Business Services Special	
21	Operations Fund .....	\$3,000,000
22	Corporate Franchise Tax Refund Fund .....	\$3,000,000

23 (g) Notwithstanding any other provision of State law to the  
24 contrary, on or after July 1, 2011, and until June 30, 2012, in  
25 addition to any other transfers that may be provided for by  
26 law, at the direction of and upon notification of the Secretary

1 of State, the State Comptroller shall direct and the State  
 2 Treasurer shall transfer amounts into the Secretary of State  
 3 Identification Security and Theft Prevention Fund from the  
 4 designated funds not exceeding the following totals:

5 Division of Corporations Registered

6	<u>Limited Liability Partnership Fund</u>	<u>.....</u>	<u>\$287,000</u>
7	<u>Securities Investors Education Fund</u>	<u>.....</u>	<u>\$750,000</u>
8	<u>Securities Audit and Enforcement Fund</u>	<u>.....</u>	<u>\$3,500,000</u>
9	<u>Department of Business Services</u>		
10	<u>Special Operations Fund</u>	<u>.....</u>	<u>\$3,000,000</u>
11	<u>Corporate Franchise Tax Refund Fund</u>	<u>.....</u>	<u>\$3,000,000</u>

12 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;  
 13 96-45, eff. 7-15-09; 96-959, eff. 7-1-10.)

14 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

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

23 first -- to pay the cost of administration of Chapters  
 24 2 through 10 of the Illinois Vehicle Code, except the cost  
 25 of administration of Articles I and II of Chapter 3 of that

1 Code; and

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

1 be reimbursed in full for any expense incurred in building  
2 the flight strips; or for the operating and maintaining of  
3 highway garages; or for patrolling and policing the public  
4 highways and conserving the peace; or for the operating  
5 expenses of the Department relating to the administration  
6 of public transportation programs; or, during fiscal year  
7 2012 only, for the purposes of a grant not to exceed  
8 \$8,500,000 to the Regional Transportation Authority on  
9 behalf of PACE for the purpose of ADA/Para-transit  
10 expenses; or for any of those purposes or any other purpose  
11 that may be provided by law.

12 Appropriations for any of those purposes are payable from  
13 the Road Fund. Appropriations may also be made from the Road  
14 Fund for the administrative expenses of any State agency that  
15 are related to motor vehicles or arise from the use of motor  
16 vehicles.

17 Beginning with fiscal year 1980 and thereafter, no Road  
18 Fund monies shall be appropriated to the following Departments  
19 or agencies of State government for administration, grants, or  
20 operations; but this limitation is not a restriction upon  
21 appropriating for those purposes any Road Fund monies that are  
22 eligible for federal reimbursement;

- 23 1. Department of Public Health;
- 24 2. Department of Transportation, only with respect to  
25 subsidies for one-half fare Student Transportation and  
26 Reduced Fare for Elderly, except during fiscal year 2012



1           only when no more than \$40,000,000 may be expended;

2           3. Department of Central Management Services, except  
3           for expenditures incurred for group insurance premiums of  
4           appropriate personnel;

5           4. Judicial Systems and Agencies.

6           Beginning with fiscal year 1981 and thereafter, no Road  
7           Fund monies shall be appropriated to the following Departments  
8           or agencies of State government for administration, grants, or  
9           operations; but this limitation is not a restriction upon  
10          appropriating for those purposes any Road Fund monies that are  
11          eligible for federal reimbursement:

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

14          2. Department of Transportation, only with respect to  
15          Intercity Rail Subsidies, except during fiscal year 2012  
16          only when no more than \$40,000,000 may be expended, and  
17          Rail Freight Services.

18          Beginning with fiscal year 1982 and thereafter, no Road  
19          Fund monies shall be appropriated to the following Departments  
20          or agencies of State government for administration, grants, or  
21          operations; but this limitation is not a restriction upon  
22          appropriating for those purposes any Road Fund monies that are  
23          eligible for federal reimbursement: Department of Central  
24          Management Services, except for awards made by the Illinois  
25          Workers' Compensation Commission under the terms of the  
26          Workers' Compensation Act or Workers' Occupational Diseases

1 Act for injury or death of an employee of the Division of  
2 Highways in the Department of Transportation.

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

9 1. Department of State Police, except not more than 40%  
10 of the funds appropriated for the Division of Operations;

11 2. State Officers.

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

22 Money in the Road Fund shall, if and when the State of  
23 Illinois incurs any bonded indebtedness for the construction of  
24 permanent highways, be set aside and used for the purpose of  
25 paying and discharging during each fiscal year the principal  
26 and interest on that bonded indebtedness as it becomes due and

1 payable as provided in the Transportation Bond Act, and for no  
2 other purpose. The surplus, if any, in the Road Fund after the  
3 payment of principal and interest on that bonded indebtedness  
4 then annually due shall be used as follows:

5 first -- to pay the cost of administration of Chapters  
6 2 through 10 of the Illinois Vehicle Code; and

7 secondly -- no Road Fund monies derived from fees,  
8 excises, or license taxes relating to registration,  
9 operation and use of vehicles on public highways or to  
10 fuels used for the propulsion of those vehicles, shall be  
11 appropriated or expended other than for costs of  
12 administering the laws imposing those fees, excises, and  
13 license taxes, statutory refunds and adjustments allowed  
14 thereunder, administrative costs of the Department of  
15 Transportation, including, but not limited to, the  
16 operating expenses of the Department relating to the  
17 administration of public transportation programs, payment  
18 of debts and liabilities incurred in construction and  
19 reconstruction of public highways and bridges, acquisition  
20 of rights-of-way for and the cost of construction,  
21 reconstruction, maintenance, repair, and operation of  
22 public highways and bridges under the direction and  
23 supervision of the State, political subdivision, or  
24 municipality collecting those monies, or during fiscal  
25 year 2012 only for the purposes of a grant not to exceed  
26 \$8,500,000 to the Regional Transportation Authority on

1 behalf of PACE for the purpose of ADA/Para-transit  
2 expenses, and the costs for patrolling and policing the  
3 public highways (by State, political subdivision, or  
4 municipality collecting that money) for enforcement of  
5 traffic laws. The separation of grades of such highways  
6 with railroads and costs associated with protection of  
7 at-grade highway and railroad crossing shall also be  
8 permissible.

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

12 Except as provided in this paragraph, beginning with fiscal  
13 year 1991 and thereafter, no Road Fund monies shall be  
14 appropriated to the Department of State Police for the purposes  
15 of this Section in excess of its total fiscal year 1990 Road  
16 Fund appropriations for those purposes unless otherwise  
17 provided in Section 5g of this Act. For fiscal years 2003,  
18 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be  
19 appropriated to the Department of State Police for the purposes  
20 of this Section in excess of \$97,310,000. For fiscal year 2008  
21 only, no Road Fund monies shall be appropriated to the  
22 Department of State Police for the purposes of this Section in  
23 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund  
24 monies shall be appropriated to the Department of State Police  
25 for the purposes of this Section in excess of \$114,700,000.  
26 Beginning in fiscal year 2010, no road fund moneys shall be

1 appropriated to the Department of State Police. It shall not be  
2 lawful to circumvent this limitation on appropriations by  
3 governmental reorganization or other methods unless otherwise  
4 provided in Section 5g of this Act.

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

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

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

23	Fiscal Year 2000	\$80,500,000;
24	Fiscal Year 2001	\$80,500,000;
25	Fiscal Year 2002	\$80,500,000;
26	Fiscal Year 2003	\$130,500,000;

1	Fiscal Year 2004	\$130,500,000;
2	Fiscal Year 2005	\$130,500,000;
3	Fiscal Year 2006	\$130,500,000;
4	Fiscal Year 2007	\$130,500,000;
5	Fiscal Year 2008	\$130,500,000;
6	Fiscal Year 2009	\$130,500,000.

7 For fiscal year 2010, no road fund moneys shall be  
8 appropriated to the Secretary of State.

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

14 It shall not be lawful to circumvent this limitation on  
15 appropriations by governmental reorganization or other  
16 methods.

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

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

25 The additional amounts authorized for expenditure in this  
26 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91

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

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

14 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;  
15 96-34, eff. 7-13-09; 96-959, eff. 7-1-10.)

16 (30 ILCS 105/8g)

17 Sec. 8g. Fund transfers.

18 (a) In addition to any other transfers that may be provided  
19 for by law, as soon as may be practical after the effective  
20 date of this amendatory Act of the 91st General Assembly, the  
21 State Comptroller shall direct and the State Treasurer shall  
22 transfer the sum of \$10,000,000 from the General Revenue Fund  
23 to the Motor Vehicle License Plate Fund created by Senate Bill  
24 1028 of the 91st General Assembly.

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

1 for by law, as soon as may be practical after the effective  
2 date of this amendatory Act of the 91st General Assembly, the  
3 State Comptroller shall direct and the State Treasurer shall  
4 transfer the sum of \$25,000,000 from the General Revenue Fund  
5 to the Fund for Illinois' Future created by Senate Bill 1066 of  
6 the 91st General Assembly.

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

14 (d) The payments to programs required under subsection (d)  
15 of Section 28.1 of the Horse Racing Act of 1975 shall be made,  
16 pursuant to appropriation, from the special funds referred to  
17 in the statutes cited in that subsection, rather than directly  
18 from the General Revenue Fund.

19 Beginning January 1, 2000, on the first day of each month,  
20 or as soon as may be practical thereafter, the State  
21 Comptroller shall direct and the State Treasurer shall transfer  
22 from the General Revenue Fund to each of the special funds from  
23 which payments are to be made under Section 28.1(d) of the  
24 Horse Racing Act of 1975 an amount equal to 1/12 of the annual  
25 amount required for those payments from that special fund,  
26 which annual amount shall not exceed the annual amount for



1 those payments from that special fund for the calendar year  
2 1998. The special funds to which transfers shall be made under  
3 this subsection (d) include, but are not necessarily limited  
4 to, the Agricultural Premium Fund; the Metropolitan Exposition  
5 Auditorium and Office Building Fund; the Fair and Exposition  
6 Fund; the Standardbred Breeders Fund; the Thoroughbred  
7 Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

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

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

22 (f-1) In fiscal year 2002, in addition to any other  
23 transfers that may be provided for by law, at the direction of  
24 and upon notification from the Governor, the State Comptroller  
25 shall direct and the State Treasurer shall transfer amounts not  
26 exceeding a total of \$160,000,000 from the General Revenue Fund

1 to the Long-Term Care Provider Fund.

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

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

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

23 (i-1) On or after July 1, 2002 and until May 1, 2003, in  
24 addition to any other transfers that may be provided for by  
25 law, at the direction of and upon notification from the  
26 Governor, the State Comptroller shall direct and the State

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

8 (j) On or after July 1, 2001 and no later than June 30,  
 9 2002, in addition to any other transfers that may be provided  
 10 for by law, 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 to exceed the following  
 13 sums into the Statistical Services Revolving Fund:

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

1	Regulatory Fund .....	130,800
2	From the Appraisal Administration Fund .....	28,600
3	From the Pawnbroker Regulation Fund .....	3,600
4	From the Auction Regulation	
5	Administration Fund .....	35,800
6	From the Bank and Trust Company Fund.....	634,800
7	From the Real Estate License	
8	Administration Fund .....	313,600

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

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

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

1 (k-3) On or after July 1, 2002 and no later than June 30,  
 2 2003, in addition to any other transfers that may be provided  
 3 for by law, at the direction of and upon notification from the  
 4 Governor, the State Comptroller shall direct and the State  
 5 Treasurer shall transfer amounts not to exceed the following  
 6 sums into the Statistical Services Revolving Fund:

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

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

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

1 for by law, on July 1, 2002 and on the effective date of this  
2 amendatory Act of the 93rd General Assembly, or as soon  
3 thereafter as may be practical, the State Comptroller shall  
4 direct and the State Treasurer shall transfer the sum of  
5 \$1,200,000 from the General Revenue Fund to the Violence  
6 Prevention Fund.

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

12 (o) On or after July 1, 2003, and no later than June 30,  
13 2004, in addition to any other transfers that may be provided  
14 for by law, at the direction of and upon notification from the  
15 Governor, the State Comptroller shall direct and the State  
16 Treasurer shall transfer amounts not to exceed the following  
17 sums into the Vehicle Inspection Fund:

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

19 (p) On or after July 1, 2003 and until May 1, 2004, 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 re-transferred from the Tobacco Settlement Recovery Fund to the

1 General Revenue Fund at the direction of and upon notification  
2 from the Governor, but in any event on or before June 30, 2004.

3 (q) 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 \$5,000,000 from the General  
7 Revenue Fund to the Illinois Military Family Relief Fund.

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

14 (s) 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 \$4,800,000 from the Statewide Economic Development Fund to the  
18 General Revenue Fund.

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

24 (u) On or after July 1, 2004 and until May 1, 2005, in  
25 addition to any other transfers that may be provided for by  
26 law, at the direction of and upon notification from the

1 Governor, the State Comptroller shall direct and the State  
2 Treasurer shall transfer amounts not exceeding a total of  
3 \$80,000,000 from the General Revenue Fund to the Tobacco  
4 Settlement Recovery Fund. Any amounts so transferred shall be  
5 retransferred by the State Comptroller and the State Treasurer  
6 from the Tobacco Settlement Recovery Fund to the General  
7 Revenue Fund at the direction of and upon notification from the  
8 Governor, but in any event on or before June 30, 2005.

9 (v) 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 \$1,200,000 from the General  
13 Revenue Fund to the Violence Prevention Fund.

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

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

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

26 From the State Police Wireless Service Emergency Fund,



1           \$200,000;

2           From the State Offender DNA Identification System  
3           Fund, \$800,000; and

4           From the State Police Whistleblower Reward and  
5           Protection Fund, \$500,000.

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

14                 (1) the Keep Illinois Beautiful Fund;

15                 (2) the Metropolitan Fair and Exposition Authority  
16          Reconstruction Fund;

17                 (3) the New Technology Recovery Fund;

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

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

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

21                 (7) the State Postsecondary Review Program Fund;

22                 (8) the Tourism Attraction Development Matching Grant  
23          Fund;

24                 (9) the Patent and Copyright Fund;

25                 (10) the Credit Enhancement Development Fund;

26                 (11) the Community Mental Health and Developmental

1           Disabilities Services Provider Participation Fee Trust  
2           Fund;

3                 (12) the Nursing Home Grant Assistance Fund;

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

5                 (14) the Illinois Student Assistance Commission Higher  
6           EdNet Fund;

7                 (15) the DORS State Project Fund;

8                 (16) the School Technology Revolving Fund;

9                 (17) the Energy Assistance Contribution Fund;

10                (18) the Illinois Building Commission Revolving Fund;

11                (19) the Illinois Aquaculture Development Fund;

12                (20) the Homelessness Prevention Fund;

13                (21) the DCFS Refugee Assistance Fund;

14                (22) the Illinois Century Network Special Purposes  
15           Fund; and

16                (23) the Build Illinois Purposes Fund.

17           (z) In addition to any other transfers that may be provided  
18           for by law, on July 1, 2005, or as soon as may be practical  
19           thereafter, the State Comptroller shall direct and the State  
20           Treasurer shall transfer the sum of \$1,200,000 from the General  
21           Revenue Fund to the Violence Prevention Fund.

22           (aa) In addition to any other transfers that may be  
23           provided for by law, on July 1, 2005, or as soon as may be  
24           practical thereafter, the State Comptroller shall direct and  
25           the State Treasurer shall transfer the sum of \$9,000,000 from  
26           the General Revenue Fund to the Presidential Library and Museum

1 Operating Fund.

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

8 (cc) In addition to any other transfers that may be  
9 provided for by law, on or after July 1, 2005 and until May 1,  
10 2006, 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 re-transferred 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, 2006.

19 (dd) In addition to any other transfers that may be  
20 provided for by law, on April 1, 2005, or as soon thereafter as  
21 may be practical, at the direction of the Director of Public  
22 Aid (now Director of Healthcare and Family Services), the State  
23 Comptroller shall direct and the State Treasurer shall transfer  
24 from the Public Aid Recoveries Trust Fund amounts not to exceed  
25 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

26 (ee) Notwithstanding any other provision of law, on July 1,

1 2006, or as soon thereafter as practical, the State Comptroller  
2 shall direct and the State Treasurer shall transfer the  
3 remaining balance from the Illinois Civic Center Bond Fund to  
4 the Illinois Civic Center Bond Retirement and Interest Fund.

5 (ff) In addition to any other transfers that may be  
6 provided for by law, on and after July 1, 2006 and until June  
7 30, 2007, at the direction of and upon notification from the  
8 Director of the Governor's Office of Management and Budget, the  
9 State Comptroller shall direct and the State Treasurer shall  
10 transfer amounts not exceeding a total of \$1,900,000 from the  
11 General Revenue Fund to the Illinois Capital Revolving Loan  
12 Fund.

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

24 (hh) In addition to any other transfers that may be  
25 provided for by law, on and after July 1, 2006 and until June  
26 30, 2007, at the direction of and upon notification from the

1 Governor, the State Comptroller shall direct and the State  
 2 Treasurer shall transfer amounts from the Illinois Affordable  
 3 Housing Trust Fund to the designated funds not exceeding the  
 4 following amounts:

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

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

22 (jj) In addition to any other transfers that may be  
 23 provided for by law, on July 1, 2006, or as soon thereafter as  
 24 practical, the State Comptroller shall direct and the State  
 25 Treasurer shall transfer the sum of \$8,250,000 from the General  
 26 Revenue Fund to the Presidential Library and Museum Operating

1 Fund.

2 (kk) In addition to any other transfers that may be  
3 provided for by law, on July 1, 2006, or as soon thereafter as  
4 practical, the State Comptroller shall direct and the State  
5 Treasurer shall transfer the sum of \$1,400,000 from the General  
6 Revenue Fund to the Violence Prevention Fund.

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

14 (mm) 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 \$1,320,000 from the General  
18 Revenue Fund to the I-FLY Fund.

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

24 (oo) In addition to any other transfers that may be  
25 provided for by law, on and after July 1, 2006 and until June  
26 30, 2007, at the direction of and upon notification from the

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

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

21 (qq) In addition to any other transfers that may be  
22 provided for by law, on and after July 1, 2007 and until May 1,  
23 2008, at the direction of and upon notification from the  
24 Governor, the State Comptroller shall direct and the State  
25 Treasurer shall transfer amounts not exceeding a total of  
26 \$80,000,000 from the General Revenue Fund to the Tobacco

1 Settlement Recovery Fund. Any amounts so transferred shall be  
 2 retransferred by the State Comptroller and the State Treasurer  
 3 from the Tobacco Settlement Recovery Fund to the General  
 4 Revenue Fund at the direction of and upon notification from the  
 5 Governor, but in any event on or before June 30, 2008.

6 (rr) In addition to any other transfers that may be  
 7 provided for by law, on and after July 1, 2007 and until June  
 8 30, 2008, at the direction of and upon notification from the  
 9 Governor, the State Comptroller shall direct and the State  
 10 Treasurer shall transfer amounts from the Illinois Affordable  
 11 Housing Trust Fund to the designated funds not exceeding the  
 12 following amounts:

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

18 (ss) 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 \$8,250,000 from the General  
 22 Revenue Fund to the Presidential Library and Museum Operating  
 23 Fund.

24 (tt) 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 \$1,400,000 from the General  
2 Revenue Fund to the Violence Prevention Fund.

3 (uu) 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 \$1,320,000 from the General  
7 Revenue Fund to the I-FLY Fund.

8 (vv) 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 \$3,000,000 from the General  
12 Revenue Fund to the African-American HIV/AIDS Response Fund.

13 (ww) 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 \$3,500,000 from the General  
17 Revenue Fund to the Predatory Lending Database Program Fund.

18 (xx) 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 \$5,000,000 from the General  
22 Revenue Fund to the Digital Divide Elimination Fund.

23 (yy) In addition to any other transfers that may be  
24 provided for by law, on July 1, 2007, or as soon thereafter as  
25 practical, the State Comptroller shall direct and the State  
26 Treasurer shall transfer the sum of \$4,000,000 from the General

1 Revenue Fund to the Digital Divide Elimination Infrastructure  
2 Fund.

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

8 (aaa) In addition to any other transfers that may be  
9 provided for by law, on and after July 1, 2008 and until May 1,  
10 2009, 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, 2009.

19 (bbb) In addition to any other transfers that may be  
20 provided for by law, on and after July 1, 2008 and until June  
21 30, 2009, 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 (ccc) In addition to any other transfers that may be  
 6 provided for by law, on July 1, 2008, or as soon thereafter as  
 7 practical, the State Comptroller shall direct and the State  
 8 Treasurer shall transfer the sum of \$7,450,000 from the General  
 9 Revenue Fund to the Presidential Library and Museum Operating  
 10 Fund.

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

16 (eee) In addition to any other transfers that may be  
 17 provided for by law, on July 1, 2009, or as soon thereafter as  
 18 practical, the State Comptroller shall direct and the State  
 19 Treasurer shall transfer the sum of \$5,000,000 from the General  
 20 Revenue Fund to the Digital Divide Elimination Fund.

21 (fff) In addition to any other transfers that may be  
 22 provided for by law, on and after July 1, 2009 and until May 1,  
 23 2010, at the direction of and upon notification from the  
 24 Governor, the State Comptroller shall direct and the State  
 25 Treasurer shall transfer amounts not exceeding a total of  
 26 \$80,000,000 from the General Revenue Fund to the Tobacco

1 Settlement Recovery Fund. Any amounts so transferred shall be  
2 retransferred by the State Comptroller and the State Treasurer  
3 from the Tobacco Settlement Recovery Fund to the General  
4 Revenue Fund at the direction of and upon notification from the  
5 Governor, but in any event on or before June 30, 2010.

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

12 (hhh) In addition to any other transfers that may be  
13 provided for by law, on July 1, 2009, or as soon thereafter as  
14 practical, the State Comptroller shall direct and the State  
15 Treasurer shall transfer the sum of \$1,400,000 from the General  
16 Revenue Fund to the Violence Prevention Fund.

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

22 (jjj) In addition to any other transfers that may be  
23 provided for by law, on and after July 1, 2009 and until June  
24 30, 2010, at the direction of and upon notification from the  
25 Governor, the State Comptroller shall direct and the State  
26 Treasurer shall transfer amounts not exceeding a total of

1 \$17,000,000 from the General Revenue Fund to the DCFS  
2 Children's Services Fund.

3 (lll) In addition to any other transfers that may be  
4 provided for by law, on July 1, 2009, or as soon thereafter as  
5 practical, the State Comptroller shall direct and the State  
6 Treasurer shall transfer the sum of \$5,000,000 from the General  
7 Revenue Fund to the Communications Revolving Fund.

8 (mmm) In addition to any other transfers that may be  
9 provided for by law, on July 1, 2009, or as soon thereafter as  
10 practical, the State Comptroller shall direct and the State  
11 Treasurer shall transfer the sum of \$9,700,000 from the General  
12 Revenue Fund to the Senior Citizens Real Estate Deferred Tax  
13 Revolving Fund.

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

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

25 (ppp) In addition to any other transfers that may be  
26 provided for by law, on July 1, 2010, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State  
2 Treasurer shall transfer the sum of \$5,000,000 from the General  
3 Revenue Fund to the Digital Divide Elimination Fund.

4 (qqq) In addition to any other transfers that may be  
5 provided for by law, on and after July 1, 2010 and until May 1,  
6 2011, at the direction of and upon notification from the  
7 Governor, the State Comptroller shall direct and the State  
8 Treasurer shall transfer amounts not exceeding a total of  
9 \$80,000,000 from the General Revenue Fund to the Tobacco  
10 Settlement Recovery Fund. Any amounts so transferred shall be  
11 retransferred by the State Comptroller and the State Treasurer  
12 from the Tobacco Settlement Recovery Fund to the General  
13 Revenue Fund at the direction of and upon notification from the  
14 Governor, but in any event on or before June 30, 2011.

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

21 (sss) In addition to any other transfers that may be  
22 provided for by law, on July 1, 2010, or as soon thereafter as  
23 practical, the State Comptroller shall direct and the State  
24 Treasurer shall transfer the sum of \$1,400,000 from the General  
25 Revenue Fund to the Violence Prevention Fund.

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

1 provided for by law, on July 1, 2010, or as soon thereafter as  
2 practical, the State Comptroller shall direct and the State  
3 Treasurer shall transfer the sum of \$100,000 from the General  
4 Revenue Fund to the Heartsaver AED Fund.

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

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

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

20 (xxx) In addition to any other transfers that may be  
21 provided for by law, on July 1, 2010, or as soon thereafter as  
22 practical, the State Comptroller shall direct and the State  
23 Treasurer shall transfer the sum of \$2,000,000 from the Digital  
24 Divide Elimination Infrastructure Fund, of which \$1,000,000  
25 shall go to the Workforce, Technology, and Economic Development  
26 Fund and \$1,000,000 to the Public Utility Fund.

1       (yyy) In addition to any other transfers that may be  
2 provided for by law, on and after July 1, 2011 and until May 1,  
3 2012, at the direction of and upon notification from the  
4 Governor, the State Comptroller shall direct and the State  
5 Treasurer shall transfer amounts not exceeding a total of  
6 \$80,000,000 from the General Revenue Fund to the Tobacco  
7 Settlement Recovery Fund. Any amounts so transferred shall be  
8 retransferred by the State Comptroller and the State Treasurer  
9 from the Tobacco Settlement Recovery Fund to the General  
10 Revenue Fund at the direction of and upon notification from the  
11 Governor, but in any event on or before June 30, 2012.

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

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

23       (Source: P.A. 95-331, eff. 8-21-07; 95-707, eff. 1-11-08;  
24 95-744, eff. 7-18-08; 96-45, eff. 7-15-09; 96-820, eff.  
25 11-18-09; 96-959, eff. 7-1-10.)



1 (30 ILCS 105/5.86 rep.)

2 Section 5-12. The State Finance Act is amended by repealing  
3 Section 5.86.

4 Section 5-15. Downstate Public Transportation Act is  
5 amended by changing Section 2-15 as follows:

6 (30 ILCS 740/2-15) (from Ch. 111 2/3, par. 675.1)

7 Sec. 2-15. Residual fund balance.

8 (a) Except as otherwise provided in this Section, all funds  
9 which remain in the Downstate Public Transportation Fund or the  
10 Metro-East Public Transportation Fund after the payment of the  
11 fourth quarterly payment to participants other than Metro-East  
12 Transit District participants and the last monthly payment to  
13 Metro-East Transit participants in each fiscal year shall be  
14 transferred (i) to the General Revenue Fund through fiscal year  
15 2008 and (ii) to the Downstate Transit Improvement Fund for  
16 fiscal year 2009 and each fiscal year thereafter. Transfers  
17 shall be made no later than 90 days following the end of such  
18 fiscal year. Beginning fiscal year 2010, all moneys each year  
19 in the Downstate Transit Improvement Fund, held solely for the  
20 benefit of the participants in the Downstate Public  
21 Transportation Fund and shall be appropriated to the Department  
22 to make competitive capital grants to the participants of the  
23 respective funds. However, such amount as the Department  
24 determines to be necessary for (1) allocation to participants

1 for the purposes of Section 2-7 for the first quarter of the  
2 succeeding fiscal year and (2) an amount equal to 2% of the  
3 total allocations to participants in the fiscal year just ended  
4 to be used for the purpose of audit adjustments shall be  
5 retained in such Funds to be used by the Department for such  
6 purposes.

7 (b) Notwithstanding any other provision of law, in addition  
8 to any other transfers that may be provided by law, on July 1,  
9 2011, or as soon thereafter as practical, the State Comptroller  
10 shall direct and the State Treasurer shall transfer the  
11 remaining balance from the Metro East Public Transportation  
12 Fund into the General Revenue Fund. Upon completion of the  
13 transfers, the Metro East Public Transportation Fund is  
14 dissolved, and any future deposits due to that Fund and any  
15 outstanding obligations or liabilities of that Fund pass to the  
16 General Revenue Fund.

17 (Source: P.A. 95-708, eff. 1-18-08.)

18 Section 5-20. The Motor Fuel Tax Law is amended by changing  
19 Section 8 as follows:

20 (35 ILCS 505/8) (from Ch. 120, par. 424)

21 Sec. 8. Except as provided in Section 8a, subdivision  
22 (h) (1) of Section 12a, Section 13a.6, and items 13, 14, 15, and  
23 16 of Section 15, all money received by the Department under  
24 this Act, including payments made to the Department by member

1 jurisdictions participating in the International Fuel Tax  
2 Agreement, shall be deposited in a special fund in the State  
3 treasury, to be known as the "Motor Fuel Tax Fund", and shall  
4 be used as follows:

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

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

13 (c) \$3,500,000 shall be transferred each month to the Grade  
14 Crossing Protection Fund to be used as follows: not less than  
15 \$12,000,000 each fiscal year shall be used for the construction  
16 or reconstruction of rail highway grade separation structures;  
17 \$2,250,000 in fiscal years 2004 through 2009 and \$3,000,000 in  
18 fiscal year 2010 and each fiscal year thereafter shall be  
19 transferred to the Transportation Regulatory Fund and shall be  
20 accounted for as part of the rail carrier portion of such funds  
21 and shall be used to pay the cost of administration of the  
22 Illinois Commerce Commission's railroad safety program in  
23 connection with its duties under subsection (3) of Section  
24 18c-7401 of the Illinois Vehicle Code, with the remainder to be  
25 used by the Department of Transportation upon order of the  
26 Illinois Commerce Commission, to pay that part of the cost

1 apportioned by such Commission to the State to cover the  
2 interest of the public in the use of highways, roads, streets,  
3 or pedestrian walkways in the county highway system, township  
4 and district road system, or municipal street system as defined  
5 in the Illinois Highway Code, as the same may from time to time  
6 be amended, for separation of grades, for installation,  
7 construction or reconstruction of crossing protection or  
8 reconstruction, alteration, relocation including construction  
9 or improvement of any existing highway necessary for access to  
10 property or improvement of any grade crossing and grade  
11 crossing surface including the necessary highway approaches  
12 thereto of any railroad across the highway or public road, or  
13 for the installation, construction, reconstruction, or  
14 maintenance of a pedestrian walkway over or under a railroad  
15 right-of-way, as provided for in and in accordance with Section  
16 18c-7401 of the Illinois Vehicle Code. The Commission may order  
17 up to \$2,000,000 per year in Grade Crossing Protection Fund  
18 moneys for the improvement of grade crossing surfaces and up to  
19 \$300,000 per year for the maintenance and renewal of 4-quadrant  
20 gate vehicle detection systems located at non-high speed rail  
21 grade crossings. The Commission shall not order more than  
22 \$2,000,000 per year in Grade Crossing Protection Fund moneys  
23 for pedestrian walkways. In entering orders for projects for  
24 which payments from the Grade Crossing Protection Fund will be  
25 made, the Commission shall account for expenditures authorized  
26 by the orders on a cash rather than an accrual basis. For

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

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

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

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

26 (3) refunds provided for in Section 13, refunds for

1 overpayment of decal fees paid under Section 13a.4 of this  
2 Act, and refunds provided for under the terms of the  
3 International Fuel Tax Agreement referenced in Section  
4 14a;

5 (4) from October 1, 1985 until June 30, 1994, the  
6 administration of the Vehicle Emissions Inspection Law,  
7 which amount shall be certified monthly by the  
8 Environmental Protection Agency to the State Comptroller  
9 and shall promptly be transferred by the State Comptroller  
10 and Treasurer from the Motor Fuel Tax Fund to the Vehicle  
11 Inspection Fund, and for the period July 1, 1994 through  
12 June 30, 2000, one-twelfth of \$25,000,000 each month, for  
13 the period July 1, 2000 through June 30, 2003, one-twelfth  
14 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,  
15 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each  
16 July 1 and October 1, or as soon thereafter as may be  
17 practical, during the period July 1, 2004 through June 30,  
18 2012 ~~2011~~, for the administration of the Vehicle Emissions  
19 Inspection Law of 2005, to be transferred by the State  
20 Comptroller and Treasurer from the Motor Fuel Tax Fund into  
21 the Vehicle Inspection Fund;

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

23 (6) payment of motor fuel use taxes due to member  
24 jurisdictions under the terms of the International Fuel Tax  
25 Agreement. The Department shall certify these amounts to  
26 the Comptroller by the 15th day of each month; the

1 Comptroller shall cause orders to be drawn for such  
2 amounts, and the Treasurer shall administer those amounts  
3 on or before the last day of each month;

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

7 (1) Until January 1, 2000, 58.4%, and beginning January  
8 1, 2000, 45.6% shall be deposited as follows:

9 (A) 37% into the State Construction Account Fund,  
10 and

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

16 (2) Until January 1, 2000, 41.6%, and beginning January  
17 1, 2000, 54.4% shall be transferred to the Department of  
18 Transportation to be distributed as follows:

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

20 (B) 16.74% to the counties of the State having  
21 1,000,000 or more inhabitants,

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

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

25 As soon as may be after the first day of each month the  
26 Department of Transportation shall allot to each municipality

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

21 As soon as may be after the first day of each month the  
22 Department of Transportation shall allot to each county its  
23 share of the amount apportioned to the several counties of the  
24 State as herein provided. Each allotment to the several  
25 counties having less than 1,000,000 inhabitants shall be in  
26 proportion to the amount of motor vehicle license fees received



1 from the residents of such counties, respectively, during the  
2 preceding calendar year. The Secretary of State shall, on or  
3 before April 15 of each year, transmit to the Department of  
4 Transportation a full and complete report showing the amount of  
5 motor vehicle license fees received from the residents of each  
6 county, respectively, during the preceding calendar year. The  
7 Department of Transportation shall, each month, use for  
8 allotment purposes the last such report received from the  
9 Secretary of State.

10 As soon as may be after the first day of each month, the  
11 Department of Transportation shall allot to the several  
12 counties their share of the amount apportioned for the use of  
13 road districts. The allotment shall be apportioned among the  
14 several counties in the State in the proportion which the total  
15 mileage of township or district roads in the respective  
16 counties bears to the total mileage of all township and  
17 district roads in the State. Funds allotted to the respective  
18 counties for the use of road districts therein shall be  
19 allocated to the several road districts in the county in the  
20 proportion which the total mileage of such township or district  
21 roads in the respective road districts bears to the total  
22 mileage of all such township or district roads in the county.  
23 After July 1 of any year prior to 2011, no allocation shall be  
24 made for any road district unless it levied a tax for road and  
25 bridge purposes in an amount which will require the extension  
26 of such tax against the taxable property in any such road

1 district at a rate of not less than either .08% of the value  
2 thereof, based upon the assessment for the year immediately  
3 prior to the year in which such tax was levied and as equalized  
4 by the Department of Revenue or, in DuPage County, an amount  
5 equal to or greater than \$12,000 per mile of road under the  
6 jurisdiction of the road district, whichever is less. Beginning  
7 July 1, 2011 and each July 1 thereafter, an allocation shall be  
8 made for any road district if it levied a tax for road and  
9 bridge purposes. In counties other than DuPage County, if the  
10 amount of the tax levy requires the extension of the tax  
11 against the taxable property in the road district at a rate  
12 that is less than 0.08% of the value thereof, based upon the  
13 assessment for the year immediately prior to the year in which  
14 the tax was levied and as equalized by the Department of  
15 Revenue, then the amount of the allocation for that road  
16 district shall be a percentage of the maximum allocation equal  
17 to the percentage obtained by dividing the rate extended by the  
18 district by 0.08%. In DuPage County, if the amount of the tax  
19 levy requires the extension of the tax against the taxable  
20 property in the road district at a rate that is less than the  
21 lesser of (i) 0.08% of the value of the taxable property in the  
22 road district, based upon the assessment for the year  
23 immediately prior to the year in which such tax was levied and  
24 as equalized by the Department of Revenue, or (ii) a rate that  
25 will yield an amount equal to \$12,000 per mile of road under  
26 the jurisdiction of the road district, then the amount of the

1 allocation for the road district shall be a percentage of the  
2 maximum allocation equal to the percentage obtained by dividing  
3 the rate extended by the district by the lesser of (i) 0.08% or  
4 (ii) the rate that will yield an amount equal to \$12,000 per  
5 mile of road under the jurisdiction of the road district.

6 Prior to 2011, if any road district has levied a special  
7 tax for road purposes pursuant to Sections 6-601, 6-602 and  
8 6-603 of the Illinois Highway Code, and such tax was levied in  
9 an amount which would require extension at a rate of not less  
10 than .08% of the value of the taxable property thereof, as  
11 equalized or assessed by the Department of Revenue, or, in  
12 DuPage County, an amount equal to or greater than \$12,000 per  
13 mile of road under the jurisdiction of the road district,  
14 whichever is less, such levy shall, however, be deemed a proper  
15 compliance with this Section and shall qualify such road  
16 district for an allotment under this Section. Beginning in 2011  
17 and thereafter, if any road district has levied a special tax  
18 for road purposes under Sections 6-601, 6-602, and 6-603 of the  
19 Illinois Highway Code, and the tax was levied in an amount that  
20 would require extension at a rate of not less than 0.08% of the  
21 value of the taxable property of that road district, as  
22 equalized or assessed by the Department of Revenue or, in  
23 DuPage County, an amount equal to or greater than \$12,000 per  
24 mile of road under the jurisdiction of the road district,  
25 whichever is less, that levy shall be deemed a proper  
26 compliance with this Section and shall qualify such road

1 district for a full, rather than proportionate, allotment under  
2 this Section. If the levy for the special tax is less than  
3 0.08% of the value of the taxable property, or, in DuPage  
4 County if the levy for the special tax is less than the lesser  
5 of (i) 0.08% or (ii) \$12,000 per mile of road under the  
6 jurisdiction of the road district, and if the levy for the  
7 special tax is more than any other levy for road and bridge  
8 purposes, then the levy for the special tax qualifies the road  
9 district for a proportionate, rather than full, allotment under  
10 this Section. If the levy for the special tax is equal to or  
11 less than any other levy for road and bridge purposes, then any  
12 allotment under this Section shall be determined by the other  
13 levy for road and bridge purposes.

14 Prior to 2011, if a township has transferred to the road  
15 and bridge fund money which, when added to the amount of any  
16 tax levy of the road district would be the equivalent of a tax  
17 levy requiring extension at a rate of at least .08%, or, in  
18 DuPage County, an amount equal to or greater than \$12,000 per  
19 mile of road under the jurisdiction of the road district,  
20 whichever is less, such transfer, together with any such tax  
21 levy, shall be deemed a proper compliance with this Section and  
22 shall qualify the road district for an allotment under this  
23 Section.

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

1 allotment or, beginning in 2011, their entitlement to a full  
2 allotment if, at the time the property tax extension limitation  
3 was imposed, the road district was levying a road and bridge  
4 tax at a rate sufficient to entitle it to a motor fuel tax  
5 allotment and continues to levy the maximum allowable amount  
6 after the imposition of the property tax extension limitation.  
7 Any road district may in all circumstances retain its  
8 entitlement to a motor fuel tax allotment or, beginning in  
9 2011, its entitlement to a full allotment if it levied a road  
10 and bridge tax in an amount that will require the extension of  
11 the tax against the taxable property in the road district at a  
12 rate of not less than 0.08% of the assessed value of the  
13 property, based upon the assessment for the year immediately  
14 preceding the year in which the tax was levied and as equalized  
15 by the Department of Revenue or, in DuPage County, an amount  
16 equal to or greater than \$12,000 per mile of road under the  
17 jurisdiction of the road district, whichever is less.

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

1 and district roads for the purposes of making allotments and  
2 allocations of motor fuel tax funds 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. 95-744, eff. 7-18-08; 96-34, eff. 7-13-09; 96-45,  
10 eff. 7-15-09; 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10;  
11 96-1024, eff. 7-12-10; 96-1384, eff. 7-29-10; revised 9-2-10.)

12 Section 5-25. The School Code is amended by adding Section  
13 2-3.153 as follows:

14 (105 ILCS 5/2-3.153 new)

15 Sec. 2-3.153. Low Performing Schools Intervention Program.  
16 From any funds appropriated to the State Board of Education for  
17 the purposes of intervening in low performing schools, the  
18 State Superintendent may, in his or her discretion, select  
19 school districts and schools in which to directly or indirectly  
20 intervene; provided however that such school districts and  
21 schools are within the lowest 5% in terms of performance in the  
22 State as determined by the State Superintendent. Intervention  
23 may take the form of a needs assessment or additional, more  
24 intensive intervention, as determined by the State

1 Superintendent. Expenditures from funds appropriated for this  
2 purpose may include, without limitation, contracts, grants and  
3 travel to support the intervention.

4 Article 10. PENSION CONTRIBUTIONS

5 Section 10-5. The State Finance Act is amended by changing  
6 Section 8.12 as follows:

7 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

8 Sec. 8.12. State Pensions Fund.

9 (a) The moneys in the State Pensions Fund shall be used  
10 exclusively for the administration of the Uniform Disposition  
11 of Unclaimed Property Act and for the funding of the unfunded  
12 liabilities of the designated retirement systems. Payments to  
13 the designated retirement systems under this Section shall be  
14 in addition to, and not in lieu of, any State contributions  
15 required under the Illinois Pension Code.

16 "Designated retirement systems" means:

17 (1) the State Employees' Retirement System of  
18 Illinois;

19 (2) the Teachers' Retirement System of the State of  
20 Illinois;

21 (3) the State Universities Retirement System;

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

23 (5) the General Assembly Retirement System.

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

4           Each month, the Commissioner of the Office of Banks and  
5 Real Estate shall certify to the State Treasurer the actual  
6 expenditures that the Office of Banks and Real Estate incurred  
7 conducting unclaimed property examinations under the Uniform  
8 Disposition of Unclaimed Property Act during the immediately  
9 preceding month. Within a reasonable time following the  
10 acceptance of such certification by the State Treasurer, the  
11 State Treasurer shall pay from its appropriation from the State  
12 Pensions Fund to the Bank and Trust Company Fund and the  
13 Savings and Residential Finance Regulatory Fund an amount equal  
14 to the expenditures incurred by each Fund for that month.

15           Each month, the Director of Financial Institutions shall  
16 certify to the State Treasurer the actual expenditures that the  
17 Department of Financial Institutions incurred conducting  
18 unclaimed property examinations under the Uniform Disposition  
19 of Unclaimed Property Act during the immediately preceding  
20 month. Within a reasonable time following the acceptance of  
21 such certification by the State Treasurer, the State Treasurer  
22 shall pay from its appropriation from the State Pensions Fund  
23 to the Financial Institutions Fund and the Credit Union Fund an  
24 amount equal to the expenditures incurred by each Fund for that  
25 month.

26           (c) As soon as possible after the effective date of this



1 amendatory Act of the 93rd General Assembly, the General  
2 Assembly shall appropriate from the State Pensions Fund (1) to  
3 the State Universities Retirement System the amount certified  
4 under Section 15-165 during the prior year, (2) to the Judges  
5 Retirement System of Illinois the amount certified under  
6 Section 18-140 during the prior year, and (3) to the General  
7 Assembly Retirement System the amount certified under Section  
8 2-134 during the prior year as part of the required State  
9 contributions to each of those designated retirement systems;  
10 except that amounts appropriated under this subsection (c) in  
11 State fiscal year 2005 shall not reduce the amount in the State  
12 Pensions Fund below \$5,000,000. If the amount in the State  
13 Pensions Fund does not exceed the sum of the amounts certified  
14 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,  
15 the amount paid to each designated retirement system under this  
16 subsection shall be reduced in proportion to the amount  
17 certified by each of those designated retirement systems.

18 (c-5) For fiscal years 2006 through 2012, ~~2007, 2008, 2009,~~  
19 ~~2010, and 2011~~ the General Assembly shall appropriate from the  
20 State Pensions Fund to the State Universities Retirement System  
21 the amount estimated to be available during the fiscal year in  
22 the State Pensions Fund; provided, however, that the amounts  
23 appropriated under this subsection (c-5) shall not reduce the  
24 amount in the State Pensions Fund below \$5,000,000.

25 (c-6) For fiscal year 2013 ~~2012~~ and each fiscal year  
26 thereafter, as soon as may be practical after any money is

1 deposited into the State Pensions Fund from the Unclaimed  
2 Property Trust Fund, the State Treasurer shall apportion the  
3 deposited amount among the designated retirement systems as  
4 defined in subsection (a) to reduce their actuarial reserve  
5 deficiencies. The State Comptroller and State Treasurer shall  
6 pay the apportioned amounts to the designated retirement  
7 systems to fund the unfunded liabilities of the designated  
8 retirement systems. The amount apportioned to each designated  
9 retirement system shall constitute a portion of the amount  
10 estimated to be available for appropriation from the State  
11 Pensions Fund that is the same as that retirement system's  
12 portion of the total actual reserve deficiency of the systems,  
13 as determined annually by the Governor's Office of Management  
14 and Budget at the request of the State Treasurer. The amounts  
15 apportioned under this subsection shall not reduce the amount  
16 in the State Pensions Fund below \$5,000,000.

17 (d) The Governor's Office of Management and Budget shall  
18 determine the individual and total reserve deficiencies of the  
19 designated retirement systems. For this purpose, the  
20 Governor's Office of Management and Budget shall utilize the  
21 latest available audit and actuarial reports of each of the  
22 retirement systems and the relevant reports and statistics of  
23 the Public Employee Pension Fund Division of the Department of  
24 Insurance.

25 (d-1) As soon as practicable after the effective date of  
26 this amendatory Act of the 93rd General Assembly, the

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

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

20 (Source: P.A. 95-950, eff. 8-29-08; 96-959, eff. 7-1-10.)

21 Article 15. ADDITIONAL AMENDATORY PROVISIONS

22 Section 15-5. The Renewable Energy, Energy Efficiency, and  
23 Coal Resources Development Law of 1997 is amended by changing  
24 Section 6-5.5 as follows:

1 (20 ILCS 687/6-5.5)

2 (Section scheduled to be repealed on December 12, 2015)

3 Sec. 6-5.5. Renewable energy grants.

4 (a) Subject to appropriation, the Department shall ~~may~~  
5 establish and operate a renewable energy grant program to  
6 assist public schools and community colleges with engineering  
7 studies and feasibility studies and in training green economy  
8 technology and in the installation, acquisition, construction,  
9 and improvement of renewable energy resources, including  
10 without limitation smart grid technology, solar energy (such as  
11 solar panels), geothermal energy, and wind energy.

12 (b) Application for a grant under this Section must be in  
13 the form and manner established by the Department. The schools  
14 and community colleges may accept private funds for their  
15 portion of the cost.

16 (c) The Department may adopt any rules that are necessary  
17 to carry out its responsibilities under this Section.

18 (Source: P.A. 95-46, eff. 8-10-07; 96-725, eff. 8-25-09.)

19 Section 15-25. The State Finance Act is amended by changing  
20 Section 14.1 as follows:

21 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

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

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

20           (a-1) Beginning on the effective date of this amendatory  
21 Act of the 93rd General Assembly through the payment of the  
22 final payroll from fiscal year 2004 appropriations,  
23 appropriations for State contributions to the State Employees'  
24 Retirement System of Illinois shall be expended in the manner  
25 provided in this subsection (a-1). At the time of each payment  
26 of salary to an employee under the personal services line item

1 from a fund other than the General Revenue Fund, payment shall  
2 be made for deposit into the General Revenue Fund from the  
3 amount appropriated for State contributions to the State  
4 Employees' Retirement System of an amount calculated at the  
5 rate certified for fiscal year 2004 by the Board of Trustees of  
6 the State Employees' Retirement System under Section 14-135.08  
7 of the Illinois Pension Code. This payment shall be made to the  
8 extent that a line item appropriation to an employer for this  
9 purpose is available or unexhausted. No payment from  
10 appropriations for State contributions shall be made in  
11 conjunction with payment of salary to an employee under the  
12 personal services line item from the General Revenue Fund.

13 (a-2) For fiscal year 2010 only, at the time of each  
14 payment of salary to an employee under the personal services  
15 line item from a fund other than the General Revenue Fund,  
16 payment shall be made for deposit into the State Employees'  
17 Retirement System of Illinois from the amount appropriated for  
18 State contributions to the State Employees' Retirement System  
19 of Illinois of an amount calculated at the rate certified for  
20 fiscal year 2010 by the Board of Trustees of the State  
21 Employees' Retirement System of Illinois under Section  
22 14-135.08 of the Illinois Pension Code. This payment shall be  
23 made to the extent that a line item appropriation to an  
24 employer for this purpose is available or unexhausted. For  
25 fiscal year 2010 only, no payment from appropriations for State  
26 contributions shall be made in conjunction with payment of

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

3 (a-3) For fiscal year 2011 only, at the time of each  
4 payment of salary to an employee under the personal services  
5 line item from a fund other than the General Revenue Fund,  
6 payment shall be made for deposit into the State Employees'  
7 Retirement System of Illinois from the amount appropriated for  
8 State contributions to the State Employees' Retirement System  
9 of Illinois of an amount calculated at the rate certified for  
10 fiscal year 2011 by the Board of Trustees of the State  
11 Employees' Retirement System of Illinois under Section  
12 14-135.08 of the Illinois Pension Code. This payment shall be  
13 made to the extent that a line item appropriation to an  
14 employer for this purpose is available or unexhausted. For  
15 fiscal year 2011 only, no payment from appropriations for State  
16 contributions shall be made in conjunction with payment of  
17 salary to an employee under the personal services line item  
18 from the General Revenue Fund.

19 (a-4) In fiscal year 2012 only, at the time of each payment  
20 of salary to an employee under the personal services line item  
21 from a fund other than the General Revenue Fund, payment shall  
22 be made for deposit into the State Employees' Retirement System  
23 of Illinois from the amount appropriated for State  
24 contributions to the State Employees' Retirement System of  
25 Illinois of an amount calculated at the rate certified for the  
26 applicable fiscal year by the Board of Trustees of the State

1 Employees' Retirement System of Illinois under Section  
2 14-135.08 of the Illinois Pension Code. In fiscal year 2012  
3 only, no payment from appropriations for State contributions  
4 shall be made in conjunction with payment of salary to an  
5 employee under the personal services line item from the General  
6 Revenue Fund.

7 (b) Except during the period beginning on the effective  
8 date of this amendatory Act of the 93rd General Assembly and  
9 ending at the time of the payment of the final payroll from  
10 fiscal year 2004 appropriations, the State Comptroller shall  
11 not approve for payment any payroll voucher that (1) includes  
12 payments of salary to eligible employees in the State  
13 Employees' Retirement System of Illinois and (2) does not  
14 include the corresponding payment of State contributions to  
15 that retirement system at the full rate certified under Section  
16 14-135.08 for that fiscal year for eligible employees, unless  
17 the balance in the fund on which the payroll voucher is drawn  
18 is insufficient to pay the total payroll voucher, or  
19 unavailable due to any limitation on appropriations that may  
20 apply, including, but not limited to, limitations on  
21 appropriations from the Road Fund under Section 8.3 of the  
22 State Finance Act. If the State Comptroller approves a payroll  
23 voucher under this Section for which the fund balance is  
24 insufficient to pay the full amount of the required State  
25 contribution to the State Employees' Retirement System, the  
26 Comptroller shall promptly so notify the Retirement System.



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

19 (c) Notwithstanding any other provisions of law, beginning  
20 July 1, 2007, required State and employee contributions to the  
21 State Employees' Retirement System of Illinois relating to  
22 affected legislative staff employees shall be paid out of  
23 moneys appropriated for that purpose to the Commission on  
24 Government Forecasting and Accountability, rather than out of  
25 the lump-sum appropriations otherwise made for the payroll and  
26 other costs of those employees.

1           These payments must be made pursuant to payroll vouchers  
2 submitted by the employing entity as part of the regular  
3 payroll voucher process.

4           For the purpose of this subsection, "affected legislative  
5 staff employees" means legislative staff employees paid out of  
6 lump-sum appropriations made to the General Assembly, an  
7 Officer of the General Assembly, or the Senate Operations  
8 Commission, but does not include district-office staff or  
9 employees of legislative support services agencies.

10          (Source: P.A. 95-707, eff. 1-11-08; 96-45, eff. 7-15-09;  
11 96-958, eff. 7-1-10; 96-1497, eff. 1-14-11.)

12           Section 15-30. The State Prompt Payment Act is amended by  
13 changing Section 3-2 as follows:

14           (30 ILCS 540/3-2)

15           Sec. 3-2. Beginning July 1, 1993, in any instance where a  
16 State official or agency is late in payment of a vendor's bill  
17 or invoice for goods or services furnished to the State, as  
18 defined in Section 1, properly approved in accordance with  
19 rules promulgated under Section 3-3, the State official or  
20 agency shall pay interest to the vendor in accordance with the  
21 following:

22           (1) Any bill, except a bill submitted under Article V  
23 of the Illinois Public Aid Code and except as provided  
24 under paragraph (1.05), approved for payment under this

1 Section must be paid or the payment issued to the payee  
2 within 60 days of receipt of a proper bill or invoice. If  
3 payment is not issued to the payee within this 60-day ~~60~~  
4 ~~day~~ period, an interest penalty of 1.0% of any amount  
5 approved and unpaid shall be added for each month or  
6 fraction thereof after the end of this 60-day ~~60-day~~  
7 period, until final payment is made. Any bill, except a  
8 bill for pharmacy or nursing facility services or goods,  
9 and except as provided under paragraph 1.05 of this  
10 Section, submitted under Article V of the Illinois Public  
11 Aid Code approved for payment under this Section must be  
12 paid or the payment issued to the payee within 60 days  
13 after receipt of a proper bill or invoice, and, if payment  
14 is not issued to the payee within this 60-day period, an  
15 interest penalty of 2.0% of any amount approved and unpaid  
16 shall be added for each month or fraction thereof after the  
17 end of this 60-day period, until final payment is made. Any  
18 bill for pharmacy or nursing facility services or goods  
19 submitted under Article V of the Illinois Public Aid Code,  
20 except as provided under paragraph (1.05) of this Section,  
21 approved for payment under this Section must be paid or the  
22 payment issued to the payee within 60 days of receipt of a  
23 proper bill or invoice. If payment is not issued to the  
24 payee within this 60-day ~~60-day~~ period, an interest penalty  
25 of 1.0% of any amount approved and unpaid shall be added  
26 for each month or fraction thereof after the end of this

1           60-day ~~60-day~~ period, until final payment is made.

2           (1.05) For State fiscal year 2012 and future fiscal  
3           years, any bill approved for payment under this Section  
4           must be paid or the payment issued to the payee within 90  
5           days of receipt of a proper bill or invoice. If payment is  
6           not issued to the payee within this 90-day period, an  
7           interest penalty of 1.0% of any amount approved and unpaid  
8           shall be added for each month or fraction thereof after the  
9           end of this 90-day period, until final payment is made.

10           (1.1) A State agency shall review in a timely manner  
11           each bill or invoice after its receipt. If the State agency  
12           determines that the bill or invoice contains a defect  
13           making it unable to process the payment request, the agency  
14           shall notify the vendor requesting payment as soon as  
15           possible after discovering the defect pursuant to rules  
16           promulgated under Section 3-3; provided, however, that the  
17           notice for construction related bills or invoices must be  
18           given not later than 30 days after the bill or invoice was  
19           first submitted. The notice shall identify the defect and  
20           any additional information necessary to correct the  
21           defect. If one or more items on a construction related bill  
22           or invoice are disapproved, but not the entire bill or  
23           invoice, then the portion that is not disapproved shall be  
24           paid.

25           (2) Where a State official or agency is late in payment  
26           of a vendor's bill or invoice properly approved in

1           accordance with this Act, and different late payment terms  
2           are not reduced to writing as a contractual agreement, the  
3           State official or agency shall automatically pay interest  
4           penalties required by this Section amounting to \$50 or more  
5           to the appropriate vendor. Each agency shall be responsible  
6           for determining whether an interest penalty is owed and for  
7           paying the interest to the vendor. Interest due to a vendor  
8           that amounts to less than \$50 shall not be paid but shall  
9           be accrued until all interest due the vendor for all  
10          similar warrants exceeds \$50, at which time the accrued  
11          interest shall be payable and interest will begin accruing  
12          again, except that interest accrued as of the end of the  
13          fiscal year that does not exceed \$50 shall be payable at  
14          that time. In the event an individual has paid a vendor for  
15          services in advance, the provisions of this Section shall  
16          apply until payment is made to that individual.

17                (3) The provisions of Public Act 96-1501 ~~this~~  
18          ~~amendatory Act of the 96th General Assembly~~ reducing the  
19          interest rate on pharmacy claims under Article V of the  
20          Illinois Public Aid Code to 1.0% per month shall apply to  
21          any pharmacy bills for services and goods under Article V  
22          of the Illinois Public Aid Code received on or after the  
23          date 60 days before January 25, 2011 (the effective date of  
24          Public Act 96-1501) except as provided under paragraph  
25          (1.05) of this Section ~~this amendatory Act of the 96th~~  
26          ~~General Assembly.~~

1 (Source: P.A. 96-555, eff. 8-18-09; 96-802, eff. 1-1-10;  
2 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1501, eff.  
3 1-25-11; 96-1530, eff. 2-16-11; revised 2-22-11.)"; and

4 Section 15-35. The Illinois Income Tax Act is amended by  
5 changing Section 901 as follows:

6 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

7 Sec. 901. Collection Authority.

8 (a) In general.

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

1 Services.

2 (b) Local Government Distributive Fund.

3 Beginning August 1, 1969, and continuing through June 30,  
4 1994, the Treasurer shall transfer each month from the General  
5 Revenue Fund to a special fund in the State treasury, to be  
6 known as the "Local Government Distributive Fund", an amount  
7 equal to 1/12 of the net revenue realized from the tax imposed  
8 by subsections (a) and (b) of Section 201 of this Act during  
9 the preceding month. Beginning July 1, 1994, and continuing  
10 through June 30, 1995, the Treasurer shall transfer each month  
11 from the General Revenue Fund to the Local Government  
12 Distributive Fund an amount equal to 1/11 of the net revenue  
13 realized from the tax imposed by subsections (a) and (b) of  
14 Section 201 of this Act during the preceding month. Beginning  
15 July 1, 1995 and continuing through January 31, 2011, the  
16 Treasurer shall transfer each month from the General Revenue  
17 Fund to the Local Government Distributive Fund an amount equal  
18 to the net of (i) 1/10 of the net revenue realized from the tax  
19 imposed by subsections (a) and (b) of Section 201 of the  
20 Illinois Income Tax Act during the preceding month (ii) minus,  
21 beginning July 1, 2003 and ending June 30, 2004, \$6,666,666,  
22 and beginning July 1, 2004, zero. Beginning February 1, 2011,  
23 and continuing through January 31, 2015, the Treasurer shall  
24 transfer each month from the General Revenue Fund to the Local  
25 Government Distributive Fund an amount equal to the sum of (i)  
26 6% (10% of the ratio of the 3% individual income tax rate prior

1 to 2011 to the 5% individual income tax rate after 2010) of the  
2 net revenue realized from the tax imposed by subsections (a)  
3 and (b) of Section 201 of this Act upon individuals, trusts,  
4 and estates during the preceding month and (ii) 6.86% (10% of  
5 the ratio of the 4.8% corporate income tax rate prior to 2011  
6 to the 7% corporate income tax rate after 2010) of the net  
7 revenue realized from the tax imposed by subsections (a) and  
8 (b) of Section 201 of this Act upon corporations during the  
9 preceding month. Beginning February 1, 2015 and continuing  
10 through January 31, 2025, the Treasurer shall transfer each  
11 month from the General Revenue Fund to the Local Government  
12 Distributive Fund an amount equal to the sum of (i) 8% (10% of  
13 the ratio of the 3% individual income tax rate prior to 2011 to  
14 the 3.75% individual income tax rate after 2014) of the net  
15 revenue realized from the tax imposed by subsections (a) and  
16 (b) of Section 201 of this Act upon individuals, trusts, and  
17 estates during the preceding month and (ii) 9.14% (10% of the  
18 ratio of the 4.8% corporate income tax rate prior to 2011 to  
19 the 5.25% corporate income tax rate after 2014) of the net  
20 revenue realized from the tax imposed by subsections (a) and  
21 (b) of Section 201 of this Act upon corporations during the  
22 preceding month. Beginning February 1, 2025, the Treasurer  
23 shall transfer each month from the General Revenue Fund to the  
24 Local Government Distributive Fund an amount equal to the sum  
25 of (i) 9.23% (10% of the ratio of the 3% individual income tax  
26 rate prior to 2011 to the 3.25% individual income tax rate



1 after 2024) of the net revenue realized from the tax imposed by  
2 subsections (a) and (b) of Section 201 of this Act upon  
3 individuals, trusts, and estates during the preceding month and  
4 (ii) 10% of the net revenue realized from the tax imposed by  
5 subsections (a) and (b) of Section 201 of this Act upon  
6 corporations during the preceding month. Net revenue realized  
7 for a month shall be defined as the revenue from the tax  
8 imposed by subsections (a) and (b) of Section 201 of this Act  
9 which is deposited in the General Revenue Fund, the Education  
10 Assistance Fund, the Income Tax Surcharge Local Government  
11 Distributive Fund, the Fund for the Advancement of Education,  
12 and the Commitment to Human Services Fund during the month  
13 minus the amount paid out of the General Revenue Fund in State  
14 warrants during that same month as refunds to taxpayers for  
15 overpayment of liability under the tax imposed by subsections  
16 (a) and (b) of Section 201 of this Act.

17 (c) Deposits Into Income Tax Refund Fund.

18 (1) Beginning on January 1, 1989 and thereafter, the  
19 Department shall deposit a percentage of the amounts  
20 collected pursuant to subsections (a) and (b)(1), (2), and  
21 (3), of Section 201 of this Act into a fund in the State  
22 treasury known as the Income Tax Refund Fund. The  
23 Department shall deposit 6% of such amounts during the  
24 period beginning January 1, 1989 and ending on June 30,  
25 1989. Beginning with State fiscal year 1990 and for each  
26 fiscal year thereafter, the percentage deposited into the

1           Income Tax Refund Fund during a fiscal year shall be the  
2           Annual Percentage. For fiscal years 1999 through 2001, the  
3           Annual Percentage shall be 7.1%. For fiscal year 2003, the  
4           Annual Percentage shall be 8%. For fiscal year 2004, the  
5           Annual Percentage shall be 11.7%. Upon the effective date  
6           of this amendatory Act of the 93rd General Assembly, the  
7           Annual Percentage shall be 10% for fiscal year 2005. For  
8           fiscal year 2006, the Annual Percentage shall be 9.75%. For  
9           fiscal year 2007, the Annual Percentage shall be 9.75%. For  
10          fiscal year 2008, the Annual Percentage shall be 7.75%. For  
11          fiscal year 2009, the Annual Percentage shall be 9.75%. For  
12          fiscal year 2010, the Annual Percentage shall be 9.75%. For  
13          fiscal year 2011, the Annual Percentage shall be 8.75%. For  
14          fiscal year 2012, the Annual Percentage shall be 8.75%. 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 fiscal year 2010, the Annual Percentage shall be 17.5%. For  
2 fiscal year 2011, the Annual Percentage shall be 17.5%. For  
3 fiscal year 2012, the Annual Percentage shall be 17.5%. For  
4 all other fiscal years, the Annual Percentage shall be  
5 calculated as a fraction, the numerator of which shall be  
6 the amount of refunds approved for payment by the  
7 Department during the preceding fiscal year as a result of  
8 overpayment of tax liability under subsections (a) and  
9 (b) (6), (7), and (8), (c) and (d) of Section 201 of this  
10 Act plus the amount of such refunds remaining approved but  
11 unpaid at the end of the preceding fiscal year, and the  
12 denominator of which shall be the amounts which will be  
13 collected pursuant to subsections (a) and (b) (6), (7), and  
14 (8), (c) and (d) of Section 201 of this Act during the  
15 preceding fiscal year; except that in State fiscal year  
16 2002, the Annual Percentage shall in no event exceed 23%.  
17 The Director of Revenue shall certify the Annual Percentage  
18 to the Comptroller on the last business day of the fiscal  
19 year immediately preceding the fiscal year for which it is  
20 to be effective.

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

26 (d) Expenditures from Income Tax Refund Fund.

1           (1) Beginning January 1, 1989, money in the Income Tax  
2 Refund Fund shall be expended exclusively for the purpose  
3 of paying refunds resulting from overpayment of tax  
4 liability under Section 201 of this Act, for paying rebates  
5 under Section 208.1 in the event that the amounts in the  
6 Homeowners' Tax Relief Fund are insufficient for that  
7 purpose, and for making transfers pursuant to this  
8 subsection (d).

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

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

1 Refund Fund during the fiscal year.

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

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

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

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

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

24           (f) Deposits into the Fund for the Advancement of  
25 Education. Beginning February 1, 2015, the Department shall  
26 deposit the following portions of the revenue realized from the

1 tax imposed upon individuals, trusts, and estates by  
2 subsections (a) and (b) of Section 201 of this Act during the  
3 preceding month, minus deposits into the Income Tax Refund  
4 Fund, into the Fund for the Advancement of Education:

5 (1) beginning February 1, 2015, and prior to February  
6 1, 2025, 1/30; and

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

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

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

19 (1) beginning February 1, 2015, and prior to February  
20 1, 2025, 1/30; and

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

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

26 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;



1 96-45, eff. 7-15-09; 96-328, eff. 8-11-09; 96-959, eff. 7-1-10;  
2 96-1496, eff. 1-13-11.)

3 Section 15-40. The Illinois Pension Code is amended by  
4 changing Section 14-131 as follows:

5 (40 ILCS 5/14-131)

6 Sec. 14-131. Contributions by State.

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

14 For the purposes of this Section and Section 14-135.08,  
15 references to State contributions refer only to employer  
16 contributions and do not include employee contributions that  
17 are picked up or otherwise paid by the State or a department on  
18 behalf of the employee.

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

23 The Board shall also determine a State contribution rate  
24 for each fiscal year, expressed as a percentage of payroll,

1 based on the total required State contribution for that fiscal  
2 year (less the amount received by the System from  
3 appropriations under Section 8.12 of the State Finance Act and  
4 Section 1 of the State Pension Funds Continuing Appropriation  
5 Act, if any, for the fiscal year ending on the June 30  
6 immediately preceding the applicable November 15 certification  
7 deadline), the estimated payroll (including all forms of  
8 compensation) for personal services rendered by eligible  
9 employees, and the recommendations of the actuary.

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

17 (c) Contributions shall be made by the several departments  
18 for each pay period by warrants drawn by the State Comptroller  
19 against their respective funds or appropriations based upon  
20 vouchers stating the amount to be so contributed. These amounts  
21 shall be based on the full rate certified by the Board under  
22 Section 14-135.08 for that fiscal year. From the effective date  
23 of this amendatory Act of the 93rd General Assembly through the  
24 payment of the final payroll from fiscal year 2004  
25 appropriations, the several departments shall not make  
26 contributions for the remainder of fiscal year 2004 but shall

1 instead make payments as required under subsection (a-1) of  
2 Section 14.1 of the State Finance Act. The several departments  
3 shall resume those contributions at the commencement of fiscal  
4 year 2005.

5 (c-1) Notwithstanding subsection (c) of this Section, for  
6 fiscal years ~~year~~ 2010 and 2012 only, contributions by the  
7 several departments are not required to be made for General  
8 Revenue Funds payrolls processed by the Comptroller. Payrolls  
9 paid by the several departments from all other State funds must  
10 continue to be processed pursuant to subsection (c) of this  
11 Section.

12 (c-2) For State fiscal years ~~year~~ 2010 and 2012 only, on or  
13 as soon as possible after the 15th day of each month, the Board  
14 shall submit vouchers for payment of State contributions to the  
15 System, in a total monthly amount of one-twelfth of the fiscal  
16 year ~~2010~~ General Revenue Fund contribution as certified by  
17 ~~appropriation to~~ the System pursuant to Section 14-135.08 of  
18 the Illinois Pension Code.

19 (d) If an employee is paid from trust funds or federal  
20 funds, the department or other employer shall pay employer  
21 contributions from those funds to the System at the certified  
22 rate, unless the terms of the trust or the federal-State  
23 agreement preclude the use of the funds for that purpose, in  
24 which case the required employer contributions shall be paid by  
25 the State. From the effective date of this amendatory Act of  
26 the 93rd General Assembly through the payment of the final

1 payroll from fiscal year 2004 appropriations, the department or  
2 other employer shall not pay contributions for the remainder of  
3 fiscal year 2004 but shall instead make payments as required  
4 under subsection (a-1) of Section 14.1 of the State Finance  
5 Act. The department or other employer shall resume payment of  
6 contributions at the commencement of fiscal year 2005.

7 (e) For State fiscal years 2012 through 2045, the minimum  
8 contribution to the System to be made by the State for each  
9 fiscal year shall be an amount determined by the System to be  
10 sufficient to bring the total assets of the System up to 90% of  
11 the total actuarial liabilities of the System by the end of  
12 State fiscal year 2045. In making these determinations, the  
13 required State contribution shall be calculated each year as a  
14 level percentage of payroll over the years remaining to and  
15 including fiscal year 2045 and shall be determined under the  
16 projected unit credit actuarial cost method.

17 For State fiscal years 1996 through 2005, the State  
18 contribution to the System, as a percentage of the applicable  
19 employee payroll, shall be increased in equal annual increments  
20 so that by State fiscal year 2011, the State is contributing at  
21 the rate required under this Section; except that (i) for State  
22 fiscal year 1998, for all purposes of this Code and any other  
23 law of this State, the certified percentage of the applicable  
24 employee payroll shall be 5.052% for employees earning eligible  
25 creditable service under Section 14-110 and 6.500% for all  
26 other employees, notwithstanding any contrary certification

1 made under Section 14-135.08 before the effective date of this  
2 amendatory Act of 1997, and (ii) in the following specified  
3 State fiscal years, the State contribution to the System shall  
4 not be less than the following indicated percentages of the  
5 applicable employee payroll, even if the indicated percentage  
6 will produce a State contribution in excess of the amount  
7 otherwise required under this subsection and subsection (a):  
8 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY  
9 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

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

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

16 For each of State fiscal years 2008 through 2009, the State  
17 contribution to the System, as a percentage of the applicable  
18 employee payroll, shall be increased in equal annual increments  
19 from the required State contribution for State fiscal year  
20 2007, so that by State fiscal year 2011, the State is  
21 contributing at the rate otherwise required under this Section.

22 Notwithstanding any other provision of this Article, the  
23 total required State General Revenue Fund contribution for  
24 State fiscal year 2010 is \$723,703,100 and shall be made from  
25 the proceeds of bonds sold in fiscal year 2010 pursuant to  
26 Section 7.2 of the General Obligation Bond Act, less (i) the

1 pro rata share of bond sale expenses determined by the System's  
2 share of total bond proceeds, (ii) any amounts received from  
3 the General Revenue Fund in fiscal year 2010, and (iii) any  
4 reduction in bond proceeds due to the issuance of discounted  
5 bonds, if applicable.

6 Notwithstanding any other provision of this Article, the  
7 total required State General Revenue Fund contribution for  
8 State fiscal year 2011 is the amount recertified by the System  
9 on or before April 1, 2011 pursuant to Section 14-135.08 and  
10 shall be made from the proceeds of bonds sold in fiscal year  
11 2011 pursuant to Section 7.2 of the General Obligation Bond  
12 Act, less (i) the pro rata share of bond sale expenses  
13 determined by the System's share of total bond proceeds, (ii)  
14 any amounts received from the General Revenue Fund in fiscal  
15 year 2011, and (iii) any reduction in bond proceeds due to the  
16 issuance of discounted bonds, if applicable.

17 Beginning in State fiscal year 2046, the minimum State  
18 contribution for each fiscal year shall be the amount needed to  
19 maintain the total assets of the System at 90% of the total  
20 actuarial liabilities of the System.

21 Amounts received by the System pursuant to Section 25 of  
22 the Budget Stabilization Act or Section 8.12 of the State  
23 Finance Act in any fiscal year do not reduce and do not  
24 constitute payment of any portion of the minimum State  
25 contribution required under this Article in that fiscal year.  
26 Such amounts shall not reduce, and shall not be included in the

1 calculation of, the required State contributions under this  
2 Article in any future year until the System has reached a  
3 funding ratio of at least 90%. A reference in this Article to  
4 the "required State contribution" or any substantially similar  
5 term does not include or apply to any amounts payable to the  
6 System under Section 25 of the Budget Stabilization Act.

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

1 total debt service payments for fiscal year 2007 on the bonds  
2 issued in fiscal year 2003 for the purposes of Section 7.2 of  
3 the General Obligation Bond Act, so that, by State fiscal year  
4 2011, the State is contributing at the rate otherwise required  
5 under this Section.

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



1 Fiscal Year 2004 Overpayment shall be repaid by the System to  
2 the Pension Contribution Fund as soon as practicable after the  
3 certification.

4 (g) For purposes of determining the required State  
5 contribution to the System, the value of the System's assets  
6 shall be equal to the actuarial value of the System's assets,  
7 which shall be calculated as follows:

8 As of June 30, 2008, the actuarial value of the System's  
9 assets shall be equal to the market value of the assets as of  
10 that date. In determining the actuarial value of the System's  
11 assets for fiscal years after June 30, 2008, any actuarial  
12 gains or losses from investment return incurred in a fiscal  
13 year shall be recognized in equal annual amounts over the  
14 5-year period following that fiscal year.

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

19 (i) After the submission of all payments for eligible  
20 employees from personal services line items paid from the  
21 General Revenue Fund in fiscal year 2010 have been made, the  
22 Comptroller shall provide to the System a certification of the  
23 sum of all fiscal year 2010 expenditures for personal services  
24 that would have been covered by payments to the System under  
25 this Section if the provisions of this amendatory Act of the  
26 96th General Assembly had not been enacted. Upon receipt of the

1 certification, the System shall determine the amount due to the  
2 System based on the full rate certified by the Board under  
3 Section 14-135.08 for fiscal year 2010 in order to meet the  
4 State's obligation under this Section. The System shall compare  
5 this amount due to the amount received by the System in fiscal  
6 year 2010 through payments under this Section. If the amount  
7 due is more than the amount received, the difference shall be  
8 termed the "Fiscal Year 2010 Shortfall" for purposes of this  
9 Section, and the Fiscal Year 2010 Shortfall shall be satisfied  
10 under Section 1.2 of the State Pension Funds Continuing  
11 Appropriation Act. If the amount due is less than the amount  
12 received, the difference shall be termed the "Fiscal Year 2010  
13 Overpayment" for purposes of this Section, and the Fiscal Year  
14 2010 Overpayment shall be repaid by the System to the General  
15 Revenue Fund as soon as practicable after the certification.

16 (j) After the submission of all payments for eligible  
17 employees from personal services line items paid from the  
18 General Revenue Fund in fiscal year 2011 have been made, the  
19 Comptroller shall provide to the System a certification of the  
20 sum of all fiscal year 2011 expenditures for personal services  
21 that would have been covered by payments to the System under  
22 this Section if the provisions of this amendatory Act of the  
23 96th General Assembly had not been enacted. Upon receipt of the  
24 certification, the System shall determine the amount due to the  
25 System based on the full rate certified by the Board under  
26 Section 14-135.08 for fiscal year 2011 in order to meet the

1 State's obligation under this Section. The System shall compare  
2 this amount due to the amount received by the System in fiscal  
3 year 2011 through payments under this Section. If the amount  
4 due is more than the amount received, the difference shall be  
5 termed the "Fiscal Year 2011 Shortfall" for purposes of this  
6 Section, and the Fiscal Year 2011 Shortfall shall be satisfied  
7 under Section 1.2 of the State Pension Funds Continuing  
8 Appropriation Act. If the amount due is less than the amount  
9 received, the difference shall be termed the "Fiscal Year 2011  
10 Overpayment" for purposes of this Section, and the Fiscal Year  
11 2011 Overpayment shall be repaid by the System to the General  
12 Revenue Fund as soon as practicable after the certification.

13 (k) For fiscal year 2012 only, after the submission of all  
14 payments for eligible employees from personal services line  
15 items paid from the General Revenue Fund in the fiscal year  
16 have been made, the Comptroller shall provide to the System a  
17 certification of the sum of all expenditures in the fiscal year  
18 for personal services. Upon receipt of the certification, the  
19 System shall determine the amount due to the System based on  
20 the full rate certified by the Board under Section 14-135.08  
21 for the fiscal year in order to meet the State's obligation  
22 under this Section. The System shall compare this amount due to  
23 the amount received by the System for the fiscal year. If the  
24 amount due is more than the amount received, the difference  
25 shall be termed the "Fiscal Year Shortfall" for purposes of  
26 this Section, and the Fiscal Year Shortfall shall be satisfied

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

7 (Source: P.A. 95-950, eff. 8-29-08; 96-43, eff. 7-15-09; 96-45,  
8 eff. 7-15-09; 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11;  
9 96-1511, eff. 1-27-11; 96-1554, eff. 3-18-11; revised 4-6-11.)

10 Section 15-50. The Public Community College Act is amended  
11 by changing Section 2-16.02 as follows:

12 (110 ILCS 805/2-16.02) (from Ch. 122, par. 102-16.02)

13 Sec. 2-16.02. Grants. Any community college district that  
14 maintains a community college recognized by the State Board  
15 shall receive, when eligible, grants enumerated in this  
16 Section. Funded semester credit hours or other measures or both  
17 as specified by the State Board shall be used to distribute  
18 grants to community colleges. Funded semester credit hours  
19 shall be defined, for purposes of this Section, as the greater  
20 of (1) the number of semester credit hours, or equivalent, in  
21 all funded instructional categories of students who have been  
22 certified as being in attendance at midterm during the  
23 respective terms of the base fiscal year or (2) the average of  
24 semester credit hours, or equivalent, in all funded

1 instructional categories of students who have been certified as  
2 being in attendance at midterm during the respective terms of  
3 the base fiscal year and the 2 prior fiscal years. For purposes  
4 of this Section, "base fiscal year" means the fiscal year 2  
5 years prior to the fiscal year for which the grants are  
6 appropriated. Such students shall have been residents of  
7 Illinois and shall have been enrolled in courses that are part  
8 of instructional program categories approved by the State Board  
9 and that are applicable toward an associate degree or  
10 certificate. Courses that are eligible for reimbursement are  
11 those courses for which the district pays 50% or more of the  
12 program costs from unrestricted revenue sources, with the  
13 exception of courses offered by contract with the Department of  
14 Corrections in correctional institutions. For the purposes of  
15 this Section, "unrestricted revenue sources" means those  
16 revenues in which the provider of the revenue imposes no  
17 financial limitations upon the district as it relates to the  
18 expenditure of the funds. Except for Fiscal Year 2012, base  
19 ~~Base~~ operating grants shall be paid based on rates per funded  
20 semester credit hour or equivalent calculated by the State  
21 Board for funded instructional categories using cost of  
22 instruction, enrollment, inflation, and other relevant  
23 factors. For Fiscal Year 2012, the allocations for base  
24 operating grants to community college districts shall be the  
25 same as they were in Fiscal Year 2011, reduced or increased  
26 proportionately according to the appropriation for base

1 operating grants for Fiscal Year 2012. A portion of the base  
2 operating grant shall be allocated on the basis of  
3 non-residential gross square footage of space maintained by the  
4 district.

5 Equalization grants shall be calculated by the State Board  
6 by determining a local revenue factor for each district by: (A)  
7 adding (1) each district's Corporate Personal Property  
8 Replacement Fund allocations from the base fiscal year or the  
9 average of the base fiscal year and prior year, whichever is  
10 less, divided by the applicable statewide average tax rate to  
11 (2) the district's most recently audited year's equalized  
12 assessed valuation or the average of the most recently audited  
13 year and prior year, whichever is less, (B) then dividing by  
14 the district's audited full-time equivalent resident students  
15 for the base fiscal year or the average for the base fiscal  
16 year and the 2 prior fiscal years, whichever is greater, and  
17 (C) then multiplying by the applicable statewide average tax  
18 rate. The State Board shall calculate a statewide weighted  
19 average threshold by applying the same methodology to the  
20 totals of all districts' Corporate Personal Property Tax  
21 Replacement Fund allocations, equalized assessed valuations,  
22 and audited full-time equivalent district resident students  
23 and multiplying by the applicable statewide average tax rate.  
24 The difference between the statewide weighted average  
25 threshold and the local revenue factor, multiplied by the  
26 number of full-time equivalent resident students, shall

1 determine the amount of equalization funding that each district  
2 is eligible to receive. A percentage factor, as determined by  
3 the State Board, may be applied to the statewide threshold as a  
4 method for allocating equalization funding. A minimum  
5 equalization grant of an amount per district as determined by  
6 the State Board shall be established for any community college  
7 district which qualifies for an equalization grant based upon  
8 the preceding criteria, but becomes ineligible for  
9 equalization funding, or would have received a grant of less  
10 than the minimum equalization grant, due to threshold  
11 prorations applied to reduce equalization funding. As of July  
12 1, 2004, a community college district must maintain a minimum  
13 required combined in-district tuition and universal fee rate  
14 per semester credit hour equal to 85% of the State-average  
15 combined rate, as determined by the State Board, for  
16 equalization funding. As of July 1, 2004, a community college  
17 district must maintain a minimum required operating tax rate  
18 equal to at least 95% of its maximum authorized tax rate to  
19 qualify for equalization funding. This 95% minimum tax rate  
20 requirement shall be based upon the maximum operating tax rate  
21 as limited by the Property Tax Extension Limitation Law.

22 The State Board shall distribute such other grants as may  
23 be authorized or appropriated by the General Assembly.

24 Each community college district entitled to State grants  
25 under this Section must submit a report of its enrollment to  
26 the State Board not later than 30 days following the end of

1 each semester, quarter, or term in a format prescribed by the  
2 State Board. These semester credit hours, or equivalent, shall  
3 be certified by each district on forms provided by the State  
4 Board. Each district's certified semester credit hours, or  
5 equivalent, are subject to audit pursuant to Section 3-22.1.

6 The State Board shall certify, prepare, and submit monthly  
7 vouchers to the State Comptroller setting forth an amount equal  
8 to one-twelfth of the grants approved by the State Board for  
9 base operating grants and equalization grants. The State Board  
10 shall prepare and submit to the State Comptroller vouchers for  
11 payments of other grants as appropriated by the General  
12 Assembly. If the amount appropriated for grants is different  
13 from the amount provided for such grants under this Act, the  
14 grants shall be proportionately reduced or increased  
15 accordingly.

16 For the purposes of this Section, "resident student" means  
17 a student in a community college district who maintains  
18 residency in that district or meets other residency definitions  
19 established by the State Board, and who was enrolled either in  
20 one of the approved instructional program categories in that  
21 district, or in another community college district to which the  
22 resident's district is paying tuition under Section 6-2 or with  
23 which the resident's district has entered into a cooperative  
24 agreement in lieu of such tuition.

25 For the purposes of this Section, a "full-time equivalent"  
26 student is equal to 30 semester credit hours.



1           The Illinois Community College Board Contracts and Grants  
2 Fund is hereby created in the State Treasury. Items of income  
3 to this fund shall include any grants, awards, endowments, or  
4 like proceeds, and where appropriate, other funds made  
5 available through contracts with governmental, public, and  
6 private agencies or persons. The General Assembly shall from  
7 time to time make appropriations payable from such fund for the  
8 support, improvement, and expenses of the State Board and  
9 Illinois community college districts.

10 (Source: P.A. 96-911, eff. 7-1-10.)

11           Section 15-60. The Illinois Public Aid Code is amended by  
12 changing Section 5A-10 as follows:

13           (305 ILCS 5/5A-10) (from Ch. 23, par. 5A-10)

14           Sec. 5A-10. Applicability.

15           (a) The assessment imposed by Section 5A-2 shall not take  
16 effect or shall cease to be imposed, and any moneys remaining  
17 in the Fund shall be refunded to hospital providers in  
18 proportion to the amounts paid by them, if:

19           (1) The sum of the appropriations for State fiscal  
20 years 2004 and 2005 from the General Revenue Fund for  
21 hospital payments under the medical assistance program is  
22 less than \$4,500,000,000 or the appropriation for each of  
23 State fiscal years 2006, 2007 and 2008 from the General  
24 Revenue Fund for hospital payments under the medical

1 assistance program is less than \$2,500,000,000 increased  
2 annually to reflect any increase in the number of  
3 recipients, or the annual appropriation for State fiscal  
4 years 2009, 2010, 2011, 2013, and 2014 ~~through 2014~~, from  
5 the General Revenue Fund combined with the Hospital  
6 Provider Fund as authorized in Section 5A-8 for hospital  
7 payments under the medical assistance program, is less than  
8 the amount appropriated for State fiscal year 2009,  
9 adjusted annually to reflect any change in the number of  
10 recipients, excluding State fiscal year 2009 supplemental  
11 appropriations made necessary by the enactment of the  
12 American Recovery and Reinvestment Act of 2009; or

13 (2) For State fiscal years prior to State fiscal year  
14 2009, the Department of Healthcare and Family Services  
15 (formerly Department of Public Aid) makes changes in its  
16 rules that reduce the hospital inpatient or outpatient  
17 payment rates, including adjustment payment rates, in  
18 effect on October 1, 2004, except for hospitals described  
19 in subsection (b) of Section 5A-3 and except for changes in  
20 the methodology for calculating outlier payments to  
21 hospitals for exceptionally costly stays, so long as those  
22 changes do not reduce aggregate expenditures below the  
23 amount expended in State fiscal year 2005 for such  
24 services; or

25 (2.1) For State fiscal years 2009 through 2014, the  
26 Department of Healthcare and Family Services adopts any

1 administrative rule change to reduce payment rates or  
2 alters any payment methodology that reduces any payment  
3 rates made to operating hospitals under the approved Title  
4 XIX or Title XXI State plan in effect January 1, 2008  
5 except for:

6 (A) any changes for hospitals described in  
7 subsection (b) of Section 5A-3; or

8 (B) any rates for payments made under this Article  
9 V-A; or

10 (C) any changes proposed in State plan amendment  
11 transmittal numbers 08-01, 08-02, 08-04, 08-06, and  
12 08-07; or

13 (D) in relation to any admissions on or after  
14 January 1, 2011, a modification in the methodology for  
15 calculating outlier payments to hospitals for  
16 exceptionally costly stays, for hospitals reimbursed  
17 under the diagnosis-related grouping methodology;  
18 provided that the Department shall be limited to one  
19 such modification during the 36-month period after the  
20 effective date of this amendatory Act of the 96th  
21 General Assembly; or

22 (3) The payments to hospitals required under Section  
23 5A-12 or Section 5A-12.2 are changed or are not eligible  
24 for federal matching funds under Title XIX or XXI of the  
25 Social Security Act.

26 (b) The assessment imposed by Section 5A-2 shall not take

1 effect or shall cease to be imposed if the assessment is  
2 determined to be an impermissible tax under Title XIX of the  
3 Social Security Act. Moneys in the Hospital Provider Fund  
4 derived from assessments imposed prior thereto shall be  
5 disbursed in accordance with Section 5A-8 to the extent federal  
6 financial participation is not reduced due to the  
7 impermissibility of the assessments, and any remaining moneys  
8 shall be refunded to hospital providers in proportion to the  
9 amounts paid by them.

10 (Source: P.A. 95-331, eff. 8-21-07; 95-859, eff. 8-19-08; 96-8,  
11 eff. 4-28-09; 96-1530, eff. 2-16-11.)

## 12 Article 20. LOCAL GOVERNMENT STIPENDS

13 Section 20-2. The State Revenue Sharing Act is amended by  
14 changing Section 12 as follows:

15 (30 ILCS 115/12) (from Ch. 85, par. 616)

16 Sec. 12. Personal Property Tax Replacement Fund. There is  
17 hereby created the Personal Property Tax Replacement Fund, a  
18 special fund in the State Treasury into which shall be paid all  
19 revenue realized:

20 (a) all amounts realized from the additional personal  
21 property tax replacement income tax imposed by subsections (c)  
22 and (d) of Section 201 of the Illinois Income Tax Act, except  
23 for those amounts deposited into the Income Tax Refund Fund

1 pursuant to subsection (c) of Section 901 of the Illinois  
2 Income Tax Act; and

3 (b) all amounts realized from the additional personal  
4 property replacement invested capital taxes imposed by Section  
5 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue  
6 Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and  
7 Section 3 of the Water Company Invested Capital Tax Act, and  
8 amounts payable to the Department of Revenue under the  
9 Telecommunications Infrastructure Maintenance Fee Act.

10 As soon as may be after the end of each month, the  
11 Department of Revenue shall certify to the Treasurer and the  
12 Comptroller the amount of all refunds paid out of the General  
13 Revenue Fund through the preceding month on account of  
14 overpayment of liability on taxes paid into the Personal  
15 Property Tax Replacement Fund. Upon receipt of such  
16 certification, the Treasurer and the Comptroller shall  
17 transfer the amount so certified from the Personal Property Tax  
18 Replacement Fund into the General Revenue Fund.

19 The payments of revenue into the Personal Property Tax  
20 Replacement Fund shall be used exclusively for distribution to  
21 taxing districts as provided in this Section, payment of the  
22 ordinary and contingent expenses of the Property Tax Appeal  
23 Board, payment of the expenses of the Department of Revenue  
24 incurred in administering the collection and distribution of  
25 monies paid into the Personal Property Tax Replacement Fund and  
26 transfers due to refunds to taxpayers for overpayment of

1 liability for taxes paid into the Personal Property Tax  
2 Replacement Fund.

3 As soon as may be after the effective date of this  
4 amendatory Act of 1980, the Department of Revenue shall certify  
5 to the Treasurer the amount of net replacement revenue paid  
6 into the General Revenue Fund prior to that effective date from  
7 the additional tax imposed by Section 2a.1 of the Messages Tax  
8 Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of  
9 the Public Utilities Revenue Act; Section 3 of the Water  
10 Company Invested Capital Tax Act; amounts collected by the  
11 Department of Revenue under the Telecommunications  
12 Infrastructure Maintenance Fee Act; and the additional  
13 personal property tax replacement income tax imposed by the  
14 Illinois Income Tax Act, as amended by Public Act 81-1st  
15 Special Session-1. Net replacement revenue shall be defined as  
16 the total amount paid into and remaining in the General Revenue  
17 Fund as a result of those Acts minus the amount outstanding and  
18 obligated from the General Revenue Fund in state vouchers or  
19 warrants prior to the effective date of this amendatory Act of  
20 1980 as refunds to taxpayers for overpayment of liability under  
21 those Acts.

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

26 Prior to December 31, 1980, as soon as may be after the end

1 of each quarter beginning with the quarter ending December 31,  
2 1979, and on and after December 31, 1980, as soon as may be  
3 after January 1, March 1, April 1, May 1, July 1, August 1,  
4 October 1 and December 1 of each year, the Department of  
5 Revenue shall allocate to each taxing district as defined in  
6 Section 1-150 of the Property Tax Code, in accordance with the  
7 provisions of paragraph (2) of this Section the portion of the  
8 funds held in the Personal Property Tax Replacement Fund which  
9 is required to be distributed, as provided in paragraph (1),  
10 for each quarter. Provided, however, under no circumstances  
11 shall any taxing district during each of the first two years of  
12 distribution of the taxes imposed by this amendatory Act of  
13 1979 be entitled to an annual allocation which is less than the  
14 funds such taxing district collected from the 1978 personal  
15 property tax. Provided further that under no circumstances  
16 shall any taxing district during the third year of distribution  
17 of the taxes imposed by this amendatory Act of 1979 receive  
18 less than 60% of the funds such taxing district collected from  
19 the 1978 personal property tax. In the event that the total of  
20 the allocations made as above provided for all taxing  
21 districts, during either of such 3 years, exceeds the amount  
22 available for distribution the allocation of each taxing  
23 district shall be proportionately reduced. Except as provided  
24 in Section 13 of this Act, the Department shall then certify,  
25 pursuant to appropriation, such allocations to the State  
26 Comptroller who shall pay over to the several taxing districts

1 the respective amounts allocated to them.

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

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



1           Any township which receives an allocation based in whole or  
2 in part on personal property taxes which it levied pursuant to  
3 Section 1c of the Public Graveyards Act and which taxes were  
4 previously required to be paid over to or used for such public  
5 cemetery or cemeteries shall immediately pay over to or use for  
6 such public cemetery or cemeteries a proportionate share of the  
7 personal property tax replacement funds which the township  
8 receives.

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

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

24           The amount available for distribution shall be the  
25 total amount in the fund at such time minus the necessary  
26 administrative expenses as limited by the appropriation

1 and the amount determined by: (a) \$2.8 million for fiscal  
2 year 1981; (b) for fiscal year 1982, .54% of the funds  
3 distributed from the fund during the preceding fiscal year;  
4 (c) for fiscal year 1983 through fiscal year 1988, .54% of  
5 the funds distributed from the fund during the preceding  
6 fiscal year less .02% of such fund for fiscal year 1983 and  
7 less .02% of such funds for each fiscal year thereafter; 7  
8 ~~or~~ (d) for fiscal year 1989 through fiscal year 2011 and  
9 ~~beyond~~ no more than 105% of the actual administrative  
10 expenses of the prior fiscal year; or (e) for fiscal year  
11 2012 and beyond, a sufficient amount to pay (i) stipends,  
12 additional compensation, salary reimbursements, and other  
13 amounts directed to be paid out of this Fund for local  
14 government officials as authorized or required by statute  
15 and (ii) no more than 105% of the actual administrative  
16 expenses of the prior fiscal year, including payment of the  
17 ordinary and contingent expenses of the Property Tax Appeal  
18 Board and payment of the expenses of the Department of  
19 Revenue incurred in administering the collection and  
20 distribution of moneys paid into the Fund. Such portion of  
21 the fund shall be determined after the transfer into the  
22 General Revenue Fund due to refunds, if any, paid from the  
23 General Revenue Fund during the preceding quarter. If at  
24 any time, for any reason, there is insufficient amount in  
25 the Personal Property Tax Replacement Fund for payment of  
26 costs of administration or for transfers due to refunds at

1 the end of any particular month, the amount of such  
2 insufficiency shall be carried over for the purposes of  
3 transfers into the General Revenue Fund and for purposes of  
4 costs of administration to the following month or months.  
5 Net replacement revenue held, and defined above, shall be  
6 transferred by the Treasurer and Comptroller to the  
7 Personal Property Tax Replacement Fund within 10 days of  
8 such certification.

9 (2) Each quarterly allocation shall first be  
10 apportioned in the following manner: 51.65% for taxing  
11 districts in Cook County and 48.35% for taxing districts in  
12 the remainder of the State.

13 The Personal Property Replacement Ratio of each taxing  
14 district outside Cook County shall be the ratio which the Tax  
15 Base of that taxing district bears to the Downstate Tax Base.  
16 The Tax Base of each taxing district outside of Cook County is  
17 the personal property tax collections for that taxing district  
18 for the 1977 tax year. The Downstate Tax Base is the personal  
19 property tax collections for all taxing districts in the State  
20 outside of Cook County for the 1977 tax year. The Department of  
21 Revenue shall have authority to review for accuracy and  
22 completeness the personal property tax collections for each  
23 taxing district outside Cook County for the 1977 tax year.

24 The Personal Property Replacement Ratio of each Cook County  
25 taxing district shall be the ratio which the Tax Base of that  
26 taxing district bears to the Cook County Tax Base. The Tax Base

1 of each Cook County taxing district is the personal property  
2 tax collections for that taxing district for the 1976 tax year.  
3 The Cook County Tax Base is the personal property tax  
4 collections for all taxing districts in Cook County for the  
5 1976 tax year. The Department of Revenue shall have authority  
6 to review for accuracy and completeness the personal property  
7 tax collections for each taxing district within Cook County for  
8 the 1976 tax year.

9 For all purposes of this Section 12, amounts paid to a  
10 taxing district for such tax years as may be applicable by a  
11 foreign corporation under the provisions of Section 7-202 of  
12 the Public Utilities Act, as amended, shall be deemed to be  
13 personal property taxes collected by such taxing district for  
14 such tax years as may be applicable. The Director shall  
15 determine from the Illinois Commerce Commission, for any tax  
16 year as may be applicable, the amounts so paid by any such  
17 foreign corporation to any and all taxing districts. The  
18 Illinois Commerce Commission shall furnish such information to  
19 the Director. For all purposes of this Section 12, the Director  
20 shall deem such amounts to be collected personal property taxes  
21 of each such taxing district for the applicable tax year or  
22 years.

23 Taxing districts located both in Cook County and in one or  
24 more other counties shall receive both a Cook County allocation  
25 and a Downstate allocation determined in the same way as all  
26 other taxing districts.

1           If any taxing district in existence on July 1, 1979 ceases  
2 to exist, or discontinues its operations, its Tax Base shall  
3 thereafter be deemed to be zero. If the powers, duties and  
4 obligations of the discontinued taxing district are assumed by  
5 another taxing district, the Tax Base of the discontinued  
6 taxing district shall be added to the Tax Base of the taxing  
7 district assuming such powers, duties and obligations.

8           If two or more taxing districts in existence on July 1,  
9 1979, or a successor or successors thereto shall consolidate  
10 into one taxing district, the Tax Base of such consolidated  
11 taxing district shall be the sum of the Tax Bases of each of  
12 the taxing districts which have consolidated.

13           If a single taxing district in existence on July 1, 1979,  
14 or a successor or successors thereto shall be divided into two  
15 or more separate taxing districts, the tax base of the taxing  
16 district so divided shall be allocated to each of the resulting  
17 taxing districts in proportion to the then current equalized  
18 assessed value of each resulting taxing district.

19           If a portion of the territory of a taxing district is  
20 disconnected and annexed to another taxing district of the same  
21 type, the Tax Base of the taxing district from which  
22 disconnection was made shall be reduced in proportion to the  
23 then current equalized assessed value of the disconnected  
24 territory as compared with the then current equalized assessed  
25 value within the entire territory of the taxing district prior  
26 to disconnection, and the amount of such reduction shall be

1 added to the Tax Base of the taxing district to which  
2 annexation is made.

3 If a community college district is created after July 1,  
4 1979, beginning on the effective date of this amendatory Act of  
5 1995, its Tax Base shall be 3.5% of the sum of the personal  
6 property tax collected for the 1977 tax year within the  
7 territorial jurisdiction of the district.

8 The amounts allocated and paid to taxing districts pursuant  
9 to the provisions of this amendatory Act of 1979 shall be  
10 deemed to be substitute revenues for the revenues derived from  
11 taxes imposed on personal property pursuant to the provisions  
12 of the "Revenue Act of 1939" or "An Act for the assessment and  
13 taxation of private car line companies", approved July 22,  
14 1943, as amended, or Section 414 of the Illinois Insurance  
15 Code, prior to the abolition of such taxes and shall be used  
16 for the same purposes as the revenues derived from ad valorem  
17 taxes on real estate.

18 Monies received by any taxing districts from the Personal  
19 Property Tax Replacement Fund shall be first applied toward  
20 payment of the proportionate amount of debt service which was  
21 previously levied and collected from extensions against  
22 personal property on bonds outstanding as of December 31, 1978  
23 and next applied toward payment of the proportionate share of  
24 the pension or retirement obligations of the taxing district  
25 which were previously levied and collected from extensions  
26 against personal property. For each such outstanding bond

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

18 (Source: P.A. 96-45, eff. 7-15-09.)

19 Section 20-5. The Property Tax Code is amended by changing  
20 Sections 3-20, 3-40, 4-10, 4-15, and 4-20 as follows:

21 (35 ILCS 200/3-20)

22 Sec. 3-20. Reimbursement when serving more than 1 county.  
23 When 2 or more counties have, with Department approval, elected  
24 or appointed the same person as county supervisor of

1 assessments, subject to appropriation, the Department shall  
2 pay out of the Personal Property Tax Replacement Fund to the  
3 counties a total of \$5,000 per year to be applied toward the  
4 person's salary. The Department shall apportion the \$5,000  
5 among such counties in proportion to each county's share of the  
6 salary.

7 The amount payable under this Section is in addition to the  
8 50% reimbursement provided for in Section 3-40, but in no event  
9 shall the total paid under this Section and the reimbursement  
10 under Section 3-40 exceed the compensation of the supervisor of  
11 assessments.

12 (Source: P.A. 80-366; 88-455.)

13 (35 ILCS 200/3-40)

14 Sec. 3-40. Compensation of supervisors of assessments.

15 (a) A supervisor of assessments shall receive annual  
16 compensation in an amount fixed by the county board subject to  
17 the following minimum amounts:

18 In counties with less than 14,000 inhabitants, not less  
19 than \$7,500;

20 In counties with 14,000 or more but less than 30,000  
21 inhabitants, not less than \$8,000;

22 In counties with 30,000 or more but less than 60,000  
23 inhabitants, not less than \$9,000;

24 In counties with 60,000 or more but less than 100,000  
25 inhabitants, not less than \$10,000;



1           In counties with 100,000 or more but less than 200,000  
2           inhabitants, not less than \$11,500;

3           In counties with 200,000 or more but less than 300,000  
4           inhabitants, not less than \$13,000;

5           In counties with 300,000 or more but less than  
6           1,000,000 inhabitants, not less than \$15,000.

7           For purposes of this subsection, the number of inhabitants  
8           shall be determined by the latest Federal decennial or special  
9           census of the county.

10          (b) Elected supervisors of assessments who began a term of  
11          office before December 1, 1990 shall be compensated at the rate  
12          of their base salary. "Base salary" is the compensation paid  
13          for their position before July 1, 1989.

14          (c) Elected supervisors of assessments beginning a term of  
15          office on or after December 1, 1990 shall, beginning December  
16          1, 1993, receive their base salary plus at least 12% of base  
17          salary.

18          Any supervisor of assessments who has been presented a  
19          Certified Assessing Evaluator Certificate by the International  
20          Association of Assessing Officers shall receive an additional  
21          compensation of \$500 per year to be paid out of funds  
22          appropriated to the Department from the Personal Property Tax  
23          Replacement Fund.

24          The salary set by the county board shall be paid in equal  
25          monthly installments out of the treasury of the county in which  
26          he or she is appointed or elected. If the Department has

1 determined that the total assessed value of property in a  
2 county, as equalized by the supervisor of assessments under  
3 Section 9-210, is between 31 1/3% and 35 1/3% of the total fair  
4 cash value of property in the county, subject to appropriation,  
5 the Department ~~State of Illinois~~ shall reimburse the county  
6 monthly from the Personal Property Tax Replacement Fund ~~State~~  
7 ~~treasury~~ 50% of the amount of salary the county paid to the  
8 officer for the preceding month.

9 The county board shall provide necessary office space for  
10 the officer and pay all necessary expenses of the office out of  
11 the county treasury.

12 Each supervisor of assessments may, with the advice and  
13 consent of the county board, appoint necessary deputies and  
14 clerks, their compensation to be fixed by the county board and  
15 paid by the county.

16 (Source: P.A. 86-482; 86-1475; 88-455.)

17 (35 ILCS 200/4-10)

18 Sec. 4-10. Compensation for Certified Illinois Assessing  
19 Officers. Subject to the requirements for continued training,  
20 any supervisor of assessments, assessor, deputy assessor or  
21 member of a board of review in any county who has earned a  
22 Certified Illinois Assessing Officers Certificate from the  
23 Illinois Property Assessment Institute shall receive from the  
24 State, out of funds appropriated to the Department from the  
25 Personal Property Tax Replacement Fund, additional

1 compensation of \$500 per year.

2 To receive a Certified Illinois Assessing Officer  
3 certificate, a person shall complete successfully and pass  
4 examinations on a basic course in assessment practice approved  
5 by the Department and conducted by the Institute and additional  
6 courses totaling not less than 60 class hours that are  
7 designated and approved by the Department, on the cost, market  
8 and income approaches to value, mass appraisal techniques, and  
9 property tax administration.

10 To continue to be eligible for the additional compensation,  
11 a Certified Illinois Assessing Officer must complete  
12 successfully a minimum of 15 class hours requiring a written  
13 examination, and the equivalent of one seminar course of 15  
14 class hours which does not require a written examination, in  
15 each year for which additional compensation is sought after  
16 receipt of the certificate. The Department shall designate and  
17 approve courses acceptable for additional training, including  
18 courses in business and computer techniques, and class hours  
19 applicable to each course. The Department shall specify  
20 procedures for certifying the completion of the additional  
21 training.

22 The courses and training shall be conducted annually at  
23 various convenient locations throughout the State. At least one  
24 course shall be conducted annually in each county with more  
25 than 400,000 inhabitants.

26 (Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff.

1 8-14-96.)

2 (35 ILCS 200/4-15)

3 Sec. 4-15. Compensation of local assessment officers  
4 holding other designations. Any assessor, deputy assessor or  
5 member of a board of review who has been awarded a Certified  
6 Assessment Evaluator certificate by the International  
7 Association of Assessing Officers shall receive an additional  
8 compensation of \$500 per year from funds appropriated to the  
9 Department from the Personal Property Tax Replacement Fund.

10 Any assessor, deputy assessor or member of a board of  
11 review who has been awarded a Residential Evaluation  
12 Specialist, Assessment Administration Specialist, or Cadastral  
13 Mapping Specialist certificate by the International  
14 Association of Assessing Officers, but who has not been awarded  
15 a Certified Assessment Evaluator certificate, shall receive  
16 additional compensation of \$250 per year from funds  
17 appropriated to the Department from the Personal Property Tax  
18 Replacement Fund. If any assessor, deputy assessor, or member  
19 of a board of review has been awarded more than one  
20 certificate, but has not been awarded a Certified Assessment  
21 Evaluator certificate, the maximum additional compensation  
22 shall be \$250.

23 To continue to qualify for the additional compensation  
24 after receipt of a certificate, any assessor, deputy assessor  
25 or member of a board of review must, each year that additional

1 compensation is sought, complete successfully a minimum of 15  
2 class hours requiring a written examination, and the equivalent  
3 of one seminar course of 15 class hours which does not require  
4 a written examination.

5 (Source: P.A. 91-436, eff. 8-6-99.)

6 (35 ILCS 200/4-20)

7 Sec. 4-20. Additional compensation based on performance.  
8 Any assessor in counties with less than 3,000,000 but more than  
9 50,000 inhabitants each year may petition the Department to  
10 receive additional compensation based on performance. To  
11 receive additional compensation, the official's assessment  
12 jurisdiction must meet the following criteria:

13 (1) the median level of assessment must be no more than  
14 35 1/3% and no less than 31 1/3% of fair cash value of  
15 property in his or her assessment jurisdiction; and

16 (2) the coefficient of dispersion must not be greater  
17 than 15%.

18 For purposes of this Section, "coefficient of dispersion" means  
19 the average deviation of all assessments from the median level.  
20 For purposes of this Section, the number of inhabitants shall  
21 be determined by the latest federal decennial census. When the  
22 most recent census shows an increase in inhabitants to over  
23 50,000 or a decrease to 50,000 or fewer, then the assessment  
24 year used to compute the coefficient of dispersion and the most  
25 recent year of the 3-year average level of assessments is the

1 year that determines qualification for additional  
2 compensation. The Department will promulgate rules and  
3 regulations to determine whether an assessor meets these  
4 criteria.

5 Any assessor in a county of 50,000 or fewer inhabitants may  
6 petition the Department for consideration to receive  
7 additional compensation each year based on performance. In  
8 order to receive the additional compensation, the assessments  
9 in the official's assessment jurisdiction must meet the  
10 following criteria: (i) the median level of assessments must be  
11 no more than 35 1/3% and no less than 31 1/3% of fair cash value  
12 of property in his or her assessment jurisdiction; and (ii) the  
13 coefficient of dispersion must not be greater than 40% in 1994,  
14 38% in 1995, 36% in 1996, 34% in 1997, 32% in 1998, and 30% in  
15 1999 and every year thereafter.

16 Real estate transfer declarations used by the Department in  
17 annual sales-assessment ratio studies will be used to evaluate  
18 applications for additional compensation. The Department will  
19 audit other property to determine if the sales-assessment ratio  
20 study data is representative of the assessment jurisdiction. If  
21 the ratio study is found not representative, appraisals and  
22 other information may be utilized. If the ratio study is  
23 representative, upon certification by the Department, the  
24 assessor shall receive additional compensation of \$3,000 for  
25 that year, to be paid out of funds appropriated to the  
26 Department from the Personal Property Tax Replacement Fund.

1 As used in this Section, "assessor" means any township or  
2 multi-township assessor, or supervisor of assessments.

3 (Source: P.A. 93-643, eff. 6-1-04.)

4 Section 20-10. The Counties Code is amended by changing  
5 Sections 3-4007, 3-10007, 4-2001, 4-3001, 4-6001, 4-6002,  
6 4-6003, and 4-8002 as follows:

7 (55 ILCS 5/3-4007) (from Ch. 34, par. 3-4007)

8 Sec. 3-4007. Compensation.

9 (a) The public defender shall be paid out of the county  
10 treasury, and, subject to appropriation, shall be paid by the  
11 Department of Revenue out of the Personal Property Tax  
12 Replacement Fund or the General Revenue Fund ~~State treasury~~ as  
13 provided in subsection (b), as the sole compensation for his or  
14 her services a salary in an amount fixed by the County Board.  
15 When a Public Defender in a county of 30,000 or more population  
16 is receiving not less than 90% of the compensation of the  
17 State's Attorney of such county, that Public Defender shall not  
18 engage in the private practice of law.

19 (b) The State ~~treasury~~ must pay 66 2/3% of the public  
20 defender's annual salary. If the public defender is employed  
21 full-time in that capacity, his or her salary must be at least  
22 90% of that county's State's attorney's annual compensation.  
23 Subject to appropriation, these ~~These~~ amounts furnished by the  
24 State shall be payable monthly by ~~from~~ the Department of

1 Revenue out of the Personal Property Tax Replacement Fund or  
2 the General Revenue Fund ~~State treasury~~ to the county in which  
3 each Public Defender is employed.

4 (c) In cases where 2 or more adjoining counties have joined  
5 to form a common office of Public Defender, the salary of the  
6 Public Defender shall be set and paid as provided by a joint  
7 resolution of the various county boards involved.

8 (Source: P.A. 92-508, eff. 7-1-02.)

9 (55 ILCS 5/3-10007) (from Ch. 34, par. 3-10007)

10 Sec. 3-10007. Annual stipend. In addition to all other  
11 compensation provided by law, every elected county treasurer,  
12 for additional duties mandated by State law, shall receive an  
13 annual stipend of (i) \$5,000 if his or her term begins before  
14 December 1, 1998, (ii) \$5,500 after December 1, 1998 and \$6,500  
15 after December 1, 1999 if his or her term begins on or after  
16 December 1, 1998 but before December 1, 2000, and (iii) \$6,500  
17 if his or her term begins December 1, 2000 or thereafter, to be  
18 annually appropriated from the Personal Property Tax  
19 Replacement ~~General Revenue~~ Fund by the General Assembly to the  
20 Department of Revenue which shall distribute the awards in  
21 annual lump sum payments to every elected county treasurer.  
22 This annual stipend shall not affect any other compensation  
23 provided by law to be paid to elected county treasurers. No  
24 county board may reduce or otherwise impair the compensation  
25 payable from county funds to an elected county treasurer if



1 such reduction or impairment is the result of his receiving an  
2 annual stipend under this Section.

3 (Source: P.A. 90-713, eff. 12-1-98.)

4 (55 ILCS 5/4-2001) (from Ch. 34, par. 4-2001)

5 Sec. 4-2001. State's attorney salaries.

6 (a) There shall be allowed to the several state's attorneys  
7 in this State, except the state's attorney of Cook County, the  
8 following annual salary:

9 (1) Subject to paragraph (5), to each state's attorney  
10 in counties containing less than 10,000 inhabitants,  
11 \$40,500 until December 31, 1988, \$45,500 until June 30,  
12 1994, and \$55,500 thereafter or as set by the Compensation  
13 Review Board, whichever is greater.

14 (2) Subject to paragraph (5), to each state's attorney  
15 in counties containing 10,000 or more inhabitants but less  
16 than 20,000 inhabitants, \$46,500 until December 31, 1988,  
17 \$61,500 until June 30, 1994, and \$71,500 thereafter or as  
18 set by the Compensation Review Board, whichever is greater.

19 (3) Subject to paragraph (5), to each state's attorney  
20 in counties containing 20,000 or more but less than 30,000  
21 inhabitants, \$51,000 until December 31, 1988, \$65,000  
22 until June 30, 1994, and \$75,000 thereafter or as set by  
23 the Compensation Review Board, whichever is greater.

24 (4) To each state's attorney in counties of 30,000 or  
25 more inhabitants, \$65,500 until December 31, 1988, \$80,000

1           until June 30, 1994, and \$96,837 thereafter or as set by  
2           the Compensation Review Board, whichever is greater.

3           (5) Effective December 1, 2000, to each state's  
4           attorney in counties containing fewer than 30,000  
5           inhabitants, the same salary plus any cost of living  
6           adjustments as authorized by the Compensation Review Board  
7           to take effect after January 1, 1999, for state's attorneys  
8           in counties containing 20,000 or more but fewer than 30,000  
9           inhabitants, or as set by the Compensation Review Board  
10          whichever is greater.

11          The State shall furnish 66 2/3% of the total annual  
12          compensation to be paid to each state's attorney in Illinois  
13          based on the salary in effect on December 31, 1988, and 100% of  
14          the increases in salary taking effect after December 31, 1988.

15          Subject to appropriation, said ~~said~~ amounts furnished by  
16          the State shall be payable monthly by ~~from~~ the Department of  
17          Revenue out of the Personal Property Tax Replacement Fund or  
18          the General Revenue Fund ~~state treasury~~ to the county in which  
19          each state's attorney is elected.

20          Each county shall be required to furnish 33 1/3% of the  
21          total annual compensation to be paid to each state's attorney  
22          in Illinois based on the salary in effect on December 31, 1988.

23          Within 90 days after the effective date of this amendatory  
24          Act of the 96th General Assembly, the county board of any  
25          county with a population between 15,000 and 50,000 by  
26          resolution or ordinance may increase the amount of compensation

1 to be paid to each eligible state's attorney in their county in  
2 the form of a longevity stipend which shall be added to and  
3 become part of the salary of the state's attorney for that  
4 year. To be eligible, the state's attorney must have served in  
5 the elected position for at least 20 continuous years and elect  
6 to participate in a program for an alternative annuity for  
7 county officers and make the required additional optional  
8 contributions as authorized by P.A. 90-32.

9 (b) Effective December 1, 2000, no state's attorney may  
10 engage in the private practice of law. However, until November  
11 30, 2000, (i) the state's attorneys in counties containing  
12 fewer than 10,000 inhabitants may engage in the practice of  
13 law, and (ii) in any county between 10,000 and 30,000  
14 inhabitants or in any county containing 30,000 or more  
15 inhabitants which reached that population between 1970 and  
16 December 31, 1981, the state's attorney may declare his or her  
17 intention to engage in the private practice of law, and may do  
18 so through no later than November 30, 2000, by filing a written  
19 declaration of intent to engage in the private practice of law  
20 with the county clerk. The declaration of intention shall be  
21 irrevocable during the remainder of the term of office. The  
22 declaration shall be filed with the county clerk within 30 days  
23 of certification of election or appointment, or within 60 days  
24 of March 15, 1989, whichever is later. In that event the annual  
25 salary of such state's attorney shall be as follows:

26 (1) In counties containing 10,000 or more inhabitants

1 but less than 20,000 inhabitants, \$46,500 until December  
2 31, 1988, \$51,500 until June 30, 1994, and \$61,500  
3 thereafter or as set by the Compensation Review Board,  
4 whichever is greater. The State shall furnish 100% of the  
5 increases taking effect after December 31, 1988.

6 (2) In counties containing 20,000 or more inhabitants  
7 but less than 30,000 inhabitants, and in counties  
8 containing 30,000 or more inhabitants which reached said  
9 population between 1970 and December 31, 1981, \$51,500  
10 until December 31, 1988, \$56,000 until June 30, 1994, and  
11 \$65,000 thereafter or as set by the Compensation Review  
12 Board, whichever is greater. The State shall furnish 100%  
13 of the increases taking effect after December 31, 1988.

14 (c) In counties where a state mental health institution, as  
15 hereinafter defined, is located, one assistant state's  
16 attorney shall, subject to appropriation, receive for his  
17 services, payable monthly by from the Department of Revenue out  
18 of the Personal Property Tax Replacement Fund or the General  
19 Revenue Fund ~~state treasury~~ to the county in which he is  
20 appointed, the following:

21 (1) To each assistant state's attorney in counties  
22 containing less than 10,000 inhabitants, the sum of \$2,500  
23 per annum;

24 (2) To each assistant state's attorney in counties  
25 containing not less than 10,000 inhabitants and not more  
26 than 20,000 inhabitants, the sum of \$3,500 per annum;

1           (3) To each assistant state's attorney in counties  
2 containing not less than 20,000 inhabitants and not more  
3 than 30,000 inhabitants, the sum of \$4,000 per annum;

4           (4) To each assistant state's attorney in counties  
5 containing not less than 30,000 inhabitants and not more  
6 than 40,000 inhabitants, the sum of \$4,500 per annum;

7           (5) To each assistant state's attorney in counties  
8 containing not less than 40,000 inhabitants and not more  
9 than 70,000 inhabitants, the sum of \$5,000 per annum;

10          (6) To each assistant state's attorney in counties  
11 containing not less than 70,000 inhabitants and not more  
12 than 1,000,000 inhabitants, the sum of \$6,000 per annum.

13          (d) The population of all counties for the purpose of  
14 fixing salaries as herein provided shall be based upon the last  
15 Federal census immediately previous to the appointment of an  
16 assistant state's attorney in each county.

17          (e) At the request of the county governing authority, in  
18 counties where one or more state correctional institutions, as  
19 hereinafter defined, are located, one or more assistant state's  
20 attorneys shall, subject to appropriation, receive for their  
21 services, provided that such services are performed in  
22 connection with the state correctional institution, payable  
23 monthly by ~~from~~ the Department of Revenue out of the Personal  
24 Property Tax Replacement Fund or the General Revenue Fund ~~state~~  
25 ~~treasury~~ to the county in which they are appointed, the  
26 following:

1           (1) \$22,000 for each assistant state's attorney in  
2 counties with one or more State correctional institutions  
3 with a total average daily inmate population in excess of  
4 2,000, on the basis of 2 assistant state's attorneys when  
5 the total average daily inmate population exceeds 2,000 but  
6 is less than 4,000; and 3 assistant state's attorneys when  
7 such population exceeds 4,000; with reimbursement to be  
8 based on actual services rendered.

9           (2) \$15,000 per year for one assistant state's attorney  
10 in counties having one or more correctional institutions  
11 with a total average daily inmate population of between 750  
12 and 2,000 inmates, with reimbursement to be based on actual  
13 services rendered.

14           (3) A maximum of \$12,000 per year for one assistant  
15 state's attorney in counties having less than 750 inmates,  
16 with reimbursement to be based on actual services rendered.

17           Upon application of the county governing authority and  
18 certification of the State's Attorney, the Director of  
19 Corrections may, in his discretion and subject to  
20 appropriation, increase the amount of salary reimbursement  
21 to a county in the event special circumstances require the  
22 county to incur extraordinary salary expenditures as a  
23 result of services performed in connection with State  
24 correctional institutions in that county.

25           In determining whether or not to increase the amount of  
26 salary reimbursement, the Director shall consider, among other

1 matters:

2 (1) the nature of the services rendered;

3 (2) the results or dispositions obtained;

4 (3) whether or not the county was required to employ  
5 additional attorney personnel as a direct result of the  
6 services actually rendered in connection with a particular  
7 service to a State correctional institution.

8 (f) In counties where a State senior institution of higher  
9 education is located, the assistant state's attorneys  
10 specified by this Section shall, subject to appropriation,  
11 receive for their services, payable monthly by ~~from~~ the  
12 Department of Revenue out of the Personal Property Tax  
13 Replacement Fund or the General Revenue Fund ~~State treasury~~ to  
14 the county in which appointed, the following:

15 (1) \$14,000 per year each for employment on a full time  
16 basis for 2 assistant state's attorneys in counties having  
17 a State university or State universities with combined full  
18 time enrollment of more than 15,000 students.

19 (2) \$7,200 per year for one assistant state's attorney  
20 with no limitation on other practice in counties having a  
21 State university or State universities with combined full  
22 time enrollment of 10,000 to 15,000 students.

23 (3) \$4,000 per year for one assistant state's attorney  
24 with no limitation on other practice in counties having a  
25 State university or State universities with combined full  
26 time enrollment of less than 10,000 students.

1           Such salaries shall be paid to the state's attorney and the  
2 assistant state's attorney in equal monthly installments by  
3 such county out of the county treasury provided that, subject  
4 to appropriation, the Department of Revenue State of Illinois  
5 shall reimburse each county monthly, out of the Personal  
6 Property Tax Replacement Fund or the General Revenue Fund, ~~from~~  
7 ~~the state treasury~~ the amount of such salary. This Section  
8 shall not prevent the payment of such additional compensation  
9 to the state's attorney or assistant state's attorney of any  
10 county, out of the treasury of that county as may be provided  
11 by law.

12           (g) For purposes of this Section, "State mental health  
13 institution" means any institution under the jurisdiction of  
14 the Department of Human Services that is listed in Section 4 of  
15 the Mental Health and Developmental Disabilities  
16 Administrative Act.

17           For purposes of this Section, "State correctional  
18 institution" means any facility of the Department of  
19 Corrections including adult facilities, juvenile facilities,  
20 pre-release centers, community correction centers, and work  
21 camps.

22           For purposes of this Section, "State university" means the  
23 University of Illinois, Southern Illinois University, Chicago  
24 State University, Eastern Illinois University, Governors State  
25 University, Illinois State University, Northeastern Illinois  
26 University, Northern Illinois University, Western Illinois



1 University, and any public community college which has  
2 established a program of interinstitutional cooperation with  
3 one of the foregoing institutions whereby a student, after  
4 earning an associate degree from the community college, pursues  
5 a course of study at the community college campus leading to a  
6 baccalaureate degree from the foregoing institution (also  
7 known as a "2 Plus 2" degree program).

8 (h) A number of assistant state's attorneys shall be  
9 appointed in each county that chooses to participate, as  
10 provided in this subsection, for the prosecution of  
11 alcohol-related traffic offenses. Each county shall receive  
12 monthly a subsidy for payment of the salaries and benefits of  
13 these assistant state's attorneys from State funds  
14 appropriated to the Department of Revenue out of the Personal  
15 Property Tax Replacement Fund or the General Revenue Fund  
16 ~~county~~ for that purpose. The amounts of subsidies provided by  
17 this subsection shall be adjusted for inflation each July 1  
18 using the Consumer Price Index of the Bureau of Labor  
19 Statistics of the U.S. Department of Labor.

20 When a county chooses to participate in the subsidy program  
21 described in this subsection (h), the number of assistant  
22 state's attorneys who are prosecuting alcohol-related traffic  
23 offenses must increase according to the subsidy provided in  
24 this subsection. These appointed assistant state's attorneys  
25 shall be in addition to any other assistant state's attorneys  
26 assigned to those cases on the effective date of this

1 amendatory Act of the 91st General Assembly, and may not  
2 replace those assistant state's attorneys. In counties where  
3 the state's attorney is the sole prosecutor, this subsidy shall  
4 be used to provide an assistant state's attorney to prosecute  
5 alcohol-related traffic offenses along with the state's  
6 attorney. In counties where the state's attorney is the sole  
7 prosecutor, and in counties where a judge presides over cases  
8 involving a variety of misdemeanors, including alcohol-related  
9 traffic matters, assistant state's attorneys appointed and  
10 subsidized by this subsection (h) may also prosecute the  
11 different misdemeanor cases at the direction of the state's  
12 attorney.

13 Assistant state's attorneys shall be appointed under this  
14 subsection in the following number and counties shall receive  
15 the following annual subsidies:

16 (1) In counties with fewer than 30,000 inhabitants, one  
17 at \$35,000.

18 (2) In counties with 30,000 or more but fewer than  
19 100,000 inhabitants, one at \$45,000.

20 (3) In counties with 100,000 or more but fewer than  
21 300,000 inhabitants, 2 at \$45,000 each.

22 (4) In counties, other than Cook County, with 300,000  
23 or more inhabitants, 4 at \$50,000 each.

24 The amounts appropriated under this Section must be  
25 segregated by population classification and disbursed monthly.

26 If in any year the amount appropriated for the purposes of

1 this subsection (h) is insufficient to pay all of the subsidies  
2 specified in this subsection, the amount appropriated shall  
3 first be prorated by the population classifications of this  
4 subsection (h) and then among the counties choosing to  
5 participate within each of those classifications. If any of the  
6 appropriated moneys for each population classification remain  
7 at the end of a fiscal year, the remainder of the moneys may be  
8 allocated to participating counties that were not fully funded  
9 during the course of the year. Nothing in this subsection  
10 prohibits 2 or more State's attorneys from combining their  
11 subsidies to appoint a joint assistant State's attorney to  
12 prosecute alcohol-related traffic offenses in multiple  
13 counties. Nothing in this subsection prohibits a State's  
14 attorney from appointing an assistant State's attorney by  
15 contract or otherwise.

16 (Source: P.A. 96-259, eff. 8-11-09.)

17 (55 ILCS 5/4-3001) (from Ch. 34, par. 4-3001)

18 Sec. 4-3001. State's attorney; assistants.

19 (a) The State's Attorney of Cook County shall be paid an  
20 annual salary of \$75,000 until December 31, 1988, \$90,000 until  
21 November 30, 1990, \$100,000 until June 30, 1994, and \$112,124  
22 thereafter or as set by the Compensation Review Board,  
23 whichever is greater.

24 Such sums shall be in full payment for all services  
25 rendered by him. Until July 1, 2011, the ~~The~~ State shall

1 furnish from the State treasury 66 2/3% of such salary in  
2 effect on December 31, 1988, ~~and~~ and 100% of the increases in  
3 salary taking effect after December 31, 1988. Beginning on July  
4 1, 2011, the Department of Revenue shall furnish from State  
5 funds appropriated to it out of the Personal Property Tax  
6 Replacement Fund or the General Revenue Fund for that purpose  
7 66 2/3% of such salary in effect on December 31, 1988 and 100%  
8 of the increases in salary taking effect after December 31,  
9 1988. ~~and~~ Cook County shall furnish 33 1/3% of such salary in  
10 effect on December 31, 1988. The State's Attorney of Cook  
11 County may not engage in the private practice of law.

12 (b) If Cook County chooses to participate in the subsidy  
13 program described in this subsection (b), 24 assistant state's  
14 attorneys shall be appointed for the prosecution of  
15 alcohol-related traffic offenses. Cook County shall annually  
16 receive a subsidy for the payment of the salaries and benefits  
17 of these assistant state's attorneys from State funds  
18 appropriated to the Department of Revenue out of the Personal  
19 Property Tax Replacement Fund or the General Revenue Fund for  
20 distribution to Cook County for that purpose. The amount of the  
21 subsidy shall equal \$50,000 per assistant state's attorney  
22 appointed under this subsection, adjusted for inflation each  
23 July 1 using the Consumer Price Index of the Bureau of Labor  
24 Statistics of the U.S. Department of Labor. If in any year the  
25 amount appropriated for the purposes of this subsection (b) is  
26 insufficient, the annual subsidy shall be reduced accordingly.

1           When and if Cook County chooses to participate in the  
2           subsidy program described in this subsection (b), the number of  
3           assistant state's attorneys who are prosecuting  
4           alcohol-related traffic offenses must increase by 24. These  
5           appointed assistant state's attorneys shall be in addition to  
6           any other assistant state's attorneys assigned to those cases  
7           on the effective date of this amendatory Act of the 91st  
8           General Assembly, and may not replace those assistant state's  
9           attorneys. Cook County assistant state's attorneys appointed  
10          and subsidized by this subsection (b) may also prosecute other  
11          types of misdemeanor cases at the direction of the Cook County  
12          State's Attorney.

13          (Source: P.A. 90-375, eff. 8-14-97; 91-273, eff. 1-1-00;  
14          91-704, eff. 7-1-00.)

15                 (55 ILCS 5/4-6001) (from Ch. 34, par. 4-6001)

16                 Sec. 4-6001. Officers in counties of less than 2,000,000.

17                 (a) In all counties of less than 2,000,000 inhabitants, the  
18                 compensation of Coroners, County Treasurers, County Clerks,  
19                 Recorders and Auditors shall be determined under this Section.  
20                 The County Board in those counties shall fix the amount of the  
21                 necessary clerk hire, stationery, fuel and other expenses of  
22                 those officers. The compensation of those officers shall be  
23                 separate from the necessary clerk hire, stationery, fuel and  
24                 other expenses, and such compensation (except for coroners in  
25                 those counties with less than 2,000,000 population in which the

1 coroner's compensation is set in accordance with Section  
2 4-6002) shall be fixed within the following limits:

3 To each such officer in counties containing less than  
4 14,000 inhabitants, not less than \$13,500 per annum.

5 To each such officer in counties containing 14,000 or more  
6 inhabitants, but less than 30,000 inhabitants, not less than  
7 \$14,500 per annum.

8 To each such officer in counties containing 30,000 or more  
9 inhabitants but less than 60,000 inhabitants, not less than  
10 \$15,000 per annum.

11 To each such officer in counties containing 60,000 or more  
12 inhabitants but less than 100,000 inhabitants, not less than  
13 \$15,000 per annum.

14 To each such officer in counties containing 100,000 or more  
15 inhabitants but less than 200,000 inhabitants, not less than  
16 \$16,500 per annum.

17 To each such officer in counties containing 200,000 or more  
18 inhabitants but less than 300,000 inhabitants, not less than  
19 \$18,000 per annum.

20 To each such officer in counties containing 300,000 or more  
21 inhabitants but less than 2,000,000 inhabitants, not less than  
22 \$20,000 per annum.

23 (b) Those officers beginning a term of office before  
24 December 1, 1990 shall be compensated at the rate of their base  
25 salary. "Base salary" is the compensation paid for each of  
26 those offices, respectively, before July 1, 1989.

1 (c) Those officers beginning a term of office on or after  
2 December 1, 1990 shall be compensated as follows:

3 (1) Beginning December 1, 1990, base salary plus at  
4 least 3% of base salary.

5 (2) Beginning December 1, 1991, base salary plus at  
6 least 6% of base salary.

7 (3) Beginning December 1, 1992, base salary plus at  
8 least 9% of base salary.

9 (4) Beginning December 1, 1993, base salary plus at  
10 least 12% of base salary.

11 (d) In addition to but separate and apart from the  
12 compensation provided in this Section, the county clerk of each  
13 county, the recorder of each county, and the chief clerk of  
14 each county board of election commissioners shall receive an  
15 award as follows:

16 (1) \$4,500 per year after January 1, 1998;

17 (2) \$5,500 per year after January 1, 1999; and

18 (3) \$6,500 per year after January 1, 2000.

19 The total amount required for such awards each year shall be  
20 appropriated by the General Assembly to the State Board of  
21 Elections which shall distribute the awards in annual lump sum  
22 payments to the several county clerks, recorders, and chief  
23 election clerks. Beginning December 1, 1990, this annual award,  
24 and any other award or stipend paid out of State funds to  
25 county officers, shall not affect any other compensation  
26 provided by law to be paid to county officers.

1           (e) Beginning December 1, 1990, no county board may reduce  
2 or otherwise impair the compensation payable from county funds  
3 to a county officer if the reduction or impairment is the  
4 result of the county officer receiving an award or stipend  
5 payable from State funds.

6           (f) The compensation, necessary clerk hire, stationery,  
7 fuel and other expenses of the county auditor, as fixed by the  
8 county board, shall be paid by the county.

9           (g) The population of all counties for the purpose of  
10 fixing compensation, as herein provided, shall be based upon  
11 the last Federal census immediately previous to the election of  
12 the officer in question in each county.

13           (h) With respect to an auditor who takes office on or after  
14 the effective date of this amendatory Act of the 95th General  
15 Assembly, the auditor shall receive an annual stipend of \$6,500  
16 per year. The General Assembly shall appropriate the total  
17 amount required for the stipend each year from the Personal  
18 Property Tax Replacement Fund to the Department of Revenue, and  
19 the Department of Revenue shall distribute the awards in an  
20 annual lump sum payment to each county auditor. The stipend  
21 shall be in addition to, but separate and apart from, the  
22 compensation provided in this Section. No county board may  
23 reduce or otherwise impair the compensation payable from county  
24 funds to the auditor if the reduction or impairment is the  
25 result of the auditor receiving an award or stipend pursuant to  
26 this subsection.



1 (Source: P.A. 95-782, eff. 8-5-08.)

2 (55 ILCS 5/4-6002) (from Ch. 34, par. 4-6002)

3 Sec. 4-6002. Coroners in counties of less than 2,000,000.

4 (a) The County Board, in all counties of less than  
5 2,000,000 inhabitants, shall fix the compensation of Coroners  
6 within the limitations fixed by this Division, and shall  
7 appropriate for their necessary clerk hire, stationery, fuel,  
8 supplies, and other expenses. The compensation of the Coroner  
9 shall be fixed separately from his necessary clerk hire,  
10 stationery, fuel and other expenses, and such compensation  
11 shall be fixed within the following limits:

12 To each Coroner in counties containing less than 5,000  
13 inhabitants, not less than \$4,500 per annum.

14 To each Coroner in counties containing 5,000 or more  
15 inhabitants but less than 14,000 inhabitants, not less than  
16 \$6,000 per annum.

17 To each Coroner in counties containing 14,000 or more  
18 inhabitants, but less than 30,000 inhabitants, not less than  
19 \$9,000 per annum.

20 To each Coroner in counties containing 30,000 or more  
21 inhabitants, but less than 60,000 inhabitants, not less than  
22 \$14,000 per annum.

23 To each Coroner in counties containing 60,000 or more  
24 inhabitants, but less than 100,000 inhabitants, not less than  
25 \$15,000 per annum.

1 To each Coroner in counties containing 100,000 or more  
2 inhabitants, but less than 200,000 inhabitants, not less than  
3 \$16,500 per annum.

4 To each Coroner in counties containing 200,000 or more  
5 inhabitants, but less than 300,000 inhabitants, not less than  
6 \$18,000 per annum.

7 To each Coroner in counties containing 300,000 or more  
8 inhabitants, but less than 2,000,000 inhabitants, not less than  
9 \$20,000 per annum.

10 The population of all counties for the purpose of fixing  
11 compensation, as herein provided, shall be based upon the last  
12 Federal census immediately previous to the election of the  
13 Coroner in question in each county. This Section does not apply  
14 to a county which has abolished the elective office of coroner.

15 (b) Those coroners beginning a term of office on or after  
16 December 1, 1990 shall be compensated as follows:

17 (1) Beginning December 1, 1990, base salary plus at  
18 least 3% of base salary.

19 (2) Beginning December 1, 1991, base salary plus at  
20 least 6% of base salary.

21 (3) Beginning December 1, 1992, base salary plus at  
22 least 9% of base salary.

23 (4) Beginning December 1, 1993, base salary plus at  
24 least 12% of base salary.

25 "Base salary", as used in this subsection (b), means the  
26 salary in effect before July 1, 1989.

1 (c) In addition to, but separate and apart from, the  
2 compensation provided in this Section, subject to  
3 appropriation, the coroner of each county shall receive an  
4 annual stipend of \$6,500 to be paid by the Illinois Department  
5 of Revenue out of the Personal Property Tax Replacement Fund  
6 ~~State~~ if his or her term begins on or after December 1, 2000.

7 (Source: P.A. 91-908, eff. 7-7-00.)

8 (55 ILCS 5/4-6003) (from Ch. 34, par. 4-6003)

9 Sec. 4-6003. Compensation of sheriffs for certain expenses  
10 in counties of less than 2,000,000.

11 (a) The County Board, in all counties of less than  
12 2,000,000 inhabitants, shall fix the compensation of sheriffs,  
13 with the amount of their necessary clerk hire, stationery, fuel  
14 and other expenses. The county shall supply the sheriff with  
15 all necessary uniforms, guns and ammunition. The compensation  
16 of each such officer shall be fixed separately from his  
17 necessary clerk hire, stationery, fuel and other expenses.  
18 Beginning immediately, no county with a population under  
19 2,000,000 may reduce the rate of compensation of its sheriff  
20 below the rate of compensation that it was actually paying to  
21 its sheriff on January 1, 2002 or the effective date of this  
22 amendatory Act of the 92nd General Assembly, whichever is  
23 greater.

24 (b) In addition to the requirement of subsection (a), the  
25 rate of compensation payable to the sheriff by the county shall

1 not be less than the following:

2 To each such sheriff in counties containing less than  
3 10,000 inhabitants, not less than \$27,000 per annum.

4 To each such sheriff in counties containing 10,000 or more  
5 inhabitants but less than 20,000 inhabitants, not less than  
6 \$31,000 per annum.

7 To each such sheriff in counties containing 20,000 or more  
8 inhabitants but less than 30,000 inhabitants, not less than  
9 \$34,000 per annum.

10 To each such sheriff in counties containing 30,000 or more  
11 inhabitants but less than 60,000 inhabitants, not less than  
12 \$37,000 per annum.

13 To each such sheriff in counties containing 60,000 or more  
14 inhabitants but less than 100,000 inhabitants, not less than  
15 \$40,000 per annum.

16 To each such sheriff in counties containing 100,000 or more  
17 inhabitants but less than 2,000,000 inhabitants, not less than  
18 \$43,000 per annum.

19 The population of each county for the purpose of fixing  
20 compensation as herein provided, shall be based upon the last  
21 federal census immediately previous to the election of the  
22 sheriff in question in such county.

23 (c) (Blank).

24 (d) In addition to the salary provided for in subsections  
25 (a), (b), and (c), beginning December 1, 1998, subject to  
26 appropriation, each sheriff, for his or her additional duties

1 imposed by other statutes or laws, shall receive an annual  
2 stipend to be paid by the Illinois Department of Revenue out of  
3 the Personal Property Tax Replacement Fund State in the amount  
4 of \$6,500.

5 (e) No county board may reduce or otherwise impair the  
6 compensation payable from county funds to a sheriff if the  
7 reduction or impairment is the result of the sheriff receiving  
8 an award or stipend payable from State funds.

9 (Source: P.A. 92-616, eff. 7-8-02.)

10 (55 ILCS 5/4-8002) (from Ch. 34, par. 4-8002)

11 Sec. 4-8002. Additional compensation of sheriff and  
12 recorder.

13 (a) In addition to any salary otherwise provided by law,  
14 beginning December 1, 1998, subject to appropriation, the  
15 sheriff of Cook County for his or her additional duties imposed  
16 by other statutes or laws shall receive an annual stipend to be  
17 paid by the Illinois Department of Revenue out of the Personal  
18 Property Tax Replacement Fund State in the amount of \$6,500.

19 The county board shall not reduce or otherwise impair the  
20 compensation payable from county funds to the sheriff if the  
21 reduction or impairment is the result of the sheriff receiving  
22 a stipend payable from State funds.

23 (b) In addition to any salary otherwise provided by law,  
24 beginning December 1, 2000, subject to appropriation, the  
25 recorder of deeds of Cook County for his or her additional

1 duties imposed by law shall receive an annual stipend to be  
2 paid by the Illinois Department of Revenue out of the Personal  
3 Property Tax Replacement Fund ~~State~~ in an amount equal to the  
4 stipend paid to each recorder in other counties under  
5 subsection (d) of Section 4-6001 of this Code. The county board  
6 may not reduce or otherwise impair the compensation payable  
7 from county funds to the recorder of deeds if the reduction or  
8 impairment is the result of the recorder of deeds receiving a  
9 stipend payable from State funds.

10 (Source: P.A. 90-713, eff. 12-1-98; 91-908, eff. 7-7-00.)

11 ARTICLE 97. SEVERABILITY

12 Section 97-97. Severability. The provisions of this Act are  
13 severable under Section 1.31 of the Statute on Statutes.

14 ARTICLE 99. EFFECTIVE DATE

15 Section 99-99. Effective date. This Act takes effect July  
16 1, 2011.