



Rep. Barbara Flynn Currie

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09700SB3146ham001

LRB097 16723 PJG 70357 a

1 AMENDMENT TO SENATE BILL 3146

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3146 by replacing  
3 everything after the enacting clause with the following:

4 "ARTICLE 1. SHORT TITLE; PURPOSE

5 Section 1-1. Short Title. This Act may be cited as the  
6 FY2013 Budget Implementation (Supplemental) Act.

7 Section 1-5. Purpose. It is the purpose of this Act to make  
8 changes in State programs that are necessary to implement the  
9 Governor's fiscal year 2013 budget recommendations.

10 ARTICLE 5. AMENDATORY PROVISIONS

11 Section 5-5. The Department of Commerce and Economic  
12 Opportunity Law of the Civil Administrative Code of Illinois is  
13 amended by changing Sections 605-705 and 605-707 as follows:

1 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

2 Sec. 605-705. Grants to local tourism and convention  
3 bureaus.

4 (a) To establish a grant program for local tourism and  
5 convention bureaus. The Department will develop and implement a  
6 program for the use of funds, as authorized under this Act, by  
7 local tourism and convention bureaus. For the purposes of this  
8 Act, bureaus eligible to receive funds are those local tourism  
9 and convention bureaus that are (i) either units of local  
10 government or incorporated as not-for-profit organizations;  
11 (ii) in legal existence for a minimum of 2 years before July 1,  
12 2001; (iii) operating with a paid, full-time staff whose sole  
13 purpose is to promote tourism in the designated service area;  
14 and (iv) affiliated with one or more municipalities or counties  
15 that support the bureau with local hotel-motel taxes. After  
16 July 1, 2001, bureaus requesting certification in order to  
17 receive funds for the first time must be local tourism and  
18 convention bureaus that are (i) either units of local  
19 government or incorporated as not-for-profit organizations;  
20 (ii) in legal existence for a minimum of 2 years before the  
21 request for certification; (iii) operating with a paid,  
22 full-time staff whose sole purpose is to promote tourism in the  
23 designated service area; and (iv) affiliated with multiple  
24 municipalities or counties that support the bureau with local  
25 hotel-motel taxes. Each bureau receiving funds under this Act

1 will be certified by the Department as the designated recipient  
2 to serve an area of the State. Notwithstanding the criteria set  
3 forth in this subsection (a), or any rule adopted under this  
4 subsection (a), the Director of the Department may provide for  
5 the award of grant funds to one or more entities if in the  
6 Department's judgment that action is necessary in order to  
7 prevent a loss of funding critical to promoting tourism in a  
8 designated geographic area of the State.

9 (b) To distribute grants to local tourism and convention  
10 bureaus from appropriations made from the Local Tourism Fund  
11 for that purpose. Of the amounts appropriated annually to the  
12 Department for expenditure under this Section prior to July 1,  
13 2011, one-third of those monies shall be used for grants to  
14 convention and tourism bureaus in cities with a population  
15 greater than 500,000. The remaining two-thirds of the annual  
16 appropriation prior to July 1, 2011 shall be used for grants to  
17 convention and tourism bureaus in the remainder of the State,  
18 in accordance with a formula based upon the population served.  
19 Of the amounts appropriated annually to the Department for  
20 expenditure under this Section beginning July 1, 2011, 18% of  
21 such moneys shall be used for grants to convention and tourism  
22 bureaus in cities with a population greater than 500,000. Of  
23 the amounts appropriated annually to the Department for  
24 expenditure under this Section beginning July 1, 2011, 82% of  
25 such moneys shall be used for grants to convention bureaus in  
26 the remainder of the State, in accordance with a formula based

1 upon the population served. The Department may reserve up to  
2 10% of total local tourism funds available for costs of  
3 administering the program to conduct audits of grants, to  
4 provide incentive funds to those bureaus that will conduct  
5 promotional activities designed to further the Department's  
6 statewide advertising campaign, to fund special statewide  
7 promotional activities, and to fund promotional activities  
8 that support an increased use of the State's parks or historic  
9 sites. During fiscal year 2013, the Department shall require  
10 that any convention and tourism bureau receiving a grant under  
11 this Section that requires matching funds shall provide  
12 matching funds equal to no less than 50% of the grant amount.  
13 During fiscal year 2013, the Department shall reserve  
14 \$2,000,000 of the available local tourism funds for  
15 appropriation to the Historic Preservation Agency for the  
16 operation of the Abraham Lincoln Presidential Library and  
17 Museum and State historic sites.

18 (Source: P.A. 97-617, eff. 10-26-11.)

19 (20 ILCS 605/605-707) (was 20 ILCS 605/46.6d)

20 Sec. 605-707. International Tourism Program.

21 (a) The Department of Commerce and Economic Opportunity  
22 must establish a program for international tourism. The  
23 Department shall develop and implement the program on January  
24 1, 2000 by rule. As part of the program, the Department may  
25 work in cooperation with local convention and tourism bureaus

1 in Illinois in the coordination of international tourism  
2 efforts at the State and local level. The Department may (i)  
3 work in cooperation with local convention and tourism bureaus  
4 for efficient use of their international tourism marketing  
5 resources, (ii) promote Illinois in international meetings and  
6 tourism markets, (iii) work with convention and tourism bureaus  
7 throughout the State to increase the number of international  
8 tourists to Illinois, (iv) provide training, research,  
9 technical support, and grants to certified convention and  
10 tourism bureaus, (v) provide staff, administration, and  
11 related support required to manage the programs under this  
12 Section, and (vi) provide grants for the development of or the  
13 enhancement of international tourism attractions.

14 (b) The Department shall make grants for expenses related  
15 to international tourism and pay for the staffing,  
16 administration, and related support from the International  
17 Tourism Fund, a special fund created in the State Treasury. Of  
18 the amounts deposited into the Fund in fiscal year 2000 after  
19 January 1, 2000 through fiscal year 2011, 55% shall be used for  
20 grants to convention and tourism bureaus in Chicago (other than  
21 the City of Chicago's Office of Tourism) and 45% shall be used  
22 for development of international tourism in areas outside of  
23 Chicago. Of the amounts deposited into the Fund in fiscal year  
24 2001 and thereafter, 55% shall be used for grants to convention  
25 and tourism bureaus in Chicago, and of that amount not less  
26 than 27.5% shall be used for grants to convention and tourism

1 bureaus in Chicago other than the City of Chicago's Office of  
2 Tourism, and 45% shall be used for administrative expenses and  
3 grants authorized under this Section and development of  
4 international tourism in areas outside of Chicago, of which not  
5 less than \$1,000,000 shall be used annually to make grants to  
6 convention and tourism bureaus in cities other than Chicago  
7 that demonstrate their international tourism appeal and  
8 request to develop or expand their international tourism  
9 marketing program, and may also be used to provide grants under  
10 item (vi) of subsection (a) of this Section. All of the amounts  
11 deposited into the Fund in fiscal year 2012 and thereafter  
12 shall be used for administrative expenses and grants authorized  
13 under this Section and development of international tourism in  
14 areas outside of Chicago, of which not less than \$1,000,000  
15 shall be used annually to make grants to convention and tourism  
16 bureaus in cities other than Chicago that demonstrate their  
17 international tourism appeal and request to develop or expand  
18 their international tourism marketing program, and may also be  
19 used to provide grants under item (vi) of subsection (a) of  
20 this Section. Amounts appropriated to the State Comptroller for  
21 administrative expenses and grants authorized by the Illinois  
22 Global Partnership Act are payable from the International  
23 Tourism Fund.

24 (c) A convention and tourism bureau is eligible to receive  
25 grant moneys under this Section if the bureau is certified to  
26 receive funds under Title 14 of the Illinois Administrative

1 Code, Section 550.35. To be eligible for a grant, a convention  
2 and tourism bureau must provide matching funds equal to the  
3 grant amount. During fiscal year 2013, the Department shall  
4 require that any convention and tourism bureau receiving a  
5 grant under this Section that requires matching funds shall  
6 provide matching funds equal to no less than 50% of the grant  
7 amount. In certain circumstances as determined by the Director  
8 of Commerce and Economic Opportunity, however, the City of  
9 Chicago's Office of Tourism or any other convention and tourism  
10 bureau may provide matching funds equal to no less than 50% of  
11 the grant amount to be eligible to receive the grant. One-half  
12 of this 50% may be provided through in-kind contributions.  
13 Grants received by the City of Chicago's Office of Tourism and  
14 by convention and tourism bureaus in Chicago may be expended  
15 for the general purposes of promoting conventions and tourism.  
16 (Source: P.A. 97-617, eff. 10-26-11.)

17 Section 5-10. The Illinois Promotion Act is amended by  
18 changing Section 4a as follows:

19 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

20 Sec. 4a. Funds.

21 (1) All moneys deposited in the Tourism Promotion Fund  
22 pursuant to this subsection are allocated to the Department for  
23 utilization, as appropriated, in the performance of its powers  
24 under Section 4; except that during fiscal year 2013, the

1 Department shall reserve \$9,800,000 of the total funds  
2 available for appropriation in the Tourism Promotion Fund for  
3 appropriation to the Historic Preservation Agency for the  
4 operation of the Abraham Lincoln Presidential Library and  
5 Museum and State historic sites.

6 As soon as possible after the first day of each month,  
7 beginning July 1, 1997, upon certification of the Department of  
8 Revenue, the Comptroller shall order transferred and the  
9 Treasurer shall transfer from the General Revenue Fund to the  
10 Tourism Promotion Fund an amount equal to 13% of the net  
11 revenue realized from the Hotel Operators' Occupation Tax Act  
12 plus an amount equal to 13% of the net revenue realized from  
13 any tax imposed under Section 4.05 of the Chicago World's  
14 Fair-1992 Authority Act during the preceding month. "Net  
15 revenue realized for a month" means the revenue collected by  
16 the State under that Act during the previous month less the  
17 amount paid out during that same month as refunds to taxpayers  
18 for overpayment of liability under that Act.

19 (1.1) (Blank).

20 (2) As soon as possible after the first day of each month,  
21 beginning July 1, 1997, upon certification of the Department of  
22 Revenue, the Comptroller shall order transferred and the  
23 Treasurer shall transfer from the General Revenue Fund to the  
24 Tourism Promotion Fund an amount equal to 8% of the net revenue  
25 realized from the Hotel Operators' Occupation Tax plus an  
26 amount equal to 8% of the net revenue realized from any tax



1 imposed under Section 4.05 of the Chicago World's Fair-1992  
2 Authority Act during the preceding month. "Net revenue realized  
3 for a month" means the revenue collected by the State under  
4 that Act during the previous month less the amount paid out  
5 during that same month as refunds to taxpayers for overpayment  
6 of liability under that Act.

7 All monies deposited in the Tourism Promotion Fund under  
8 this subsection (2) shall be used solely as provided in this  
9 subsection to advertise and promote tourism throughout  
10 Illinois. Appropriations of monies deposited in the Tourism  
11 Promotion Fund pursuant to this subsection (2) shall be used  
12 solely for advertising to promote tourism, including but not  
13 limited to advertising production and direct advertisement  
14 costs, but shall not be used to employ any additional staff,  
15 finance any individual event, or lease, rent or purchase any  
16 physical facilities. The Department shall coordinate its  
17 advertising under this subsection (2) with other public and  
18 private entities in the State engaged in similar promotion  
19 activities. Print or electronic media production made pursuant  
20 to this subsection (2) for advertising promotion shall not  
21 contain or include the physical appearance of or reference to  
22 the name or position of any public officer. "Public officer"  
23 means a person who is elected to office pursuant to statute, or  
24 who is appointed to an office which is established, and the  
25 qualifications and duties of which are prescribed, by statute,  
26 to discharge a public duty for the State or any of its

1 political subdivisions.

2 (3) Notwithstanding anything in this Section to the  
3 contrary, amounts transferred from the General Revenue Fund to  
4 the Tourism Promotion Fund pursuant to this Section shall not  
5 exceed \$26,300,000 in State fiscal year 2012.

6 (Source: P.A. 97-641, eff. 12-19-11.)

7 Section 5-15. The Mental Health and Developmental  
8 Disabilities Administrative Act is amended by adding Section  
9 18.7 as follows:

10 (20 ILCS 1705/18.7 new)

11 Sec. 18.7. Home Services Medicaid Trust Fund.

12 (a) The Home Services Medicaid Trust Fund is hereby created  
13 as a special fund in the State treasury.

14 (b) Amounts paid to the State during each State fiscal year  
15 by the federal government under Title XIX or Title XXI of the  
16 Social Security Act for services delivered in relation to the  
17 Department's Home Services Program established pursuant to  
18 Section 3 of the Disabled Persons Rehabilitation Act, and any  
19 interest earned thereon, shall be deposited into the Fund.

20 (c) Moneys in the Fund may be used by the Department for  
21 the purchase of services, and operational and administrative  
22 expenses, in relation to the Home Services Program.

23 Section 5-20. The Disabled Persons Rehabilitation Act is

1 amended by changing Section 3 as follows:

2 (20 ILCS 2405/3) (from Ch. 23, par. 3434)

3 Sec. 3. Powers and duties. The Department shall have the  
4 powers and duties enumerated herein:

5 (a) To co-operate with the federal government in the  
6 administration of the provisions of the federal Rehabilitation  
7 Act of 1973, as amended, of the Workforce Investment Act of  
8 1998, and of the federal Social Security Act to the extent and  
9 in the manner provided in these Acts.

10 (b) To prescribe and supervise such courses of vocational  
11 training and provide such other services as may be necessary  
12 for the habilitation and rehabilitation of persons with one or  
13 more disabilities, including the administrative activities  
14 under subsection (e) of this Section, and to co-operate with  
15 State and local school authorities and other recognized  
16 agencies engaged in habilitation, rehabilitation and  
17 comprehensive rehabilitation services; and to cooperate with  
18 the Department of Children and Family Services regarding the  
19 care and education of children with one or more disabilities.

20 (c) (Blank).

21 (d) To report in writing, to the Governor, annually on or  
22 before the first day of December, and at such other times and  
23 in such manner and upon such subjects as the Governor may  
24 require. The annual report shall contain (1) a statement of the  
25 existing condition of comprehensive rehabilitation services,

1 habilitation and rehabilitation in the State; (2) a statement  
2 of suggestions and recommendations with reference to the  
3 development of comprehensive rehabilitation services,  
4 habilitation and rehabilitation in the State; and (3) an  
5 itemized statement of the amounts of money received from  
6 federal, State and other sources, and of the objects and  
7 purposes to which the respective items of these several amounts  
8 have been devoted.

9 (e) (Blank).

10 (f) To establish a program of services to prevent  
11 unnecessary institutionalization of persons with Alzheimer's  
12 disease and related disorders or persons in need of long term  
13 care who are established as blind or disabled as defined by the  
14 Social Security Act, thereby enabling them to remain in their  
15 own homes or other living arrangements. Such preventive  
16 services may include, but are not limited to, any or all of the  
17 following:

18 (1) home health services;

19 (2) home nursing services;

20 (3) homemaker services;

21 (4) chore and housekeeping services;

22 (5) day care services;

23 (6) home-delivered meals;

24 (7) education in self-care;

25 (8) personal care services;

26 (9) adult day health services;

- 1           (10) habilitation services;
- 2           (11) respite care; or
- 3           (12) other nonmedical social services that may enable
- 4           the person to become self-supporting.

5           The Department shall establish eligibility standards for

6           such services taking into consideration the unique economic and

7           social needs of the population for whom they are to be

8           provided. Such eligibility standards may be based on the

9           recipient's ability to pay for services; provided, however,

10          that any portion of a person's income that is equal to or less

11          than the "protected income" level shall not be considered by

12          the Department in determining eligibility. The "protected

13          income" level shall be determined by the Department, shall

14          never be less than the federal poverty standard, and shall be

15          adjusted each year to reflect changes in the Consumer Price

16          Index For All Urban Consumers as determined by the United

17          States Department of Labor. The standards must provide that a

18          person may have not more than \$10,000 in assets to be eligible

19          for the services, and the Department may increase the asset

20          limitation by rule. Additionally, in determining the amount and

21          nature of services for which a person may qualify,

22          consideration shall not be given to the value of cash, property

23          or other assets held in the name of the person's spouse

24          pursuant to a written agreement dividing marital property into

25          equal but separate shares or pursuant to a transfer of the

26          person's interest in a home to his spouse, provided that the

1 spouse's share of the marital property is not made available to  
2 the person seeking such services.

3 The services shall be provided to eligible persons to  
4 prevent unnecessary or premature institutionalization, to the  
5 extent that the cost of the services, together with the other  
6 personal maintenance expenses of the persons, are reasonably  
7 related to the standards established for care in a group  
8 facility appropriate to their condition. These  
9 non-institutional services, pilot projects or experimental  
10 facilities may be provided as part of or in addition to those  
11 authorized by federal law or those funded and administered by  
12 the Illinois Department on Aging. The Department shall set  
13 rates and fees for services in a fair and equitable manner.  
14 Services identical to those offered by the Department on Aging  
15 shall be paid at the same rate.

16 Personal care attendants shall be paid:

17 (i) A \$5 per hour minimum rate beginning July 1, 1995.

18 (ii) A \$5.30 per hour minimum rate beginning July 1,  
19 1997.

20 (iii) A \$5.40 per hour minimum rate beginning July 1,  
21 1998.

22 Solely for the purposes of coverage under the Illinois  
23 Public Labor Relations Act (5 ILCS 315/), personal care  
24 attendants and personal assistants providing services under  
25 the Department's Home Services Program shall be considered to  
26 be public employees and the State of Illinois shall be

1 considered to be their employer as of the effective date of  
2 this amendatory Act of the 93rd General Assembly, but not  
3 before. The State shall engage in collective bargaining with an  
4 exclusive representative of personal care attendants and  
5 personal assistants working under the Home Services Program  
6 concerning their terms and conditions of employment that are  
7 within the State's control. Nothing in this paragraph shall be  
8 understood to limit the right of the persons receiving services  
9 defined in this Section to hire and fire personal care  
10 attendants and personal assistants or supervise them within the  
11 limitations set by the Home Services Program. The State shall  
12 not be considered to be the employer of personal care  
13 attendants and personal assistants for any purposes not  
14 specifically provided in this amendatory Act of the 93rd  
15 General Assembly, including but not limited to, purposes of  
16 vicarious liability in tort and purposes of statutory  
17 retirement or health insurance benefits. Personal care  
18 attendants and personal assistants shall not be covered by the  
19 State Employees Group Insurance Act of 1971 (5 ILCS 375/).

20 The Department shall execute, relative to the nursing home  
21 prescreening project, as authorized by Section 4.03 of the  
22 Illinois Act on the Aging, written inter-agency agreements with  
23 the Department on Aging and the Department of Public Aid (now  
24 Department of Healthcare and Family Services), to effect the  
25 following: (i) intake procedures and common eligibility  
26 criteria for those persons who are receiving non-institutional

1 services; and (ii) the establishment and development of  
2 non-institutional services in areas of the State where they are  
3 not currently available or are undeveloped. On and after July  
4 1, 1996, all nursing home prescreenings for individuals 18  
5 through 59 years of age shall be conducted by the Department.

6 The Department is authorized to establish a system of  
7 recipient cost-sharing for services provided under this  
8 Section. The cost-sharing shall be based upon the recipient's  
9 ability to pay for services, but in no case shall the  
10 recipient's share exceed the actual cost of the services  
11 provided. Protected income shall not be considered by the  
12 Department in its determination of the recipient's ability to  
13 pay a share of the cost of services. The level of cost-sharing  
14 shall be adjusted each year to reflect changes in the  
15 "protected income" level. The Department shall deduct from the  
16 recipient's share of the cost of services any money expended by  
17 the recipient for disability-related expenses.

18 The Department, or the Department's authorized  
19 representative, shall recover the amount of moneys expended for  
20 services provided to or in behalf of a person under this  
21 Section by a claim against the person's estate or against the  
22 estate of the person's surviving spouse, but no recovery may be  
23 had until after the death of the surviving spouse, if any, and  
24 then only at such time when there is no surviving child who is  
25 under age 21, blind, or permanently and totally disabled. This  
26 paragraph, however, shall not bar recovery, at the death of the



1 person, of moneys for services provided to the person or in  
2 behalf of the person under this Section to which the person was  
3 not entitled; provided that such recovery shall not be enforced  
4 against any real estate while it is occupied as a homestead by  
5 the surviving spouse or other dependent, if no claims by other  
6 creditors have been filed against the estate, or, if such  
7 claims have been filed, they remain dormant for failure of  
8 prosecution or failure of the claimant to compel administration  
9 of the estate for the purpose of payment. This paragraph shall  
10 not bar recovery from the estate of a spouse, under Sections  
11 1915 and 1924 of the Social Security Act and Section 5-4 of the  
12 Illinois Public Aid Code, who precedes a person receiving  
13 services under this Section in death. All moneys for services  
14 paid to or in behalf of the person under this Section shall be  
15 claimed for recovery from the deceased spouse's estate.  
16 "Homestead", as used in this paragraph, means the dwelling  
17 house and contiguous real estate occupied by a surviving spouse  
18 or relative, as defined by the rules and regulations of the  
19 Department of Healthcare and Family Services, regardless of the  
20 value of the property.

21 The Department and the Department on Aging shall cooperate  
22 in the development and submission of an annual report on  
23 programs and services provided under this Section. Such joint  
24 report shall be filed with the Governor and the General  
25 Assembly on or before March 30 each year.

26 The requirement for reporting to the General Assembly shall

1 be satisfied by filing copies of the report with the Speaker,  
2 the Minority Leader and the Clerk of the House of  
3 Representatives and the President, the Minority Leader and the  
4 Secretary of the Senate and the Legislative Research Unit, as  
5 required by Section 3.1 of the General Assembly Organization  
6 Act, and filing additional copies with the State Government  
7 Report Distribution Center for the General Assembly as required  
8 under paragraph (t) of Section 7 of the State Library Act.

9 (g) To establish such subdivisions of the Department as  
10 shall be desirable and assign to the various subdivisions the  
11 responsibilities and duties placed upon the Department by law.

12 (h) To cooperate and enter into any necessary agreements  
13 with the Department of Employment Security for the provision of  
14 job placement and job referral services to clients of the  
15 Department, including job service registration of such clients  
16 with Illinois Employment Security offices and making job  
17 listings maintained by the Department of Employment Security  
18 available to such clients.

19 (i) To possess all powers reasonable and necessary for the  
20 exercise and administration of the powers, duties and  
21 responsibilities of the Department which are provided for by  
22 law.

23 (j) To establish a procedure whereby new providers of  
24 personal care attendant services shall submit vouchers to the  
25 State for payment two times during their first month of  
26 employment and one time per month thereafter. In no case shall

1 the Department pay personal care attendants an hourly wage that  
2 is less than the federal minimum wage.

3 (k) To provide adequate notice to providers of chore and  
4 housekeeping services informing them that they are entitled to  
5 an interest payment on bills which are not promptly paid  
6 pursuant to Section 3 of the State Prompt Payment Act.

7 (l) To establish, operate and maintain a Statewide Housing  
8 Clearinghouse of information on available, government  
9 subsidized housing accessible to disabled persons and  
10 available privately owned housing accessible to disabled  
11 persons. The information shall include but not be limited to  
12 the location, rental requirements, access features and  
13 proximity to public transportation of available housing. The  
14 Clearinghouse shall consist of at least a computerized database  
15 for the storage and retrieval of information and a separate or  
16 shared toll free telephone number for use by those seeking  
17 information from the Clearinghouse. Department offices and  
18 personnel throughout the State shall also assist in the  
19 operation of the Statewide Housing Clearinghouse. Cooperation  
20 with local, State and federal housing managers shall be sought  
21 and extended in order to frequently and promptly update the  
22 Clearinghouse's information.

23 (m) To assure that the names and case records of persons  
24 who received or are receiving services from the Department,  
25 including persons receiving vocational rehabilitation, home  
26 services, or other services, and those attending one of the

1 Department's schools or other supervised facility shall be  
2 confidential and not be open to the general public. Those case  
3 records and reports or the information contained in those  
4 records and reports shall be disclosed by the Director only to  
5 proper law enforcement officials, individuals authorized by a  
6 court, the General Assembly or any committee or commission of  
7 the General Assembly, and other persons and for reasons as the  
8 Director designates by rule. Disclosure by the Director may be  
9 only in accordance with other applicable law.

10 (Source: P.A. 94-252, eff. 1-1-06; 95-331, eff. 8-21-07.)

11 Section 5-25. The State Finance Act is amended by changing  
12 Sections 6z-21, 6z-27, 6z-30, 6z-45, 6z-81, 6z-82, 8.3, and 25  
13 and by adding Sections 5.811, 5.812, 5.813, 6z-93, and 8g-1 as  
14 follows:

15 (30 ILCS 105/5.811 new)

16 Sec. 5.811. The Home Services Medicaid Trust Fund.

17 (30 ILCS 105/5.812 new)

18 Sec. 5.812. The Estate Tax Refund Fund.

19 (30 ILCS 105/5.813 new)

20 Sec. 5.813. The FY13 Backlog Payment Fund.

21 (30 ILCS 105/6z-21) (from Ch. 127, par. 142z-21)

1           Sec. 6z-21. Education Assistance Fund; transfers to and  
2 from the Education Assistance Fund. All monies deposited into  
3 the Education Assistance Fund, a special fund in the State  
4 treasury which is hereby created, shall be appropriated to  
5 provide financial assistance for elementary and secondary  
6 education programs including, among others, distributions  
7 under Section 18-19 of The School Code, and for higher  
8 education programs. During fiscal years 2012 and 2013 only, the  
9 State Comptroller may order transferred and the State Treasurer  
10 may transfer from the General Revenue Fund to the Education  
11 Assistance Fund, or the State Comptroller may order transferred  
12 and the State Treasurer may transfer from the Education  
13 Assistance Fund to the General Revenue Fund, such amounts as  
14 may be required to honor the vouchers presented by the State  
15 Universities Retirement System, by a public institution of  
16 higher education, as defined in Section 1 of the Board of  
17 Higher Education Act, or by the State Board of Education  
18 pursuant to Sections 18-3, 18-4.3, 18-5, 18-6, and 18-7 of the  
19 School Code.

20       (Source: P.A. 86-18.)

21           (30 ILCS 105/6z-27)

22           Sec. 6z-27. All moneys in the Audit Expense Fund shall be  
23 transferred, appropriated and used only for the purposes  
24 authorized by, and subject to the limitations and conditions  
25 prescribed by, the State Auditing Act.

1           Within 30 days after the effective date of this amendatory  
 2 Act of 2012 ~~2011~~, the State Comptroller shall order transferred  
 3 and the State Treasurer shall transfer from the following funds  
 4 moneys in the specified amounts for deposit into the Audit  
 5 Expense Fund:

6 Adeline Jay Geo-Karis Illinois

7	Beach Marina Fund.....	<u>4,825</u>	<del>517</del>
8	<u>Aggregate Operations Regulatory Fund .....</u>	<u>507</u>	
9	<u>Agricultural Premium Fund.....</u>	<u>17,505</u>	
10	<u>Alternate Fuels Fund .....</u>	<u>641</u>	
11	<u>Appraisal Administration Fund.....</u>	<u>2,555</u>	
12	<u>Asbestos Abatement Fund.....</u>	<u>3,563</u>	
13	<u>Attorney General Court Ordered and Voluntary</u>		
14	<u>Compliance Payment Projects Fund .....</u>	<u>9,010</u>	
15	<u>Attorney General Whistleblower Reward and</u>		
16	<u>Protection Fund.....</u>	<u>7,878</u>	
17	<u>Bank and Trust Company Fund.....</u>	<u>114,670</u>	
18	<u>Brownfields Redevelopment Fund .....</u>	<u>2,874</u>	
19	<u>Build Illinois Capital Revolving Loan Fund .....</u>	<u>966</u>	
20	<u>Capital Development Board Revolving Fund .....</u>	<u>3,163</u>	
21	<del>Assisted Living and Shared Housing Regulatory Fund .....</del>	<del>532</del>	
22	Care Provider Fund for Persons with		
23	Developmental Disability .....	<u>3,939</u>	<del>12,370</del>
24	<u>Clean Air Act (CAA) Permit Fund.....</u>	<u>9,789</u>	
25	<del>Carolyn Adams Ticket for the Cure Grant Fund .....</del>	<del>687</del>	
26	<del>CDLIS/AAMVA Net Trust Fund .....</del>	<del>609</del>	

1	Coal Mining Regulatory Fund.....	<u>8,334</u>	<del>884</del>
2	<u>Coal Technology Development Assistance Fund.....</u>	<u>10,321</u>	
3	Common School Fund .....	<u>250,850</u>	<del>162,681</del>
4	The Communications Revolving Fund.....	<u>33,809</u>	<del>79,373</del>
5	<del>Community Health Center Care Fund.....</del>		<del>599</del>
6	Community Mental Health Medicaid Trust Fund.....	<u>7,539</u>	<del>20,824</del>
7	<u>Corporate Franchise Tax Refund Fund.....</u>	<u>532</u>	
8	<u>Corporate Headquarters Relocation Assistance Fund.....</u>	<u>2,093</u>	
9	<u>Credit Union Fund.....</u>	<u>17,110</u>	
10	<u>Cycle Rider Safety Training Fund .....</u>	<u>546</u>	
11	<u>DCFS Children's Services Fund.....</u>	<u>186,660</u>	
12	<del>Death Certificate Surcharge Fund .....</del>		<del>1,917</del>
13	Department of Business Services Special		
14	Operations Fund.....	<u>1,983</u>	<del>4,088</del>
15	<u>Department of Corrections Reimbursement and</u>		
16	<u>Education Fund .....</u>	<u>29,617</u>	
17	<u>Design Professionals Administration and</u>		
18	<u>Investigation Fund .....</u>	<u>6,341</u>	
19	<u>Digital Divide Elimination Fund.....</u>	<u>3,314</u>	
20	The Downstate Public Transportation Fund .....	<u>19,258</u>	<del>6,423</del>
21	Drivers Education Fund .....	<u>1,491</u>	<del>676</del>
22	The Education Assistance Fund.....	<u>40,564</u>	<del>40,799</del>
23	<u>Energy Efficiency Trust Fund .....</u>	<u>1,946</u>	
24	<del>Emergency Public Health Fund .....</del>		<del>4,934</del>
25	Environmental Protection Permit and		
26	Inspection Fund.....	<u>4,620</u>	<del>913</del>

1	<del>Estate Tax Collection Distributive Fund</del> .....	<del>1,315</del>
2	Facilities Management Revolving Fund .....	<u>59,124</u> <del>146,649</del>
3	<u>Fair and Exposition Fund</u> .....	<u>789</u>
4	<u>Federal Workforce Training Fund</u> .....	<u>141,336</u>
5	<u>Feed Control Fund</u> .....	<u>1,133</u>
6	The Fire Prevention Fund .....	<u>216,465</u> <del>4,110</del>
7	<del>Food and Drug Safety Fund</del> .....	<del>2,216</del>
8	General Professions Dedicated Fund .....	<u>28,411</u> <del>7,978</del>
9	The General Revenue Fund .....	<u>16,043,536</u> <del>17,684,627</del>
10	Grade Crossing Protection Fund .....	<u>4,345</u> <del>1,188</del>
11	Hazardous Waste Fund .....	<u>5,183</u> <del>1,295</del>
12	<del>Health Facility Plan Review Fund</del> .....	<del>2,063</del>
13	Health and Human Services	
14	Medicaid Trust Fund.....	<u>5,758</u> <del>11,590</del>
15	Healthcare Provider Relief Fund.....	<u>26,311</u> <del>16,458</del>
16	<u>Home Inspector Administration Fund</u> .....	<u>876</u>
17	<del>Home Care Services Agency Licensure Fund</del> .....	<del>1,025</del>
18	Illinois Affordable Housing Trust Fund .....	<u>763</u> <del>799</del>
19	<u>Illinois Charity Bureau Fund</u> .....	<u>2,011</u>
20	Illinois Clean Water Fund.....	<u>8,592</u> <del>1,420</del>
21	<u>Illinois Department of Agriculture Laboratory Services</u>	
22	<u>Revolving Fund</u> .....	<u>665</u>
23	<u>Illinois Fire Fighters' Memorial Fund</u> .....	<u>1,814</u>
24	<u>Illinois Forestry Development Fund</u> .....	<u>2,642</u>
25	<u>Illinois Gaming Law Enforcement Fund</u> .....	<u>1,674</u>
26	<u>Illinois Habitat Fund</u> .....	<u>4,192</u>



1	<del>Illinois Health Facilities Planning Fund .....</del>	<del>2,572</del>
2	<del>Illinois Power Agency Trust Fund .....</del>	<del>46,305</del>
3	Illinois Power Agency Operations Fund.....	<u>110,651</u> <del>30,960</del>
4	<u>Illinois Standardbred Breeders Fund.....</u>	<u>1,132</u>
5	<u>Illinois State Dental Disciplinary Fund.....</u>	<u>6,888</u>
6	<u>Illinois State Fair Fund .....</u>	<u>4,673</u>
7	<u>Illinois State Medical Disciplinary Fund .....</u>	<u>27,524</u>
8	<u>Illinois State Pharmacy Disciplinary Fund.....</u>	<u>8,373</u>
9	<del>Illinois School Asbestos Abatement Fund.....</del>	<del>1,368</del>
10	Illinois Tax Increment Fund.....	<u>1,390</u> <del>751</del>
11	<u>Illinois Thoroughbred Breeders Fund.....</u>	<u>1,808</u>
12	<u>Illinois Wildlife Preservation Fund.....</u>	<u>1,282</u>
13	<del>Illinois Veterans Rehabilitation Fund.....</del>	<del>1,134</del>
14	Illinois Workers' Compensation Commission	
15	Operations Fund.....	<u>2,212</u> <del>70,049</del>
16	IMSA Income Fund .....	<u>5,326</u> <del>7,588</del>
17	Income Tax Refund Fund .....	<u>109,482</u> <del>55,211</del>
18	<u>Insurance Financial Regulation Fund.....</u>	<u>96,074</u>
19	<u>Insurance Premium Tax Refund Fund.....</u>	<u>7,589</u>
20	<u>Insurance Producer Administration Fund .....</u>	<u>75,222</u>
21	<u>International Tourism Fund .....</u>	<u>2,814</u>
22	<del>Innovations in Long-term Care Quality Demonstration</del>	
23	<del>    Grants Fund.....</del>	<del>3,140</del>
24	<del>Lead Poisoning, Screening, Prevention and</del>	
25	<del>    Abatement Fund .....</del>	<del>5,025</del>
26	Live and Learn Fund.....	<u>9,516</u> <del>18,166</del>

1	The Local Government Distributive Fund .....	<u>81,356</u>	<del>49,520</del>
2	<u>Local Tourism Fund</u> .....		<u>7,095</u>
3	<del>Long Term Care Monitor/Receiver Fund</del> .....		<del>2,365</del>
4	<del>Long Term Care Provider Fund</del> .....		<del>2,214</del>
5	<del>Low Level Radioactive Waste Facility Development and</del>		
6	<del>Operation Fund</del> .....		<del>3,880</del>
7	<del>Mandatory Arbitration Fund</del> .....		<del>2,926</del>
8	Mental Health Fund .....	<u>2,806</u>	<del>6,210</del>
9	<del>Metabolic Screening and Treatment Fund</del> .....		<del>19,342</del>
10	<del>Monitoring Device Driving Permit Administration Fee Fund</del>		<del>645</del>
11	The Motor Fuel Tax Fund.....	<u>80,083</u>	<del>31,806</del>
12	Motor Vehicle License Plate Fund .....	<u>4,763</u>	<del>8,027</del>
13	<del>Motor Vehicle Theft Prevention Trust Fund</del> .....		<del>59,407</del>
14	<del>Multiple Sclerosis Research Fund</del> .....		<del>1,830</del>
15	Natural Areas Acquisition Fund .....	<u>16,001</u>	<del>1,776</del>
16	<del>Nuclear Safety Emergency Preparedness Fund</del> .....		<del>216,920</del>
17	Nursing Dedicated and Professional Fund.....	<u>10,167</u>	<del>2,180</del>
18	<u>Off-Highway Vehicle Trails Fund</u> .....		<u>794</u>
19	Open Space Lands Acquisition and		
20	Development Fund .....	<u>58,827</u>	<del>7,009</del>
21	<u>Optometric Licensing and Disciplinary Board Fund</u> .....		<u>1,408</u>
22	Park and Conservation Fund .....	<u>47,464</u>	<del>4,857</del>
23	Partners for Conservation Fund .....	<u>11,901</u>	<del>759</del>
24	<u>Pawnbroker Regulation Fund</u> .....		<u>757</u>
25	The Personal Property Tax Replacement Fund ....	<u>142,488</u>	<del>47,871</del>
26	<u>Pesticide Control Fund</u> .....		<u>3,903</u>

1	<u>Prisoner Review Board Vehicle and Equipment Fund</u> .....	<u>2,621</u>
2	<del>Plumbing Licensure and Program Fund</del> .....	<del>3,065</del>
3	Professional Services Fund .....	<u>2,029</u> <del>8,811</del>
4	<u>Professions Indirect Cost Fund</u> .....	<u>191,548</u>
5	<u>Public Pension Regulation Fund</u> .....	<u>7,519</u>
6	<del>Public Health Laboratory Services Revolving Fund</del> .....	<del>1,420</del>
7	The Public Transportation Fund .....	<u>52,905</u> <del>18,837</del>
8	<u>Real Estate License Administration Fund</u> .....	<u>26,119</u>
9	<u>Registered Certified Public Accountants' Administration</u>	
10	<u>and Disciplinary Fund</u> .....	<u>1,547</u>
11	<u>Renewable Energy Resources Trust Fund</u> .....	<u>1,601</u>
12	<del>Radiation Protection Fund</del> .....	<del>65,921</del>
13	Rental Housing Support Program Fund.....	<u>865</u> <del>681</del>
14	The Road Fund.....	<u>289,575</u> <del>203,659</del>
15	Regional Transportation Authority Occupation and	
16	Use Tax Replacement Fund .....	<u>1,833</u> <del>1,010</del>
17	<u>Savings and Residential Finance Regulatory Fund</u> .....	<u>30,756</u>
18	Secretary of State DUI Administration Fund .....	<u>765</u> <del>1,350</del>
19	Secretary of State Identification	
20	Security and Theft Prevention Fund .....	<u>1,757</u> <del>1,219</del>
21	Secretary of State Special License Plate Fund....	<u>2,304</u> <del>3,194</del>
22	Secretary of State Special Services Fund .....	<u>10,045</u> <del>14,404</del>
23	Securities Audit and Enforcement Fund.....	<u>3,211</u> <del>4,743</del>
24	<del>Securities Investors Education Fund</del> .....	<del>882</del>
25	<del>September 11th Fund</del> .....	<del>1,062</del>
26	Solid Waste Management Fund.....	<u>9,494</u> <del>1,348</del>

1	State and Local Sales Tax Reform Fund.....	<u>3,638</u>	<del>1,984</del>
2	State Boating Act Fund .....	<u>38,425</u>	<del>3,155</del>
3	State Construction Account Fund.....	<u>79,336</u>	<del>34,102</del>
4	The State Garage Revolving Fund.....	<u>11,541</u>	<del>30,345</del>
5	The State Lottery Fund .....	<u>68,197</u>	<del>17,959</del>
6	<u>State Migratory Waterfowl Stamp Fund .....</u>	<u>4,757</u>	
7	State Parks Fund .....	<u>29,249</u>	<del>2,483</del>
8	<u>State Pensions Fund.....</u>	<u>1,000,000</u>	
9	<u>State Pheasant Fund.....</u>	<u>723</u>	
10	State Surplus Property Revolving Fund.....	<u>1,078</u>	<del>2,090</del>
11	The Statistical Services Revolving Fund.....	<u>40,944</u>	<del>105,824</del>
12	<u>Subtitle D Management Fund .....</u>	<u>989</u>	
13	<u>Supplemental Low Income Energy Assistance Fund .....</u>	<u>48,768</u>	
14	Tobacco Settlement Recovery Fund .....	<u>2,501</u>	<del>30,157</del>
15	<u>Tourism Promotion Fund .....</u>	<u>14,362</u>	
16	<u>Underground Resources Conservation Enforcement Fund....</u>	<u>1,722</u>	
17	<del>Trauma Center Fund .....</del>	<del>6,569</del>	
18	Underground Storage Tank Fund.....	<u>69,453</u>	<del>7,216</del>
19	The Vehicle Inspection Fund.....	<u>14,322</u>	<del>5,050</del>
20	<u>Violent Crime Victims Assistance Fund.....</u>	<u>10,629</u>	
21	<u>Weights and Measures Fund.....</u>	<u>3,408</u>	
22	±		
23	Wildlife and Fish Fund .....	<u>164,990</u>	<del>16,553</del>
24	The Working Capital Revolving Fund .....	<u>281,376</u>	<del>31,272</del>
25	Notwithstanding any provision of the law to the contrary,		
26	the General Assembly hereby authorizes the use of such funds		

1 for the purposes set forth in this Section.

2 These provisions do not apply to funds classified by the  
3 Comptroller as federal trust funds or State trust funds. The  
4 Audit Expense Fund may receive transfers from those trust funds  
5 only as directed herein, except where prohibited by the terms  
6 of the trust fund agreement. The Auditor General shall notify  
7 the trustees of those funds of the estimated cost of the audit  
8 to be incurred under the Illinois State Auditing Act for the  
9 fund. The trustees of those funds shall direct the State  
10 Comptroller and Treasurer to transfer the estimated amount to  
11 the Audit Expense Fund.

12 The Auditor General may bill entities that are not subject  
13 to the above transfer provisions, including private entities,  
14 related organizations and entities whose funds are  
15 locally-held, for the cost of audits, studies, and  
16 investigations incurred on their behalf. Any revenues received  
17 under this provision shall be deposited into the Audit Expense  
18 Fund.

19 In the event that moneys on deposit in any fund are  
20 unavailable, by reason of deficiency or any other reason  
21 preventing their lawful transfer, the State Comptroller shall  
22 order transferred and the State Treasurer shall transfer the  
23 amount deficient or otherwise unavailable from the General  
24 Revenue Fund for deposit into the Audit Expense Fund.

25 On or before December 1, 1992, and each December 1  
26 thereafter, the Auditor General shall notify the Governor's

1 Office of Management and Budget (formerly Bureau of the Budget)  
2 of the amount estimated to be necessary to pay for audits,  
3 studies, and investigations in accordance with the Illinois  
4 State Auditing Act during the next succeeding fiscal year for  
5 each State fund for which a transfer or reimbursement is  
6 anticipated.

7 Beginning with fiscal year 1994 and during each fiscal year  
8 thereafter, the Auditor General may direct the State  
9 Comptroller and Treasurer to transfer moneys from funds  
10 authorized by the General Assembly for that fund. In the event  
11 funds, including federal and State trust funds but excluding  
12 the General Revenue Fund, are transferred, during fiscal year  
13 1994 and during each fiscal year thereafter, in excess of the  
14 amount to pay actual costs attributable to audits, studies, and  
15 investigations as permitted or required by the Illinois State  
16 Auditing Act or specific action of the General Assembly, the  
17 Auditor General shall, on September 30, or as soon thereafter  
18 as is practicable, direct the State Comptroller and Treasurer  
19 to transfer the excess amount back to the fund from which it  
20 was originally transferred.

21 (Source: P.A. 96-476, eff. 8-14-09; 96-976, eff. 7-2-10; 97-66,  
22 eff. 6-30-11; revised 7-13-11.)

23 (30 ILCS 105/6z-30)

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

25 (a) The University of Illinois Hospital Services Fund is

1 created as a special fund in the State Treasury. The following  
2 moneys shall be deposited into the Fund:

3 (1) As soon as possible after the beginning of fiscal  
4 year 2010, and in no event later than July 30, the State  
5 Comptroller and the State Treasurer shall automatically  
6 transfer \$30,000,000 from the General Revenue Fund to the  
7 University of Illinois Hospital Services Fund.

8 (1.5) Starting in fiscal year 2011, as soon as possible  
9 after the beginning of each fiscal year, and in no event  
10 later than July 30, the State Comptroller and the State  
11 Treasurer shall automatically transfer \$45,000,000 from  
12 the General Revenue Fund to the University of Illinois  
13 Hospital Services Fund; except that, in fiscal year 2012  
14 only, the State Comptroller and the State Treasurer shall  
15 transfer \$90,000,000 from the General Revenue Fund to the  
16 University of Illinois Hospital Services Fund under this  
17 paragraph, and, in fiscal year 2013 only, the State  
18 Comptroller and the State Treasurer shall transfer no  
19 amounts from the General Revenue Fund to the University of  
20 Illinois Hospital Services Fund under this paragraph.

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

26 (3) All federal matching funds received by the

1 Department of Healthcare and Family Services (formerly  
2 Illinois Department of Public Aid) as a result of  
3 expenditures made by the Department that are attributable  
4 to moneys that were deposited in the Fund.

5 (4) All other moneys received for the Fund from any  
6 other source, including interest earned thereon.

7 (b) Moneys in the fund may be used by the Department of  
8 Healthcare and Family Services, subject to appropriation and to  
9 an interagency agreement between that Department and the Board  
10 of Trustees of the University of Illinois, to reimburse the  
11 University of Illinois Hospital for hospital and pharmacy  
12 services, to reimburse practitioners who are employed by the  
13 University of Illinois, to reimburse other health care  
14 facilities operated by the University of Illinois, and to pass  
15 through to the University of Illinois federal financial  
16 participation earned by the State as a result of expenditures  
17 made by the University of Illinois.

18 (c) (Blank).

19 (Source: P.A. 95-331, eff. 8-21-07; 95-744, eff. 7-18-08;  
20 96-45, eff. 7-15-09; 96-959, eff. 7-1-10.)

21 (30 ILCS 105/6z-45)

22 Sec. 6z-45. The School Infrastructure Fund.

23 (a) The School Infrastructure Fund is created as a special  
24 fund in the State Treasury.

25 In addition to any other deposits authorized by law,



1 beginning January 1, 2000, on the first day of each month, or  
2 as soon thereafter as may be practical, the State Treasurer and  
3 State Comptroller shall transfer the sum of \$5,000,000 from the  
4 General Revenue Fund to the School Infrastructure Fund, except  
5 that, notwithstanding any other provision of law, and in  
6 addition to any other transfers that may be provided for by  
7 law, before June 30, 2012, the Comptroller and the Treasurer  
8 shall transfer \$45,000,000 from the General Revenue Fund into  
9 the School Infrastructure Fund, and, for fiscal year 2013 only,  
10 the Treasurer and the Comptroller shall transfer \$1,250,000  
11 from the General Revenue Fund to the School Infrastructure Fund  
12 on the first day of each month; provided, however, that no such  
13 transfers shall be made from July 1, 2001 through June 30,  
14 2003.

15 (b) Subject to the transfer provisions set forth below,  
16 money in the School Infrastructure Fund shall, if and when the  
17 State of Illinois incurs any bonded indebtedness for the  
18 construction of school improvements under the School  
19 Construction Law, be set aside and used for the purpose of  
20 paying and discharging annually the principal and interest on  
21 that bonded indebtedness then due and payable, and for no other  
22 purpose.

23 In addition to other transfers to the General Obligation  
24 Bond Retirement and Interest Fund made pursuant to Section 15  
25 of the General Obligation Bond Act, upon each delivery of bonds  
26 issued for construction of school improvements under the School

1 Construction Law, the State Comptroller shall compute and  
2 certify to the State Treasurer the total amount of principal  
3 of, interest on, and premium, if any, on such bonds during the  
4 then current and each succeeding fiscal year. With respect to  
5 the interest payable on variable rate bonds, such  
6 certifications shall be calculated at the maximum rate of  
7 interest that may be payable during the fiscal year, after  
8 taking into account any credits permitted in the related  
9 indenture or other instrument against the amount of such  
10 interest required to be appropriated for that period.

11 On or before the last day of each month, the State  
12 Treasurer and State Comptroller shall transfer from the School  
13 Infrastructure Fund to the General Obligation Bond Retirement  
14 and Interest Fund an amount sufficient to pay the aggregate of  
15 the principal of, interest on, and premium, if any, on the  
16 bonds payable on their next payment date, divided by the number  
17 of monthly transfers occurring between the last previous  
18 payment date (or the delivery date if no payment date has yet  
19 occurred) and the next succeeding payment date. Interest  
20 payable on variable rate bonds shall be calculated at the  
21 maximum rate of interest that may be payable for the relevant  
22 period, after taking into account any credits permitted in the  
23 related indenture or other instrument against the amount of  
24 such interest required to be appropriated for that period.  
25 Interest for which moneys have already been deposited into the  
26 capitalized interest account within the General Obligation

1 Bond Retirement and Interest Fund shall not be included in the  
2 calculation of the amounts to be transferred under this  
3 subsection.

4 (c) The surplus, if any, in the School Infrastructure Fund  
5 after the payment of principal and interest on that bonded  
6 indebtedness then annually due shall, subject to  
7 appropriation, be used as follows:

8 First - to make 3 payments to the School Technology  
9 Revolving Loan Fund as follows:

10 Transfer of \$30,000,000 in fiscal year 1999;

11 Transfer of \$20,000,000 in fiscal year 2000; and

12 Transfer of \$10,000,000 in fiscal year 2001.

13 Second - to pay the expenses of the State Board of  
14 Education and the Capital Development Board in administering  
15 programs under the School Construction Law, the total expenses  
16 not to exceed \$1,200,000 in any fiscal year.

17 Third - to pay any amounts due for grants for school  
18 construction projects and debt service under the School  
19 Construction Law.

20 Fourth - to pay any amounts due for grants for school  
21 maintenance projects under the School Construction Law.

22 (Source: P.A. 92-11, eff. 6-11-01; 92-600, eff. 6-28-02; 93-9,  
23 eff. 6-3-03.)

24 (30 ILCS 105/6z-81)

25 Sec. 6z-81. Healthcare Provider Relief Fund.

1           (a) There is created in the State treasury a special fund  
2 to be known as the Healthcare Provider Relief Fund.

3           (b) The Fund is created for the purpose of receiving and  
4 disbursing moneys in accordance with this Section.  
5 Disbursements from the Fund shall be made only as follows:

6           (1) Subject to appropriation, for payment by the  
7 Department of Healthcare and Family Services or by the  
8 Department of Human Services of medical bills and related  
9 expenses, including administrative expenses, for which the  
10 State is responsible under Titles XIX and XXI of the Social  
11 Security Act, the Illinois Public Aid Code, the Children's  
12 Health Insurance Program Act, the Covering ALL KIDS Health  
13 Insurance Act, and the Senior Citizens and Disabled Persons  
14 Property Tax Relief and Pharmaceutical Assistance Act.

15           (2) For repayment of funds borrowed from other State  
16 funds or from outside sources, including interest thereon.

17           (c) The Fund shall consist of the following:

18           (1) Moneys received by the State from short-term  
19 borrowing pursuant to the Short Term Borrowing Act on or  
20 after the effective date of this amendatory Act of the 96th  
21 General Assembly.

22           (2) All federal matching funds received by the Illinois  
23 Department of Healthcare and Family Services as a result of  
24 expenditures made by the Department that are attributable  
25 to moneys deposited in the Fund.

26           (3) All federal matching funds received by the Illinois

1 Department of Healthcare and Family Services as a result of  
2 federal approval of Title XIX State plan amendment  
3 transmittal number 07-09.

4 (4) All other moneys received for the Fund from any  
5 other source, including interest earned thereon.

6 (d) In addition to any other transfers that may be provided  
7 for by law, on the effective date of this amendatory Act of the  
8 97th General Assembly, or as soon thereafter as practical, the  
9 State Comptroller shall direct and the State Treasurer shall  
10 transfer the sum of \$365,000,000 from the General Revenue Fund  
11 into the Healthcare Provider Relief Fund.

12 (e) In addition to any other transfers that may be provided  
13 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 \$160,000,000 from the  
16 General Revenue Fund to the Healthcare Provider Relief Fund.

17 (f) Notwithstanding any other State law to the contrary,  
18 and in addition to any other transfers that may be provided for  
19 by law, the State Comptroller shall order transferred and the  
20 State Treasurer shall transfer \$500,000,000 to the Healthcare  
21 Provider Relief Fund from the General Revenue Fund in equal  
22 monthly installments of \$100,000,000, with the first transfer  
23 to be made on July 1, 2012, or as soon thereafter as practical,  
24 and with each of the remaining transfers to be made on August  
25 1, 2012, September 1, 2012, October 1, 2012, and November 1,  
26 2012, or as soon thereafter as practical. This transfer may

1 assist the Department of Healthcare and Family Services in  
2 improving Medical Assistance bill processing timeframes or in  
3 meeting the possible requirements of Senate Bill 3397, or other  
4 similar legislation, of the 97th General Assembly should it  
5 become law.

6 (Source: P.A. 96-820, eff. 11-18-09; 96-1100, eff. 1-1-11;  
7 97-44, eff. 6-28-11; 97-641, eff. 12-19-11.)

8 (30 ILCS 105/6z-82)

9 Sec. 6z-82. State Police Operations Assistance Fund.

10 (a) There is created in the State treasury a special fund  
11 known as the State Police Operations Assistance Fund. The Fund  
12 shall receive revenue pursuant to Section 27.3a of the Clerks  
13 of Courts Act. The Fund may also receive revenue from grants,  
14 donations, appropriations, and any other legal source.

15 (b) The Department of State Police may use moneys in the  
16 Fund to finance any of its lawful purposes or functions.

17 (c) Expenditures may be made from the Fund only as  
18 appropriated by the General Assembly by law.

19 (d) Investment income that is attributable to the  
20 investment of moneys in the Fund shall be retained in the Fund  
21 for the uses specified in this Section.

22 (e) The State Police Operations Assistance Fund shall not  
23 be subject to administrative chargebacks.

24 (f) Notwithstanding any other provision of State law to the  
25 contrary, on or after July 1, 2012, and until June 30, 2013, in

1 addition to any other transfers that may be provided for by  
 2 law, at the direction of and upon notification from the  
 3 Director of State Police, the State Comptroller shall direct  
 4 and the State Treasurer shall transfer amounts into the State  
 5 Police Operations Assistance Fund from the designated funds not  
 6 exceeding the following totals:

7 State Police Vehicle Fund ..... \$2,250,000

8 State Police Wireless Service

9 Emergency Fund ..... \$2,500,000

10 State Police Services Fund ..... \$3,500,000

11 (Source: P.A. 96-1029, eff. 7-13-10; 97-333, eff. 8-12-11.)

12 (30 ILCS 105/6z-93 new)

13 Sec. 6z-93. FY 13 Backlog Payment Fund. The FY 13 Backlog  
 14 Payment Fund is created as a special fund in the State  
 15 treasury. Beginning July 1, 2012 and on or before December 31,  
 16 2012, the State Comptroller shall direct and the State  
 17 Treasurer shall transfer funds from the FY 13 Backlog Payment  
 18 Fund to the General Revenue Fund as needed for the payment of  
 19 vouchers and transfers to other State funds obligated in State  
 20 fiscal year 2012, other than costs incurred for claims under  
 21 the Medical Assistance Program.

22 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

23 Sec. 8.3. Money in the Road Fund shall, if and when the  
 24 State of Illinois incurs any bonded indebtedness for the

1 construction of permanent highways, be set aside and used for  
2 the purpose of paying and discharging annually the principal  
3 and interest on that bonded indebtedness then due and payable,  
4 and for no other purpose. The surplus, if any, in the Road Fund  
5 after the payment of principal and interest on that bonded  
6 indebtedness then annually due shall be used as follows:

7 first -- to pay the cost of administration of Chapters  
8 2 through 10 of the Illinois Vehicle Code, except the cost  
9 of administration of Articles I and II of Chapter 3 of that  
10 Code; and

11 secondly -- for expenses of the Department of  
12 Transportation for construction, reconstruction,  
13 improvement, repair, maintenance, operation, and  
14 administration of highways in accordance with the  
15 provisions of laws relating thereto, or for any purpose  
16 related or incident to and connected therewith, including  
17 the separation of grades of those highways with railroads  
18 and with highways and including the payment of awards made  
19 by the Illinois Workers' Compensation Commission under the  
20 terms of the Workers' Compensation Act or Workers'  
21 Occupational Diseases Act for injury or death of an  
22 employee of the Division of Highways in the Department of  
23 Transportation; or for the acquisition of land and the  
24 erection of buildings for highway purposes, including the  
25 acquisition of highway right-of-way or for investigations  
26 to determine the reasonably anticipated future highway



1 needs; or for making of surveys, plans, specifications and  
2 estimates for and in the construction and maintenance of  
3 flight strips and of highways necessary to provide access  
4 to military and naval reservations, to defense industries  
5 and defense-industry sites, and to the sources of raw  
6 materials and for replacing existing highways and highway  
7 connections shut off from general public use at military  
8 and naval reservations and defense-industry sites, or for  
9 the purchase of right-of-way, except that the State shall  
10 be reimbursed in full for any expense incurred in building  
11 the flight strips; or for the operating and maintaining of  
12 highway garages; or for patrolling and policing the public  
13 highways and conserving the peace; or for the operating  
14 expenses of the Department relating to the administration  
15 of public transportation programs; or, during fiscal year  
16 2012 only, for the purposes of a grant not to exceed  
17 \$8,500,000 to the Regional Transportation Authority on  
18 behalf of PACE for the purpose of ADA/Para-transit  
19 expenses; or, during fiscal year 2013 only, for the  
20 purposes of a grant not to exceed \$3,825,000 to the  
21 Regional Transportation Authority on behalf of PACE for the  
22 purpose of ADA/Para-transit expenses; or for any of those  
23 purposes or any other purpose that may be provided by law.

24 Appropriations for any of those purposes are payable from  
25 the Road Fund. Appropriations may also be made from the Road  
26 Fund for the administrative expenses of any State agency that

1 are related to motor vehicles or arise from the use of motor  
2 vehicles.

3 Beginning with fiscal year 1980 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 Public Health;

10 2. Department of Transportation, only with respect to  
11 subsidies for one-half fare Student Transportation and  
12 Reduced Fare for Elderly, except during fiscal year 2012  
13 only when no more than \$40,000,000 may be expended and  
14 except during fiscal year 2013 only when no more than  
15 \$17,570,300 may be expended;

16 3. Department of Central Management Services, except  
17 for expenditures incurred for group insurance premiums of  
18 appropriate personnel;

19 4. Judicial Systems and Agencies.

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

26 1. Department of State Police, except for expenditures

1 with respect to the Division of Operations;

2 2. Department of Transportation, only with respect to  
3 Intercity Rail Subsidies, except during fiscal year 2012  
4 only when no more than \$40,000,000 may be expended and  
5 except during fiscal year 2013 only when no more than  
6 \$26,000,000 may be expended, and Rail Freight Services.

7 Beginning with fiscal year 1982 and thereafter, no Road  
8 Fund monies shall be appropriated to the following Departments  
9 or agencies of State government for administration, grants, or  
10 operations; but this limitation is not a restriction upon  
11 appropriating for those purposes any Road Fund monies that are  
12 eligible for federal reimbursement: Department of Central  
13 Management Services, except for awards made by the Illinois  
14 Workers' Compensation Commission under the terms of the  
15 Workers' Compensation Act or Workers' Occupational Diseases  
16 Act for injury or death of an employee of the Division of  
17 Highways in the Department of Transportation.

18 Beginning with fiscal year 1984 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:

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

26 2. State Officers.

1           Beginning with fiscal year 1984 and thereafter, no Road  
2 Fund monies shall be appropriated to any Department or agency  
3 of State government for administration, grants, or operations  
4 except as provided hereafter; but this limitation is not a  
5 restriction upon appropriating for those purposes any Road Fund  
6 monies that are eligible for federal reimbursement. It shall  
7 not be lawful to circumvent the above appropriation limitations  
8 by governmental reorganization or other methods.  
9 Appropriations shall be made from the Road Fund only in  
10 accordance with the provisions of this Section.

11           Money in the Road Fund shall, if and when the State of  
12 Illinois incurs any bonded indebtedness for the construction of  
13 permanent highways, be set aside and used for the purpose of  
14 paying and discharging during each fiscal year the principal  
15 and interest on that bonded indebtedness as it becomes due and  
16 payable as provided in the Transportation Bond Act, and for no  
17 other purpose. The surplus, if any, in the Road Fund after the  
18 payment of principal and interest on that bonded indebtedness  
19 then annually due shall be used as follows:

20                 first -- to pay the cost of administration of Chapters  
21                 2 through 10 of the Illinois Vehicle Code; and

22                 secondly -- no Road Fund monies derived from fees,  
23                 excises, or license taxes relating to registration,  
24                 operation and use of vehicles on public highways or to  
25                 fuels used for the propulsion of those vehicles, shall be  
26                 appropriated or expended other than for costs of

1 administering the laws imposing those fees, excises, and  
2 license taxes, statutory refunds and adjustments allowed  
3 thereunder, administrative costs of the Department of  
4 Transportation, including, but not limited to, the  
5 operating expenses of the Department relating to the  
6 administration of public transportation programs, payment  
7 of debts and liabilities incurred in construction and  
8 reconstruction of public highways and bridges, acquisition  
9 of rights-of-way for and the cost of construction,  
10 reconstruction, maintenance, repair, and operation of  
11 public highways and bridges under the direction and  
12 supervision of the State, political subdivision, or  
13 municipality collecting those monies, or during fiscal  
14 year 2012 only for the purposes of a grant not to exceed  
15 \$8,500,000 to the Regional Transportation Authority on  
16 behalf of PACE for the purpose of ADA/Para-transit  
17 expenses, and the costs for patrolling and policing the  
18 public highways (by State, political subdivision, or  
19 municipality collecting that money) for enforcement of  
20 traffic laws. The separation of grades of such highways  
21 with railroads and costs associated with protection of  
22 at-grade highway and railroad crossing shall also be  
23 permissible.

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

1           Except as provided in this paragraph, beginning with fiscal  
2 year 1991 and thereafter, no Road Fund monies shall be  
3 appropriated to the Department of State Police for the purposes  
4 of this Section in excess of its total fiscal year 1990 Road  
5 Fund appropriations for those purposes unless otherwise  
6 provided in Section 5g of this Act. For fiscal years 2003,  
7 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be  
8 appropriated to the Department of State Police for the purposes  
9 of this Section in excess of \$97,310,000. For fiscal year 2008  
10 only, no Road Fund monies shall be appropriated to the  
11 Department of State Police for the purposes of this Section in  
12 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund  
13 monies shall be appropriated to the Department of State Police  
14 for the purposes of this Section in excess of \$114,700,000.  
15 Beginning in fiscal year 2010, no road fund moneys shall be  
16 appropriated to the Department of State Police. It shall not be  
17 lawful to circumvent this limitation on appropriations by  
18 governmental reorganization or other methods unless otherwise  
19 provided in Section 5g of this Act.

20           In fiscal year 1994, no Road Fund monies shall be  
21 appropriated to the Secretary of State for the purposes of this  
22 Section in excess of the total fiscal year 1991 Road Fund  
23 appropriations to the Secretary of State for those purposes,  
24 plus \$9,800,000. It shall not be lawful to circumvent this  
25 limitation on appropriations by governmental reorganization or  
26 other method.

1           Beginning with fiscal year 1995 and thereafter, no Road  
2 Fund monies shall be appropriated to the Secretary of State for  
3 the purposes of this Section in excess of the total fiscal year  
4 1994 Road Fund appropriations to the Secretary of State for  
5 those purposes. It shall not be lawful to circumvent this  
6 limitation on appropriations by governmental reorganization or  
7 other methods.

8           Beginning with fiscal year 2000, total Road Fund  
9 appropriations to the Secretary of State for the purposes of  
10 this Section shall not exceed the amounts specified for the  
11 following fiscal years:

12           Fiscal Year 2000	\$80,500,000;
13           Fiscal Year 2001	\$80,500,000;
14           Fiscal Year 2002	\$80,500,000;
15           Fiscal Year 2003	\$130,500,000;
16           Fiscal Year 2004	\$130,500,000;
17           Fiscal Year 2005	\$130,500,000;
18           Fiscal Year 2006	\$130,500,000;
19           Fiscal Year 2007	\$130,500,000;
20           Fiscal Year 2008	\$130,500,000;
21           Fiscal Year 2009	\$130,500,000.

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

24           Beginning in fiscal year 2011, moneys in the Road Fund  
25 shall be appropriated to the Secretary of State for the  
26 exclusive purpose of paying refunds due to overpayment of fees

1 related to Chapter 3 of the Illinois Vehicle Code unless  
2 otherwise provided for by law.

3 It shall not be lawful to circumvent this limitation on  
4 appropriations by governmental reorganization or other  
5 methods.

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

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

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

21 The additional amounts authorized for expenditure by the  
22 Secretary of State and the Department of State Police in this  
23 Section by this amendatory Act of the 94th General Assembly  
24 shall be repaid to the Road Fund from the General Revenue Fund  
25 in the next succeeding fiscal year that the General Revenue  
26 Fund has a positive budgetary balance, as determined by



1 generally accepted accounting principles applicable to  
2 government.

3 (Source: P.A. 96-34, eff. 7-13-09; 96-959, eff. 7-1-10; 97-72,  
4 eff. 7-1-11.)

5 (30 ILCS 105/8g-1 new)

6 Sec. 8g-1. FY13 fund transfers. In addition to any other  
7 transfers that may be provided for by law, on and after July 1,  
8 2012 and until May 1, 2013, at the direction of and upon  
9 notification from the Governor, the State Comptroller shall  
10 direct and the State Treasurer shall transfer amounts not  
11 exceeding a total of \$80,000,000 from the General Revenue Fund  
12 to the Tobacco Settlement Recovery Fund. Any amounts so  
13 transferred shall be retransferred by the State Comptroller and  
14 the State Treasurer from the Tobacco Settlement Recovery Fund  
15 to the General Revenue Fund at the direction of and upon  
16 notification from the Governor, but in any event on or before  
17 June 30, 2013.

18 (30 ILCS 105/25) (from Ch. 127, par. 161)

19 Sec. 25. Fiscal year limitations.

20 (a) All appropriations shall be available for expenditure  
21 for the fiscal year or for a lesser period if the Act making  
22 that appropriation so specifies. A deficiency or emergency  
23 appropriation shall be available for expenditure only through  
24 June 30 of the year when the Act making that appropriation is

1 enacted unless that Act otherwise provides.

2 (b) Outstanding liabilities as of June 30, payable from  
3 appropriations which have otherwise expired, may be paid out of  
4 the expiring appropriations during the 2-month period ending at  
5 the close of business on August 31. Any service involving  
6 professional or artistic skills or any personal services by an  
7 employee whose compensation is subject to income tax  
8 withholding must be performed as of June 30 of the fiscal year  
9 in order to be considered an "outstanding liability as of June  
10 30" that is thereby eligible for payment out of the expiring  
11 appropriation.

12 (b-1) However, payment of tuition reimbursement claims  
13 under Section 14-7.03 or 18-3 of the School Code may be made by  
14 the State Board of Education from its appropriations for those  
15 respective purposes for any fiscal year, even though the claims  
16 reimbursed by the payment may be claims attributable to a prior  
17 fiscal year, and payments may be made at the direction of the  
18 State Superintendent of Education from the fund from which the  
19 appropriation is made without regard to any fiscal year  
20 limitations, except as required by subsection (j) of this  
21 Section. Beginning on June 30, 2021, payment of tuition  
22 reimbursement claims under Section 14-7.03 or 18-3 of the  
23 School Code as of June 30, payable from appropriations that  
24 have otherwise expired, may be paid out of the expiring  
25 appropriation during the 4-month period ending at the close of  
26 business on October 31.

1 (b-2) All outstanding liabilities as of June 30, 2010,  
2 payable from appropriations that would otherwise expire at the  
3 conclusion of the lapse period for fiscal year 2010, and  
4 interest penalties payable on those liabilities under the State  
5 Prompt Payment Act, may be paid out of the expiring  
6 appropriations until December 31, 2010, without regard to the  
7 fiscal year in which the payment is made, as long as vouchers  
8 for the liabilities are received by the Comptroller no later  
9 than August 31, 2010.

10 (b-2.5) All outstanding liabilities as of June 30, 2011,  
11 payable from appropriations that would otherwise expire at the  
12 conclusion of the lapse period for fiscal year 2011, and  
13 interest penalties payable on those liabilities under the State  
14 Prompt Payment Act, may be paid out of the expiring  
15 appropriations until December 31, 2011, without regard to the  
16 fiscal year in which the payment is made, as long as vouchers  
17 for the liabilities are received by the Comptroller no later  
18 than August 31, 2011.

19 (b-2.6) All outstanding liabilities as of June 30, 2012,  
20 payable from appropriations that would otherwise expire at the  
21 conclusion of the lapse period for fiscal year 2012, and  
22 interest penalties payable on those liabilities under the State  
23 Prompt Payment Act, may be paid out of the expiring  
24 appropriations until December 31, 2012, without regard to the  
25 fiscal year in which the payment is made, as long as vouchers  
26 for the liabilities are received by the Comptroller no later

1 than August 31, 2012.

2 (b-3) Medical payments may be made by the Department of  
3 Veterans' Affairs from its appropriations for those purposes  
4 for any fiscal year, without regard to the fact that the  
5 medical services being compensated for by such payment may have  
6 been rendered in a prior fiscal year, except as required by  
7 subsection (j) of this Section. Beginning on June 30, 2021,  
8 medical payments payable from appropriations that have  
9 otherwise expired may be paid out of the expiring appropriation  
10 during the 4-month period ending at the close of business on  
11 October 31.

12 (b-4) Medical payments may be made by the Department of  
13 Healthcare and Family Services and medical payments and child  
14 care payments may be made by the Department of Human Services  
15 (as successor to the Department of Public Aid) from  
16 appropriations for those purposes for any fiscal year, without  
17 regard to the fact that the medical or child care services  
18 being compensated for by such payment may have been rendered in  
19 a prior fiscal year; and payments may be made at the direction  
20 of the Department of Healthcare and Family Services from the  
21 Health Insurance Reserve Fund and the Local Government Health  
22 Insurance Reserve Fund without regard to any fiscal year  
23 limitations, except as required by subsection (j) of this  
24 Section. Beginning on June 30, 2021, medical payments made by  
25 the Department of Healthcare and Family Services, child care  
26 payments made by the Department of Human Services, and payments

1 made at the discretion of the Department of Healthcare and  
2 Family Services from the Health Insurance Reserve Fund and the  
3 Local Government Health Insurance Reserve Fund payable from  
4 appropriations that have otherwise expired may be paid out of  
5 the expiring appropriation during the 4-month period ending at  
6 the close of business on October 31.

7 (b-5) Medical payments may be made by the Department of  
8 Human Services from its appropriations relating to substance  
9 abuse treatment services for any fiscal year, without regard to  
10 the fact that the medical services being compensated for by  
11 such payment may have been rendered in a prior fiscal year,  
12 provided the payments are made on a fee-for-service basis  
13 consistent with requirements established for Medicaid  
14 reimbursement by the Department of Healthcare and Family  
15 Services, except as required by subsection (j) of this Section.  
16 Beginning on June 30, 2021, medical payments made by the  
17 Department of Human Services relating to substance abuse  
18 treatment services payable from appropriations that have  
19 otherwise expired may be paid out of the expiring appropriation  
20 during the 4-month period ending at the close of business on  
21 October 31.

22 (b-6) Additionally, payments may be made by the Department  
23 of Human Services from its appropriations, or any other State  
24 agency from its appropriations with the approval of the  
25 Department of Human Services, from the Immigration Reform and  
26 Control Fund for purposes authorized pursuant to the

1 Immigration Reform and Control Act of 1986, without regard to  
2 any fiscal year limitations, except as required by subsection  
3 (j) of this Section. Beginning on June 30, 2021, payments made  
4 by the Department of Human Services from the Immigration Reform  
5 and Control Fund for purposes authorized pursuant to the  
6 Immigration Reform and Control Act of 1986 payable from  
7 appropriations that have otherwise expired may be paid out of  
8 the expiring appropriation during the 4-month period ending at  
9 the close of business on October 31.

10 (b-7) Payments may be made in accordance with a plan  
11 authorized by paragraph (11) or (12) of Section 405-105 of the  
12 Department of Central Management Services Law from  
13 appropriations for those payments without regard to fiscal year  
14 limitations.

15 (c) Further, payments may be made by the Department of  
16 Public Health, the Department of Human Services (acting as  
17 successor to the Department of Public Health under the  
18 Department of Human Services Act), and the Department of  
19 Healthcare and Family Services from their respective  
20 appropriations for grants for medical care to or on behalf of  
21 persons suffering from chronic renal disease, persons  
22 suffering from hemophilia, rape victims, and premature and  
23 high-mortality risk infants and their mothers and for grants  
24 for supplemental food supplies provided under the United States  
25 Department of Agriculture Women, Infants and Children  
26 Nutrition Program, for any fiscal year without regard to the

1 fact that the services being compensated for by such payment  
2 may have been rendered in a prior fiscal year, except as  
3 required by subsection (j) of this Section. Beginning on June  
4 30, 2021, payments made by the Department of Public Health, the  
5 Department of Human Services, and the Department of Healthcare  
6 and Family Services from their respective appropriations for  
7 grants for medical care to or on behalf of persons suffering  
8 from chronic renal disease, persons suffering from hemophilia,  
9 rape victims, and premature and high-mortality risk infants and  
10 their mothers and for grants for supplemental food supplies  
11 provided under the United States Department of Agriculture  
12 Women, Infants and Children Nutrition Program payable from  
13 appropriations that have otherwise expired may be paid out of  
14 the expiring appropriations during the 4-month period ending at  
15 the close of business on October 31.

16 (d) The Department of Public Health and the Department of  
17 Human Services (acting as successor to the Department of Public  
18 Health under the Department of Human Services Act) shall each  
19 annually submit to the State Comptroller, Senate President,  
20 Senate Minority Leader, Speaker of the House, House Minority  
21 Leader, and the respective Chairmen and Minority Spokesmen of  
22 the Appropriations Committees of the Senate and the House, on  
23 or before December 31, a report of fiscal year funds used to  
24 pay for services provided in any prior fiscal year. This report  
25 shall document by program or service category those  
26 expenditures from the most recently completed fiscal year used

1 to pay for services provided in prior fiscal years.

2 (e) The Department of Healthcare and Family Services, the  
3 Department of Human Services (acting as successor to the  
4 Department of Public Aid), and the Department of Human Services  
5 making fee-for-service payments relating to substance abuse  
6 treatment services provided during a previous fiscal year shall  
7 each annually submit to the State Comptroller, Senate  
8 President, Senate Minority Leader, Speaker of the House, House  
9 Minority Leader, the respective Chairmen and Minority  
10 Spokesmen of the Appropriations Committees of the Senate and  
11 the House, on or before November 30, a report that shall  
12 document by program or service category those expenditures from  
13 the most recently completed fiscal year used to pay for (i)  
14 services provided in prior fiscal years and (ii) services for  
15 which claims were received in prior fiscal years.

16 (f) The Department of Human Services (as successor to the  
17 Department of Public Aid) shall annually submit to the State  
18 Comptroller, Senate President, Senate Minority Leader, Speaker  
19 of the House, House Minority Leader, and the respective  
20 Chairmen and Minority Spokesmen of the Appropriations  
21 Committees of the Senate and the House, on or before December  
22 31, a report of fiscal year funds used to pay for services  
23 (other than medical care) provided in any prior fiscal year.  
24 This report shall document by program or service category those  
25 expenditures from the most recently completed fiscal year used  
26 to pay for services provided in prior fiscal years.



1 (g) In addition, each annual report required to be  
2 submitted by the Department of Healthcare and Family Services  
3 under subsection (e) shall include the following information  
4 with respect to the State's Medicaid program:

5 (1) Explanations of the exact causes of the variance  
6 between the previous year's estimated and actual  
7 liabilities.

8 (2) Factors affecting the Department of Healthcare and  
9 Family Services' liabilities, including but not limited to  
10 numbers of aid recipients, levels of medical service  
11 utilization by aid recipients, and inflation in the cost of  
12 medical services.

13 (3) The results of the Department's efforts to combat  
14 fraud and abuse.

15 (h) As provided in Section 4 of the General Assembly  
16 Compensation Act, any utility bill for service provided to a  
17 General Assembly member's district office for a period  
18 including portions of 2 consecutive fiscal years may be paid  
19 from funds appropriated for such expenditure in either fiscal  
20 year.

21 (i) An agency which administers a fund classified by the  
22 Comptroller as an internal service fund may issue rules for:

23 (1) billing user agencies in advance for payments or  
24 authorized inter-fund transfers based on estimated charges  
25 for goods or services;

26 (2) issuing credits, refunding through inter-fund

1 transfers, or reducing future inter-fund transfers during  
2 the subsequent fiscal year for all user agency payments or  
3 authorized inter-fund transfers received during the prior  
4 fiscal year which were in excess of the final amounts owed  
5 by the user agency for that period; and

6 (3) issuing catch-up billings to user agencies during  
7 the subsequent fiscal year for amounts remaining due when  
8 payments or authorized inter-fund transfers received from  
9 the user agency during the prior fiscal year were less than  
10 the total amount owed for that period.

11 User agencies are authorized to reimburse internal service  
12 funds for catch-up billings by vouchers drawn against their  
13 respective appropriations for the fiscal year in which the  
14 catch-up billing was issued or by increasing an authorized  
15 inter-fund transfer during the current fiscal year. For the  
16 purposes of this Act, "inter-fund transfers" means transfers  
17 without the use of the voucher-warrant process, as authorized  
18 by Section 9.01 of the State Comptroller Act.

19 (i-1) Beginning on July 1, 2021, all outstanding  
20 liabilities, not payable during the 4-month lapse period as  
21 described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and  
22 (c) of this Section, that are made from appropriations for that  
23 purpose for any fiscal year, without regard to the fact that  
24 the services being compensated for by those payments may have  
25 been rendered in a prior fiscal year, are limited to only those  
26 claims that have been incurred but for which a proper bill or

1 invoice as defined by the State Prompt Payment Act has not been  
2 received by September 30th following the end of the fiscal year  
3 in which the service was rendered.

4 (j) Notwithstanding any other provision of this Act, the  
5 aggregate amount of payments to be made without regard for  
6 fiscal year limitations as contained in subsections (b-1),  
7 (b-3), (b-4), (b-5), (b-6), and (c) of this Section, and  
8 determined by using Generally Accepted Accounting Principles,  
9 shall not exceed the following amounts:

10 (1) \$6,000,000,000 for outstanding liabilities related  
11 to fiscal year 2012;

12 (2) \$5,300,000,000 for outstanding liabilities related  
13 to fiscal year 2013;

14 (3) \$4,600,000,000 for outstanding liabilities related  
15 to fiscal year 2014;

16 (4) \$4,000,000,000 for outstanding liabilities related  
17 to fiscal year 2015;

18 (5) \$3,300,000,000 for outstanding liabilities related  
19 to fiscal year 2016;

20 (6) \$2,600,000,000 for outstanding liabilities related  
21 to fiscal year 2017;

22 (7) \$2,000,000,000 for outstanding liabilities related  
23 to fiscal year 2018;

24 (8) \$1,300,000,000 for outstanding liabilities related  
25 to fiscal year 2019;

26 (9) \$600,000,000 for outstanding liabilities related

1 to fiscal year 2020; and

2 (10) \$0 for outstanding liabilities related to fiscal  
3 year 2021 and fiscal years thereafter.

4 (Source: P.A. 96-928, eff. 6-15-10; 96-958, eff. 7-1-10;  
5 96-1501, eff. 1-25-11; 97-75, eff. 6-30-11; 97-333, eff.  
6 8-12-11.)

7 Section 5-30. The Illinois Income Tax Act is amended by  
8 changing Section 901 as follows:

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

10 Sec. 901. Collection Authority.

11 (a) In general.

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

1 the State Treasury, or to the State Disbursement Unit  
2 established under Section 10-26 of the Illinois Public Aid  
3 Code, as directed by the Department of Healthcare and Family  
4 Services.

5 (b) Local Government Distributive Fund.

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

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

1 Local Government Distributive Fund an amount equal to the sum  
2 of (i) 9.23% (10% of the ratio of the 3% individual income tax  
3 rate prior to 2011 to the 3.25% individual income tax rate  
4 after 2024) of the net revenue realized from the tax imposed by  
5 subsections (a) and (b) of Section 201 of this Act upon  
6 individuals, trusts, and estates during the preceding month and  
7 (ii) 10% of the net revenue realized from the tax imposed by  
8 subsections (a) and (b) of Section 201 of this Act upon  
9 corporations during the preceding month. Net revenue realized  
10 for a month shall be defined as the revenue from the tax  
11 imposed by subsections (a) and (b) of Section 201 of this Act  
12 which is deposited in the General Revenue Fund, the Education  
13 Assistance Fund, the Income Tax Surcharge Local Government  
14 Distributive Fund, the Fund for the Advancement of Education,  
15 and the Commitment to Human Services Fund during the month  
16 minus the amount paid out of the General Revenue Fund in State  
17 warrants during that same month as refunds to taxpayers for  
18 overpayment of liability under the tax imposed by subsections  
19 (a) and (b) of Section 201 of this Act.

20 (c) Deposits Into Income Tax Refund Fund.

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

1 period beginning January 1, 1989 and ending on June 30,  
2 1989. Beginning with State fiscal year 1990 and for each  
3 fiscal year thereafter, the percentage deposited into the  
4 Income Tax Refund Fund during a fiscal year shall be the  
5 Annual Percentage. For fiscal years 1999 through 2001, the  
6 Annual Percentage shall be 7.1%. For fiscal year 2003, the  
7 Annual Percentage shall be 8%. For fiscal year 2004, the  
8 Annual Percentage shall be 11.7%. Upon the effective date  
9 of this amendatory Act of the 93rd General Assembly, the  
10 Annual Percentage shall be 10% for fiscal year 2005. For  
11 fiscal year 2006, the Annual Percentage shall be 9.75%. For  
12 fiscal year 2007, the Annual Percentage shall be 9.75%. For  
13 fiscal year 2008, the Annual Percentage shall be 7.75%. For  
14 fiscal year 2009, the Annual Percentage shall be 9.75%. For  
15 fiscal year 2010, the Annual Percentage shall be 9.75%. For  
16 fiscal year 2011, the Annual Percentage shall be 8.75%. For  
17 fiscal year 2012, the Annual Percentage shall be 8.75%. For  
18 fiscal year 2013, the Annual Percentage shall be 9.75%. For  
19 all other fiscal years, the Annual Percentage shall be  
20 calculated as a fraction, the numerator of which shall be  
21 the amount of refunds approved for payment by the  
22 Department during the preceding fiscal year as a result of  
23 overpayment of tax liability under subsections (a) and  
24 (b) (1), (2), and (3) of Section 201 of this Act plus the  
25 amount of such refunds remaining approved but unpaid at the  
26 end of the preceding fiscal year, minus the amounts



1 transferred into the Income Tax Refund Fund from the  
2 Tobacco Settlement Recovery Fund, and the denominator of  
3 which shall be the amounts which will be collected pursuant  
4 to subsections (a) and (b) (1), (2), and (3) of Section 201  
5 of this Act during the preceding fiscal year; except that  
6 in State fiscal year 2002, the Annual Percentage shall in  
7 no event exceed 7.6%. The Director of Revenue shall certify  
8 the Annual Percentage to the Comptroller on the last  
9 business day of the fiscal year immediately preceding the  
10 fiscal year for which it is to be effective.

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

1 fiscal year 2006, the Annual Percentage shall be 20%. For  
2 fiscal year 2007, the Annual Percentage shall be 17.5%. For  
3 fiscal year 2008, the Annual Percentage shall be 15.5%. For  
4 fiscal year 2009, the Annual Percentage shall be 17.5%. For  
5 fiscal year 2010, the Annual Percentage shall be 17.5%. For  
6 fiscal year 2011, the Annual Percentage shall be 17.5%. For  
7 fiscal year 2012, the Annual Percentage shall be 17.5%. For  
8 fiscal year 2013, the Annual Percentage shall be 14%. For  
9 all other fiscal years, the Annual Percentage shall be  
10 calculated as a fraction, the numerator of which shall be  
11 the amount of refunds approved for payment by the  
12 Department during the preceding fiscal year as a result of  
13 overpayment of tax liability under subsections (a) and  
14 (b) (6), (7), and (8), (c) and (d) of Section 201 of this  
15 Act plus the amount of such refunds remaining approved but  
16 unpaid at the end of the preceding fiscal year, and the  
17 denominator of which shall be the amounts which will be  
18 collected pursuant to subsections (a) and (b) (6), (7), and  
19 (8), (c) and (d) of Section 201 of this Act during the  
20 preceding fiscal year; except that in State fiscal year  
21 2002, the Annual Percentage shall in no event exceed 23%.  
22 The Director of Revenue shall certify the Annual Percentage  
23 to the Comptroller on the last business day of the fiscal  
24 year immediately preceding the fiscal year for which it is  
25 to be effective.

26 (3) The Comptroller shall order transferred and the

1           Treasurer shall transfer from the Tobacco Settlement  
2           Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000  
3           in January, 2001, (ii) \$35,000,000 in January, 2002, and  
4           (iii) \$35,000,000 in January, 2003.

5           (d) Expenditures from Income Tax Refund Fund.

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

14          (2) The Director shall order payment of refunds  
15          resulting from overpayment of tax liability under Section  
16          201 of this Act from the Income Tax Refund Fund only to the  
17          extent that amounts collected pursuant to Section 201 of  
18          this Act and transfers pursuant to this subsection (d) and  
19          item (3) of subsection (c) have been deposited and retained  
20          in the Fund.

21          (3) As soon as possible after the end of each fiscal  
22          year, the Director shall order transferred and the State  
23          Treasurer and State Comptroller shall transfer from the  
24          Income Tax Refund Fund to the Personal Property Tax  
25          Replacement Fund an amount, certified by the Director to  
26          the Comptroller, equal to the excess of the amount

1 collected pursuant to subsections (c) and (d) of Section  
2 201 of this Act deposited into the Income Tax Refund Fund  
3 during the fiscal year over the amount of refunds resulting  
4 from overpayment of tax liability under subsections (c) and  
5 (d) of Section 201 of this Act paid from the Income Tax  
6 Refund Fund during the fiscal year.

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

19 (4.5) As soon as possible after the end of fiscal year  
20 1999 and of each fiscal year thereafter, the Director shall  
21 order transferred and the State Treasurer and State  
22 Comptroller shall transfer from the Income Tax Refund Fund  
23 to the General Revenue Fund any surplus remaining in the  
24 Income Tax Refund Fund as of the end of such fiscal year;  
25 excluding for fiscal years 2000, 2001, and 2002 amounts  
26 attributable to transfers under item (3) of subsection (c)

1 less refunds resulting from the earned income tax credit.

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

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

8 On July 1, 1991, and thereafter, of the amounts collected  
9 pursuant to subsections (a) and (b) of Section 201 of this Act,  
10 minus deposits into the Income Tax Refund Fund, the Department  
11 shall deposit 7.3% into the Education Assistance Fund in the  
12 State Treasury. Beginning July 1, 1991, and continuing through  
13 January 31, 1993, of the amounts collected pursuant to  
14 subsections (a) and (b) of Section 201 of the Illinois Income  
15 Tax Act, minus deposits into the Income Tax Refund Fund, the  
16 Department shall deposit 3.0% into the Income Tax Surcharge  
17 Local Government Distributive Fund in the State Treasury.  
18 Beginning February 1, 1993 and continuing through June 30,  
19 1993, of the amounts collected pursuant to subsections (a) and  
20 (b) of Section 201 of the Illinois Income Tax Act, minus  
21 deposits into the Income Tax Refund Fund, the Department shall  
22 deposit 4.4% into the Income Tax Surcharge Local Government  
23 Distributive Fund in the State Treasury. Beginning July 1,  
24 1993, and continuing through June 30, 1994, of the amounts  
25 collected under subsections (a) and (b) of Section 201 of this  
26 Act, minus deposits into the Income Tax Refund Fund, the

1 Department shall deposit 1.475% into the Income Tax Surcharge  
2 Local Government Distributive Fund in the State Treasury.

3 (f) Deposits into the Fund for the Advancement of  
4 Education. Beginning February 1, 2015, the Department shall  
5 deposit the following portions of the revenue realized from the  
6 tax imposed upon individuals, trusts, and estates by  
7 subsections (a) and (b) of Section 201 of this Act during the  
8 preceding month, minus deposits into the Income Tax Refund  
9 Fund, into the Fund for the Advancement of Education:

10 (1) beginning February 1, 2015, and prior to February  
11 1, 2025, 1/30; and

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

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

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

24 (1) beginning February 1, 2015, and prior to February  
25 1, 2025, 1/30; and

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

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

5           (Source: P.A. 96-45, eff. 7-15-09; 96-328, eff. 8-11-09;  
6 96-959, eff. 7-1-10; 96-1496, eff. 1-13-11; 97-72, eff.  
7 7-1-11.)

8           Section 5-35. The Illinois Estate and Generation-Skipping  
9 Transfer Tax Act is amended by changing Sections 6 and 13 as  
10 follows:

11           (35 ILCS 405/6) (from Ch. 120, par. 405A-6)

12           Sec. 6. Returns and payments.

13           (a) Due Dates. The Illinois transfer tax shall be paid and  
14 the Illinois transfer tax return shall be filed on the due date  
15 or dates, respectively, including extensions, for paying the  
16 federal transfer tax and filing the related federal return.

17           (b) Installment payments and deferral. In the event that  
18 any portion of the federal transfer tax is deferred or to be  
19 paid in installments under the provisions of the Internal  
20 Revenue Code, the portion of the Illinois transfer tax which is  
21 subject to deferral or payable in installments shall be  
22 determined by multiplying the Illinois transfer tax by a  
23 fraction, the numerator of which is the gross value of the  
24 assets included in the transferred property having a tax situs

1 in this State and which give rise to the deferred or  
2 installment payment under the Internal Revenue Code, and the  
3 denominator of which is the gross value of all assets included  
4 in the transferred property having a tax situs in this State.  
5 Deferred payments and installment payments, with interest,  
6 shall be paid at the same time and in the same manner as  
7 payments of the federal transfer tax are required to be made  
8 under the applicable Sections of the Internal Revenue Code,  
9 provided that the rate of interest on unpaid amounts of  
10 Illinois transfer tax shall be determined under this Act.  
11 Acceleration of payment under this Section shall occur under  
12 the same circumstances and in the same manner as provided in  
13 the Internal Revenue Code.

14 (c) Who shall file and pay. The Illinois transfer tax  
15 return (including any supplemental or amended return) shall be  
16 filed, and the Illinois transfer tax (including any additional  
17 tax that may become due) shall be paid by the same person or  
18 persons, respectively, who are required to pay the federal  
19 transfer tax and file the federal return, or who would have  
20 been required to pay a federal transfer tax and file a federal  
21 return if a federal transfer tax were due.

22 (d) Where to file return. The executed Illinois transfer  
23 tax return shall be filed with the Attorney General. In  
24 addition, for payments made prior to July 1, 2012, a copy of  
25 the Illinois transfer tax return shall be filed with the county  
26 treasurer to whom the Illinois transfer tax is paid, determined



1 under subsection (e) of this Section, and, for payments made on  
2 or after July 1, 2012, a copy of the Illinois transfer tax  
3 return shall be filed with the State Treasurer.

4 (e) Where to pay tax. The Illinois transfer tax shall be  
5 paid according to ~~to the treasurer of the county determined~~  
6 ~~under~~ the following rules:

7 (1) Illinois Estate Tax. Prior to July 1, 2012, the ~~The~~  
8 Illinois estate tax shall be paid to the treasurer of the  
9 county in which the decedent was a resident on the date of  
10 the decedent's death or, if the decedent was not a resident  
11 of this State on the date of death, the county in which the  
12 greater part, by gross value, of the transferred property  
13 with a tax situs in this State is located.

14 (2) Illinois Generation-Skipping Transfer Tax. Prior  
15 to July 1, 2012, the ~~The~~ Illinois generation-skipping  
16 transfer tax involving transferred property from or in a  
17 resident trust shall be paid to the county treasurer for  
18 the county in which the grantor resided at the time the  
19 trust became irrevocable (in the case of an inter vivos  
20 trust) or the county in which the decedent resided at death  
21 (in the case of a trust created by the will of a decedent).  
22 In the case of an Illinois generation-skipping transfer tax  
23 involving transferred property from or in a non-resident  
24 trust, the Illinois generation-skipping transfer tax shall  
25 be paid to the county treasurer for the county in which the  
26 greater part, by gross value, of the transferred property

1 with a tax situs in this State is located.

2 (3) Payments on or after July 1, 2012. On or after July  
3 1, 2012, both the Illinois estate tax and the Illinois  
4 generation-skipping transfer tax shall be paid directly to  
5 the State Treasurer.

6 (f) Forms; confidentiality. The Illinois transfer tax  
7 return shall be in all respects in the manner and form  
8 prescribed by the regulations of the Attorney General. At the  
9 same time the Illinois transfer tax return is filed, the person  
10 required to file shall also file with the Attorney General a  
11 copy of the related federal return. For individuals dying after  
12 December 31, 2005, in cases where no federal return is required  
13 to be filed, the person required to file an Illinois return  
14 shall also file with the Attorney General schedules of assets  
15 in the manner and form prescribed by the Attorney General. The  
16 Illinois transfer tax return and the copy of the federal return  
17 filed with the Attorney General, the ~~or any~~ county treasurer,  
18 or the State Treasurer shall be confidential, and the Attorney  
19 General, each county treasurer, and the State Treasurer and all  
20 of their assistants or employees are prohibited from divulging  
21 in any manner any of the contents of those returns, except only  
22 in a proceeding instituted under the provisions of this Act.

23 (g) County Treasurer shall accept payment. Prior to July 1,  
24 2012, no ~~no~~ county treasurer shall refuse to accept payment of  
25 any amount due under this Act on the grounds that the county  
26 treasurer has not yet received a copy of the appropriate

1 Illinois transfer tax return.

2 (h) Beginning July 1, 2012, the State Treasurer shall not  
3 refuse to accept payment of any amount due under this Act on  
4 the grounds that the State Treasurer has not yet received a  
5 copy of the appropriate Illinois transfer tax return.

6 (Source: P.A. 93-30, eff. 6-20-03.)

7 (35 ILCS 405/13) (from Ch. 120, par. 405A-13)

8 Sec. 13. Collection by county treasurers; tax collection  
9 distribution fund.

10 (a) Collection by county treasurers. Each county treasurer  
11 shall transmit to the State Treasurer all taxes, interest or  
12 penalties paid to the county treasurer under this Act and in  
13 the county treasurer's possession as of the last day of the  
14 previous month, together with a report under oath identifying  
15 the taxpayer for or by whom an amount was paid. Those amounts  
16 and the report shall be transmitted to and received by the  
17 State Treasurer by the 10th day of each month. At the same  
18 time, a copy of the report shall be furnished to the Attorney  
19 General. The report shall be in a form and contain the  
20 particulars as the State Treasurer may prescribe. The State  
21 Treasurer shall give the county treasurer a receipt for the  
22 amount transmitted to the State Treasurer. Except as provided  
23 in subsection (a-5) of this Section, if any county treasurer  
24 fails to pay to the State Treasurer all amounts that may be due  
25 and payable under this Act as required by this Section, the

1 county treasurer shall pay to the State Treasurer, as a  
2 penalty, a sum of money equal to the interest on the amounts  
3 not paid at the rate of 1% per month from the time those  
4 amounts are due by the county treasurer until those amounts are  
5 paid. The sureties upon the official bond of the county  
6 treasurer shall be security for the payment of the penalty. The  
7 penalty under this Section may be recovered in a civil action  
8 against the county treasurer and his or her sureties, in the  
9 name of the People of the State of Illinois, in the circuit  
10 court within the county wherein the county treasurer is  
11 resident; and the penalty, when recovered, shall be paid into  
12 the State treasury. The civil action to recover the penalty  
13 shall be brought by the State treasurer within 10 days after  
14 the failure of the county treasurer to pay to the State  
15 Treasurer any amounts collected by the county treasurer within  
16 the time required by this Act. Failure to bring the action  
17 within that time shall not prevent the bringing of the action  
18 thereafter. It is the duty of the State Treasurer to make  
19 necessary and proper investigation to determine what amounts  
20 should be paid under this Act.

21 (a-5) The State Treasurer may waive penalties imposed by  
22 subsection (a) of this Section on a case-by-case basis if the  
23 State Treasurer finds that imposing penalties would be  
24 unreasonable or unnecessarily burdensome because the delay in  
25 payment was due to an incident caused by the operation of an  
26 extraordinary force, including, but not limited to, the

1 occurrence of a natural disaster, that cannot be foreseen, that  
2 cannot be avoided by the exercise of due care, and for which no  
3 person can be held liable.

4 (b) Transfer Tax Collection Distributive Fund. The  
5 Transfer Tax Collection Distributive Fund is created as a  
6 special fund in the State treasury. The Fund is a continuation  
7 of the Fund of the same name created under the Illinois Estate  
8 Tax Law, repealed by this Act. As soon as may be after the  
9 first day of each month after the effective date of this Act,  
10 and before September 1, 2012, the State Treasurer shall  
11 transfer from the General Revenue Fund to the Transfer Tax  
12 Collection Distributive Fund an amount equal to 6% of the net  
13 revenue realized from this Act during the preceding month.

14 As soon as may be after the first day of each month, the  
15 State Treasurer shall allocate among the counties of this State  
16 the amount available in the Transfer Tax Collection  
17 Distributive Fund. The allocation to each county shall be 6% of  
18 the net revenues collected by the county treasurer under this  
19 Act. The State Comptroller, pursuant to appropriation, shall  
20 then pay those allocations over to the counties. As soon as  
21 possible after all of the required monthly allocations are made  
22 from the Transfer Tax Collection Distributive Fund and before  
23 September 1, 2012, the State Comptroller shall order  
24 transferred and the State Treasurer shall transfer any moneys  
25 remaining in the Transfer Tax Collection Distributive Fund from  
26 that Fund to the General Revenue Fund, and the Transfer Tax

1 Collection Distributive Fund shall be dissolved.

2 (c) On and after July 1, 2012, 94% of the amounts collected  
3 from the taxes, interest, and penalties collected under this  
4 Act shall be deposited into the General Revenue Fund and 6% of  
5 those amounts shall be deposited into the Estate Tax Refund  
6 Fund, a special fund created in the State Treasury.

7 Moneys in the Estate Tax Refund Fund shall be expended  
8 exclusively for the purpose of paying refunds resulting from  
9 overpayment of tax liability under this Act, except that,  
10 whenever the State Treasurer determines that any such moneys in  
11 the Fund exceed the amount required for the purpose of paying  
12 refunds resulting from overpayment of tax liability under this  
13 Act, the State Treasurer may transfer any such excess amounts  
14 from the Estate Tax Refund Fund to the General Revenue Fund.

15 The Treasurer shall order payment of refunds resulting from  
16 overpayment of tax liability under this Act from the Estate Tax  
17 Refund Fund only to the extent that amounts have been deposited  
18 and retained in the Fund.

19 This amendatory Act of the 97th General Assembly shall  
20 constitute an irrevocable and continuing appropriation from  
21 the Estate Tax Refund Fund for the purpose of paying refunds  
22 upon the order of the Treasurer in accordance with the  
23 provisions of this Act and for the purpose of paying refunds  
24 under this Act.

25 (Source: P.A. 96-1162, eff. 7-21-10.)

1           Section 5-40. The Illinois Police Training Act is amended  
2 by changing Section 9 as follows:

3           (50 ILCS 705/9) (from Ch. 85, par. 509)

4           Sec. 9. A special fund is hereby established in the State  
5 Treasury to be known as "The Traffic and Criminal Conviction  
6 Surcharge Fund" and shall be financed as provided in Section  
7 9.1 of this Act and Section 5-9-1 of the "Unified Code of  
8 Corrections", unless the fines, costs or additional amounts  
9 imposed are subject to disbursement by the circuit clerk under  
10 Section 27.5 of the Clerks of Courts Act. Moneys in this Fund  
11 shall be expended as follows:

12           (1) A portion of the total amount deposited in the Fund  
13 may be used, as appropriated by the General Assembly, for  
14 the ordinary and contingent expenses of the Illinois Law  
15 Enforcement Training Standards Board;

16           (2) A portion of the total amount deposited in the Fund  
17 shall be appropriated for the reimbursement of local  
18 governmental agencies participating in training programs  
19 certified by the Board, in an amount equaling 1/2 of the  
20 total sum paid by such agencies during the State's previous  
21 fiscal year for mandated training for probationary police  
22 officers or probationary county corrections officers and  
23 for optional advanced and specialized law enforcement or  
24 county corrections training. These reimbursements may  
25 include the costs for tuition at training schools, the

1 salaries of trainees while in schools, and the necessary  
2 travel and room and board expenses for each trainee. If the  
3 appropriations under this paragraph (2) are not sufficient  
4 to fully reimburse the participating local governmental  
5 agencies, the available funds shall be apportioned among  
6 such agencies, with priority first given to repayment of  
7 the costs of mandatory training given to law enforcement  
8 officer or county corrections officer recruits, then to  
9 repayment of costs of advanced or specialized training for  
10 permanent police officers or permanent county corrections  
11 officers;

12 (3) A portion of the total amount deposited in the Fund  
13 may be used to fund the "Intergovernmental Law Enforcement  
14 Officer's In-Service Training Act", veto overridden  
15 October 29, 1981, as now or hereafter amended, at a rate  
16 and method to be determined by the board;

17 (4) A portion of the Fund also may be used by the  
18 Illinois Department of State Police for expenses incurred  
19 in the training of employees from any State, county or  
20 municipal agency whose function includes enforcement of  
21 criminal or traffic law;

22 (5) A portion of the Fund may be used by the Board to  
23 fund grant-in-aid programs and services for the training of  
24 employees from any county or municipal agency whose  
25 functions include corrections or the enforcement of  
26 criminal or traffic law; and.



1           (6) For fiscal year 2013 only, a portion of the Fund  
2           also may be used by the Department of State Police to  
3           finance any of its lawful purposes or functions.

4           All payments from The Traffic and Criminal Conviction  
5           Surcharge Fund shall be made each year from moneys appropriated  
6           for the purposes specified in this Section. No more than 50% of  
7           any appropriation under this Act shall be spent in any city  
8           having a population of more than 500,000. The State Comptroller  
9           and the State Treasurer shall from time to time, at the  
10          direction of the Governor, transfer from The Traffic and  
11          Criminal Conviction Surcharge Fund to the General Revenue Fund  
12          in the State Treasury such amounts as the Governor determines  
13          are in excess of the amounts required to meet the obligations  
14          of The Traffic and Criminal Conviction Surcharge Fund.

15          (Source: P.A. 88-586, eff. 8-12-94; 89-464, eff. 6-13-96.)

16          Section 5-45. The Law Enforcement Camera Grant Act is  
17          amended by changing Section 10 as follows:

18                 (50 ILCS 707/10)

19                 Sec. 10. Law Enforcement Camera Grant Fund; creation,  
20                 rules.

21                 (a) The Law Enforcement Camera Grant Fund is created as a  
22                 special fund in the State treasury. From appropriations to the  
23                 Board from the Fund, the Board must make grants to units of  
24                 local government in Illinois for the purpose of installing

1 video cameras in law enforcement vehicles and training law  
2 enforcement officers in the operation of the cameras.

3 Moneys received for the purposes of this Section,  
4 including, without limitation, fee receipts and gifts, grants,  
5 and awards from any public or private entity, must be deposited  
6 into the Fund. Any interest earned on moneys in the Fund must  
7 be deposited into the Fund.

8 (b) The Board may set requirements for the distribution of  
9 grant moneys and determine which law enforcement agencies are  
10 eligible.

11 (c) The Board shall develop model rules to be adopted by  
12 law enforcement agencies that receive grants under this  
13 Section. The rules shall include the following requirements:

14 (1) Cameras must be installed in the law enforcement  
15 vehicles.

16 (2) Videotaping must provide audio of the officer when  
17 the officer is outside of the vehicle.

18 (3) Camera access must be restricted to the supervisors  
19 of the officer in the vehicle.

20 (4) Cameras must be turned on continuously throughout  
21 the officer's shift.

22 (5) A copy of the videotape must be made available upon  
23 request to personnel of the law enforcement agency, the  
24 local State's Attorney, and any persons depicted in the  
25 video. Procedures for distribution of the videotape must  
26 include safeguards to protect the identities of

1 individuals who are not a party to the requested stop.

2 (6) Law enforcement agencies that receive moneys under  
3 this grant shall provide for storage of the tapes for a  
4 period of not less than 2 years.

5 (d) Any law enforcement agency receiving moneys under this  
6 Section must provide an annual report to the Board, the  
7 Governor, and the General Assembly, which will be due on May 1  
8 of the year following the receipt of the grant and each May 1  
9 thereafter during the period of the grant. The report shall  
10 include (i) the number of cameras received by the law  
11 enforcement agency, (ii) the number of cameras actually  
12 installed in law enforcement vehicles, (iii) a brief  
13 description of the review process used by supervisors within  
14 the law enforcement agency, (iv) a list of any criminal,  
15 traffic, ordinance, and civil cases where video recordings were  
16 used, including party names, case numbers, offenses charged,  
17 and disposition of the matter, (this item applies, but is not  
18 limited to, court proceedings, coroner's inquests, grand jury  
19 proceedings, and plea bargains), and (v) any other information  
20 relevant to the administration of the program.

21 (e) No applications for grant money under this Section  
22 shall be accepted before January 1, 2007 or after January 1,  
23 2011.

24 (f) Notwithstanding any other provision of law, in addition  
25 to any other transfers that may be provided by law, on July 1,  
26 2012 only, or as soon thereafter as practical, the State

1 Comptroller shall direct and the State Treasurer shall transfer  
2 any funds in excess of \$1,000,000 held in the Law Enforcement  
3 Camera Grant Fund to the State Police Operations Assistance  
4 Fund.

5 (Source: P.A. 94-987, eff. 6-30-06.)

6 Section 5-50. The Illinois Nuclear Safety Preparedness Act  
7 is amended by changing Sections 4, 7, and 8.5 as follows:

8 (420 ILCS 5/4) (from Ch. 111 1/2, par. 4304)

9 Sec. 4. Nuclear accident plans; fees. Persons engaged  
10 within this State in the production of electricity utilizing  
11 nuclear energy, the operation of nuclear test and research  
12 reactors, the chemical conversion of uranium, or the  
13 transportation, storage or possession of spent nuclear fuel or  
14 high-level radioactive waste shall pay fees to cover the cost  
15 of establishing plans and programs to deal with the possibility  
16 of nuclear accidents. Except as provided below, the fees shall  
17 be used ~~exclusively~~ to fund those Agency and local government  
18 activities defined as necessary by the Director to implement  
19 and maintain the plans and programs authorized by this Act.  
20 Local governments incurring expenses attributable to  
21 implementation and maintenance of the plans and programs  
22 authorized by this Act may apply to the Agency for compensation  
23 for those expenses, and upon approval by the Director of  
24 applications submitted by local governments, the Agency shall

1 compensate local governments from fees collected under this  
2 Section. Compensation for local governments shall include  
3 \$250,000 in any year through fiscal year 1993, \$275,000 in  
4 fiscal year 1994 and fiscal year 1995, \$300,000 in fiscal year  
5 1996, \$400,000 in fiscal year 1997, and \$450,000 in fiscal year  
6 1998 and thereafter. Appropriations to the Department of  
7 Nuclear Safety (of which the Agency is the successor) for  
8 compensation to local governments from the Nuclear Safety  
9 Emergency Preparedness Fund provided for in this Section shall  
10 not exceed \$650,000 per State fiscal year. Expenditures from  
11 these appropriations shall not exceed, in a single State fiscal  
12 year, the annual compensation amount made available to local  
13 governments under this Section, unexpended funds made  
14 available for local government compensation in the previous  
15 fiscal year, and funds recovered under the Illinois Grant Funds  
16 Recovery Act during previous fiscal years. Notwithstanding any  
17 other provision of this Act, the expenditure limitation for  
18 fiscal year 1998 shall include the additional \$100,000 made  
19 available to local governments for fiscal year 1997 under this  
20 amendatory Act of 1997. ~~Any funds within these expenditure~~  
21 ~~limitations, including the additional \$100,000 made available~~  
22 ~~for fiscal year 1997 under this amendatory Act of 1997, that~~  
23 ~~remain unexpended at the close of business on June 30, 1997,~~  
24 ~~and on June 30 of each succeeding year, shall be excluded from~~  
25 ~~the calculations of credits under subparagraph (3) of this~~  
26 ~~Section.~~ The Agency shall, by rule, determine the method for

1 compensating local governments under this Section. The  
2 appropriation shall not exceed \$500,000 in any year preceding  
3 fiscal year 1996; the appropriation shall not exceed \$625,000  
4 in fiscal year 1996, \$725,000 in fiscal year 1997, and \$775,000  
5 in fiscal year 1998 and thereafter. The fees shall consist of  
6 the following:

7 (1) A one-time charge of \$590,000 per nuclear power  
8 station in this State to be paid by the owners of the  
9 stations.

10 (2) An additional charge of \$240,000 per nuclear power  
11 station for which a fee under subparagraph (1) was paid  
12 before June 30, 1982.

13 (3) Through June 30, 1982, an annual fee of \$75,000 per  
14 year for each nuclear power reactor for which an operating  
15 license has been issued by the NRC, and after June 30,  
16 1982, and through June 30, 1984 an annual fee of \$180,000  
17 per year for each nuclear power reactor for which an  
18 operating license has been issued by the NRC, and after  
19 June 30, 1984, and through June 30, 1991, an annual fee of  
20 \$400,000 for each nuclear power reactor for which an  
21 operating license has been issued by the NRC, to be paid by  
22 the owners of nuclear power reactors operating in this  
23 State. After June 30, 1991, the owners of nuclear power  
24 reactors in this State for which operating licenses have  
25 been issued by the NRC shall pay the following fees for  
26 each such nuclear power reactor: for State fiscal year

1 1992, \$925,000; for State fiscal year 1993, \$975,000; for  
2 State fiscal year 1994; \$1,010,000; for State fiscal year  
3 1995, \$1,060,000; for State fiscal years 1996 and 1997,  
4 \$1,110,000; for State fiscal year 1998, \$1,314,000; for  
5 State fiscal year 1999, \$1,368,000; for State fiscal year  
6 2000, \$1,404,000; for State fiscal year 2001, \$1,696,455;  
7 for State fiscal year 2002, \$1,730,636; for State fiscal  
8 year 2003 through State fiscal year 2011, \$1,757,727; for  
9 State fiscal year 2012 and subsequent fiscal years,  
10 \$1,903,182. ~~Within 120 days after the end of the State~~  
11 ~~fiscal year, the Agency shall determine, from the records~~  
12 ~~of the Office of the Comptroller, the balance in the~~  
13 ~~Nuclear Safety Emergency Preparedness Fund. When the~~  
14 ~~balance in the fund, less any fees collected under this~~  
15 ~~Section prior to their being due and payable for the~~  
16 ~~succeeding fiscal year or years, exceeds \$400,000 at the~~  
17 ~~close of business on June 30, 1993, 1994, 1995, 1996, 1997,~~  
18 ~~and 1998, or exceeds \$500,000 at the close of business on~~  
19 ~~June 30, 1999 and June 30 of each succeeding year, the~~  
20 ~~excess shall be credited to the owners of nuclear power~~  
21 ~~reactors who are assessed fees under this subparagraph.~~  
22 ~~Credits shall be applied against the fees to be collected~~  
23 ~~under this subparagraph for the subsequent fiscal year.~~  
24 ~~Each owner shall receive as a credit that amount of the~~  
25 ~~excess which corresponds proportionately to the amount the~~  
26 ~~owner contributed to all fees collected under this~~

1 ~~subparagraph in the fiscal year that produced the excess.~~

2 (3.5) The owner of a nuclear power reactor that  
3 notifies the Nuclear Regulatory Commission that the  
4 nuclear power reactor has permanently ceased operations  
5 during State fiscal year 1998 shall pay the following fees  
6 for each such nuclear power reactor: \$1,368,000 for State  
7 fiscal year 1999 and \$1,404,000 for State fiscal year 2000.

8 (4) A capital expenditure surcharge of \$1,400,000 per  
9 nuclear power station in this State, whether operating or  
10 under construction, shall be paid by the owners of the  
11 station.

12 (5) An annual fee of \$25,000 per year for each site for  
13 which a valid operating license has been issued by NRC for  
14 the operation of an away-from-reactor spent nuclear fuel or  
15 high-level radioactive waste storage facility, to be paid  
16 by the owners of facilities for the storage of spent  
17 nuclear fuel or high-level radioactive waste for others in  
18 this State.

19 (6) A one-time charge of \$280,000 for each facility in  
20 this State housing a nuclear test and research reactor, to  
21 be paid by the operator of the facility. However, this  
22 charge shall not be required to be paid by any  
23 tax-supported institution.

24 (7) A one-time charge of \$50,000 for each facility in  
25 this State for the chemical conversion of uranium, to be  
26 paid by the owner of the facility.



1           (8) An annual fee of \$150,000 per year for each  
2 facility in this State housing a nuclear test and research  
3 reactor, to be paid by the operator of the facility.  
4 However, this annual fee shall not be required to be paid  
5 by any tax-supported institution.

6           (9) An annual fee of \$15,000 per year for each facility  
7 in this State for the chemical conversion of uranium, to be  
8 paid by the owner of the facility.

9           (10) A fee assessed at the rate of \$2,500 per truck for  
10 each truck shipment and \$4,500 for the first cask and  
11 \$3,000 for each additional cask for each rail shipment of  
12 spent nuclear fuel, high-level radioactive waste,  
13 transuranic waste, or a highway route controlled quantity  
14 of radioactive materials received at or departing from any  
15 nuclear power station or away-from-reactor spent nuclear  
16 fuel, high-level radioactive waste, transuranic waste  
17 storage facility, or other facility in this State to be  
18 paid by the shipper of the spent nuclear fuel, high level  
19 radioactive waste, transuranic waste, or highway route  
20 controlled quantity of radioactive material. Truck  
21 shipments of greater than 250 miles in Illinois are subject  
22 to a surcharge of \$25 per mile over 250 miles for each  
23 truck in the shipment. ~~The amount of fees collected each~~  
24 ~~fiscal year under this subparagraph shall be excluded from~~  
25 ~~the calculation of credits under subparagraph (3) of this~~  
26 ~~Section.~~

1           (11) A fee assessed at the rate of \$2,500 per truck for  
2 each truck shipment and \$4,500 for the first cask and  
3 \$3,000 for each additional cask for each rail shipment of  
4 spent nuclear fuel, high-level radioactive waste,  
5 transuranic waste, or a highway route controlled quantity  
6 of radioactive materials traversing the State to be paid by  
7 the shipper of the spent nuclear fuel, high level  
8 radioactive waste, transuranic waste, or highway route  
9 controlled quantity of radioactive material. Truck  
10 shipments of greater than 250 miles in Illinois are subject  
11 to a surcharge of \$25 per mile over 250 miles for each  
12 truck in the shipment. ~~The amount of fees collected each~~  
13 ~~fiscal year under this subparagraph shall be excluded from~~  
14 ~~the calculation of credits under subparagraph (3) of this~~  
15 ~~Section.~~

16           (12) In each of the State fiscal years 1988 through  
17 1991, in addition to the annual fee provided for in  
18 subparagraph (3), a fee of \$400,000 for each nuclear power  
19 reactor for which an operating license has been issued by  
20 the NRC, to be paid by the owners of nuclear power reactors  
21 operating in this State. Within 120 days after the end of  
22 the State fiscal years ending June 30, 1988, June 30, 1989,  
23 June 30, 1990, and June 30, 1991, the Agency shall  
24 determine the expenses of the Illinois Nuclear Safety  
25 Preparedness Program paid from funds appropriated for  
26 those fiscal years. ~~When the aggregate of all fees,~~

1 ~~charges, and surcharges collected under this Section~~  
2 ~~during any fiscal year exceeds the total expenditures under~~  
3 ~~this Act from appropriations for that fiscal year, the~~  
4 ~~excess shall be credited to the owners of nuclear power~~  
5 ~~reactors who are assessed fees under this subparagraph, and~~  
6 ~~the credits shall be applied against the fees to be~~  
7 ~~collected under this subparagraph for the subsequent~~  
8 ~~fiscal year. Each owner shall receive as a credit that~~  
9 ~~amount of the excess that corresponds proportionately to~~  
10 ~~the amount the owner contributed to all fees collected~~  
11 ~~under this subparagraph in the fiscal year that produced~~  
12 ~~the excess.~~

13 (Source: P.A. 97-195, eff. 7-25-11.)

14 (420 ILCS 5/7) (from Ch. 111 1/2, par. 4307)

15 Sec. 7. All monies received by the Agency under this Act  
16 shall be deposited in the State Treasury and shall be set apart  
17 in a special fund to be known as the "Nuclear Safety Emergency  
18 Preparedness Fund". All monies within the Nuclear Safety  
19 Emergency Preparedness Fund shall be invested by the State  
20 Treasurer in accordance with established investment practices.  
21 Interest earned by such investment shall be returned to the  
22 Nuclear Safety Emergency Preparedness Fund. Monies deposited  
23 in this fund shall be expended by the Agency Director ~~only~~ to  
24 support the activities of the Illinois Nuclear Safety  
25 Preparedness Program, including activities of the Illinois

1 State Police and the Illinois Commerce Commission under Section  
2 8(a)(9), or to fund any other administrative or operational  
3 costs of the Agency.

4 (Source: P.A. 92-576, eff. 6-26-02; 93-1029, eff. 8-25-04.)

5 (420 ILCS 5/8.5)

6 (Section scheduled to be repealed on January 1, 2015)

7 Sec. 8.5. Remote monitoring system upgrades and equipment  
8 replacement.

9 (a) Each nuclear power reactor for which an operating  
10 license has been issued by the NRC shall be subject to the fees  
11 described in this Section, which shall be paid by the owner or  
12 owners of each reactor into the Nuclear Safety Emergency  
13 Preparedness Fund. ~~The fees in this Section shall be used~~  
14 ~~solely for the purposes set forth in this Section and cannot be~~  
15 ~~transferred for other purposes.~~

16 (1) Within 14 days after the Agency notifies each owner  
17 subject to the fee requirements of this Section that the  
18 Agency has entered into one or more contracts with a third  
19 party for purposes of upgrading the remote monitoring  
20 system software and that such work will commence within 30  
21 days, the owner or owners shall make a payment of \$19,697  
22 for each reactor owned. Thereafter, for each such reactor,  
23 the owner or owners shall submit 11 quarterly payments of  
24 \$19,697. The Agency shall use the fees collected in this  
25 subsection for purposes of upgrading remote monitoring

1 system software and to acquire, replace, or upgrade  
2 equipment related to such monitoring, including, but not  
3 limited to, generators and transfer switches, air  
4 compressors, detection equipment, data loggers, and solar  
5 panels.

6 (2) Within 90 days after the effective date of this  
7 amendatory Act of the 97th General Assembly, the owner or  
8 owners subject to the fee requirements of this Section  
9 shall make a payment of \$7,575 for each reactor owned for  
10 the purposes of acquiring, replacing, and upgrading  
11 equipment, including, but not limited to, dosimeters,  
12 safety and command vehicles, liquid scintillation  
13 analyzers, an alpha spectrometry system, and compositors.  
14 Thereafter, for each such reactor, the owner or owners  
15 shall submit 11 quarterly payments of \$7,575.

16 (b) This Section is repealed on January 1, 2015.

17 (Source: P.A. 97-195, eff. 7-25-11.)

18 (420 ILCS 5/6 rep.)

19 Section 5-55. The Illinois Nuclear Safety Preparedness Act  
20 is amended by repealing Section 6.

21 Section 5-60. The Radiation Protection Act of 1990 is  
22 amended by changing Section 35 as follows:

23 (420 ILCS 40/35) (from Ch. 111 1/2, par. 210-35)

1 (Section scheduled to be repealed on January 1, 2021)

2 Sec. 35. Radiation Protection Fund.

3 (a) All moneys received by the Agency under this Act shall  
4 be deposited in the State treasury and shall be set apart in a  
5 special fund to be known as the "Radiation Protection Fund".  
6 All monies within the Radiation Protection Fund shall be  
7 invested by the State Treasurer in accordance with established  
8 investment practices. Interest earned by such investment shall  
9 be returned to the Radiation Protection Fund. Monies deposited  
10 in this Fund shall be expended by the Agency Assistant Director  
11 pursuant to appropriation ~~only~~ to support the activities of the  
12 Agency under this Act and as provided in the Laser System Act  
13 of 1997 and the Radon Industry Licensing Act, or to fund any  
14 other administrative or operational costs of the Agency.

15 (b) On August 15, 1997, all moneys remaining in the Federal  
16 Facilities Compliance Fund shall be transferred to the  
17 Radiation Protection Fund.

18 (Source: P.A. 94-104, eff. 7-1-05.)

19 ARTICLE 10. RETIREMENT CONTRIBUTIONS

20 Section 10-5. The State Finance Act is amended by changing  
21 Sections 8.12 and 14.1 as follows:

22 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

23 Sec. 8.12. State Pensions Fund.

1 (a) The moneys in the State Pensions Fund shall be used  
2 exclusively for the administration of the Uniform Disposition  
3 of Unclaimed Property Act and for the expenses incurred by the  
4 Auditor General for administering the provisions of Section  
5 2-8.1 of the Illinois State Auditing Act and for the funding of  
6 the unfunded liabilities of the designated retirement systems.  
7 Beginning in State fiscal year 2014, payments ~~Payments~~ to the  
8 designated retirement systems under this Section shall be in  
9 addition to, and not in lieu of, any State contributions  
10 required under the Illinois Pension Code.

11 "Designated retirement systems" means:

12 (1) the State Employees' Retirement System of  
13 Illinois;

14 (2) the Teachers' Retirement System of the State of  
15 Illinois;

16 (3) the State Universities Retirement System;

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

18 (5) the General Assembly Retirement System.

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

22 Each month, the Commissioner of the Office of Banks and  
23 Real Estate shall certify to the State Treasurer the actual  
24 expenditures that the Office of Banks and Real Estate incurred  
25 conducting unclaimed property examinations under the Uniform  
26 Disposition of Unclaimed Property Act during the immediately

1 preceding month. Within a reasonable time following the  
2 acceptance of such certification by the State Treasurer, the  
3 State Treasurer shall pay from its appropriation from the State  
4 Pensions Fund to the Bank and Trust Company Fund and the  
5 Savings and Residential Finance Regulatory Fund an amount equal  
6 to the expenditures incurred by each Fund for that month.

7 Each month, the Director of Financial Institutions shall  
8 certify to the State Treasurer the actual expenditures that the  
9 Department of Financial Institutions incurred conducting  
10 unclaimed property examinations under the Uniform Disposition  
11 of Unclaimed Property Act during the immediately preceding  
12 month. Within a reasonable time following the acceptance of  
13 such certification by the State Treasurer, the State Treasurer  
14 shall pay from its appropriation from the State Pensions Fund  
15 to the Financial Institutions Fund and the Credit Union Fund an  
16 amount equal to the expenditures incurred by each Fund for that  
17 month.

18 (c) As soon as possible after the effective date of this  
19 amendatory Act of the 93rd General Assembly, the General  
20 Assembly shall appropriate from the State Pensions Fund (1) to  
21 the State Universities Retirement System the amount certified  
22 under Section 15-165 during the prior year, (2) to the Judges  
23 Retirement System of Illinois the amount certified under  
24 Section 18-140 during the prior year, and (3) to the General  
25 Assembly Retirement System the amount certified under Section  
26 2-134 during the prior year as part of the required State



1 contributions to each of those designated retirement systems;  
2 except that amounts appropriated under this subsection (c) in  
3 State fiscal year 2005 shall not reduce the amount in the State  
4 Pensions Fund below \$5,000,000. If the amount in the State  
5 Pensions Fund does not exceed the sum of the amounts certified  
6 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,  
7 the amount paid to each designated retirement system under this  
8 subsection shall be reduced in proportion to the amount  
9 certified by each of those designated retirement systems.

10 (c-5) For fiscal years 2006 through 2013 ~~2012~~, the General  
11 Assembly shall appropriate from the State Pensions Fund to the  
12 State Universities Retirement System the amount estimated to be  
13 available during the fiscal year in the State Pensions Fund;  
14 provided, however, that the amounts appropriated under this  
15 subsection (c-5) shall not reduce the amount in the State  
16 Pensions Fund below \$5,000,000.

17 (c-6) For fiscal year 2014 ~~2013~~ and each fiscal year  
18 thereafter, as soon as may be practical after any money is  
19 deposited into the State Pensions Fund from the Unclaimed  
20 Property Trust Fund, the State Treasurer shall apportion the  
21 deposited amount among the designated retirement systems as  
22 defined in subsection (a) to reduce their actuarial reserve  
23 deficiencies. The State Comptroller and State Treasurer shall  
24 pay the apportioned amounts to the designated retirement  
25 systems to fund the unfunded liabilities of the designated  
26 retirement systems. The amount apportioned to each designated

1 retirement system shall constitute a portion of the amount  
2 estimated to be available for appropriation from the State  
3 Pensions Fund that is the same as that retirement system's  
4 portion of the total actual reserve deficiency of the systems,  
5 as determined annually by the Governor's Office of Management  
6 and Budget at the request of the State Treasurer. The amounts  
7 apportioned under this subsection shall not reduce the amount  
8 in the State Pensions Fund below \$5,000,000.

9 (d) The Governor's Office of Management and Budget shall  
10 determine the individual and total reserve deficiencies of the  
11 designated retirement systems. For this purpose, the  
12 Governor's Office of Management and Budget shall utilize the  
13 latest available audit and actuarial reports of each of the  
14 retirement systems and the relevant reports and statistics of  
15 the Public Employee Pension Fund Division of the Department of  
16 Insurance.

17 (d-1) As soon as practicable after the effective date of  
18 this amendatory Act of the 93rd General Assembly, the  
19 Comptroller shall direct and the Treasurer shall transfer from  
20 the State Pensions Fund to the General Revenue Fund, as funds  
21 become available, a sum equal to the amounts that would have  
22 been paid from the State Pensions Fund to the Teachers'  
23 Retirement System of the State of Illinois, the State  
24 Universities Retirement System, the Judges Retirement System  
25 of Illinois, the General Assembly Retirement System, and the  
26 State Employees' Retirement System of Illinois after the

1 effective date of this amendatory Act during the remainder of  
2 fiscal year 2004 to the designated retirement systems from the  
3 appropriations provided for in this Section if the transfers  
4 provided in Section 6z-61 had not occurred. The transfers  
5 described in this subsection (d-1) are to partially repay the  
6 General Revenue Fund for the costs associated with the bonds  
7 used to fund the moneys transferred to the designated  
8 retirement systems under Section 6z-61.

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

12 (Source: P.A. 96-959, eff. 7-1-10; 97-72, eff. 7-1-11.)

13 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

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

16 (a) Appropriations for State contributions to the State  
17 Employees' Retirement System of Illinois shall be expended in  
18 the manner provided in this Section. Except as otherwise  
19 provided in subsections (a-1), (a-2), (a-3), and (a-4) at the  
20 time of each payment of salary to an employee under the  
21 personal services line item, payment shall be made to the State  
22 Employees' Retirement System, from the amount appropriated for  
23 State contributions to the State Employees' Retirement System,  
24 of an amount calculated at the rate certified for the  
25 applicable fiscal year by the Board of Trustees of the State

1 Employees' Retirement System under Section 14-135.08 of the  
2 Illinois Pension Code. If a line item appropriation to an  
3 employer for this purpose is exhausted or is unavailable due to  
4 any limitation on appropriations that may apply, (including,  
5 but not limited to, limitations on appropriations from the Road  
6 Fund under Section 8.3 of the State Finance Act), the amounts  
7 shall be paid under the continuing appropriation for this  
8 purpose contained in the State Pension Funds Continuing  
9 Appropriation Act.

10 (a-1) Beginning on the effective date of this amendatory  
11 Act of the 93rd General Assembly through the payment of the  
12 final payroll from fiscal year 2004 appropriations,  
13 appropriations for State contributions to the State Employees'  
14 Retirement System of Illinois shall be expended in the manner  
15 provided in this subsection (a-1). At the time of each payment  
16 of salary to an employee under the personal services line item  
17 from a fund other than the General Revenue Fund, payment shall  
18 be made for deposit into the General Revenue Fund from the  
19 amount appropriated for State contributions to the State  
20 Employees' Retirement System of an amount calculated at the  
21 rate certified for fiscal year 2004 by the Board of Trustees of  
22 the State Employees' Retirement System under Section 14-135.08  
23 of the Illinois Pension Code. This payment shall be made to the  
24 extent that a line item appropriation to an employer for this  
25 purpose is available or unexhausted. No payment from  
26 appropriations for State contributions shall be made in

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

3 (a-2) For fiscal year 2010 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 2010 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 2010 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-3) For fiscal year 2011 only, at the time of each  
20 payment of salary to an employee under the personal services  
21 line item from a fund other than the General Revenue Fund,  
22 payment shall be made for deposit into the State Employees'  
23 Retirement System of Illinois from the amount appropriated for  
24 State contributions to the State Employees' Retirement System  
25 of Illinois of an amount calculated at the rate certified for  
26 fiscal year 2011 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. This payment shall be  
3 made to the extent that a line item appropriation to an  
4 employer for this purpose is available or unexhausted. For  
5 fiscal year 2011 only, no payment from appropriations for State  
6 contributions shall be made in conjunction with payment of  
7 salary to an employee under the personal services line item  
8 from the General Revenue Fund.

9 (a-4) In fiscal years ~~year~~ 2012 and 2013 only, at the time  
10 of each payment of salary to an employee under the personal  
11 services line item from a fund other than the General Revenue  
12 Fund, payment shall be made for deposit into the State  
13 Employees' Retirement System of Illinois from the amount  
14 appropriated for State contributions to the State Employees'  
15 Retirement System of Illinois of an amount calculated at the  
16 rate certified for the applicable fiscal year by the Board of  
17 Trustees of the State Employees' Retirement System of Illinois  
18 under Section 14-135.08 of the Illinois Pension Code. In fiscal  
19 years ~~year~~ 2012 and 2013 only, no payment from appropriations  
20 for State contributions shall be made in conjunction with  
21 payment of salary to an employee under the personal services  
22 line item from the General Revenue Fund.

23 (b) Except during the period beginning on the effective  
24 date of this amendatory Act of the 93rd General Assembly and  
25 ending at the time of the payment of the final payroll from  
26 fiscal year 2004 appropriations, the State Comptroller shall

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

17 (b-1) For fiscal year 2010 and fiscal year 2011 only, the  
18 State Comptroller shall not approve for payment any non-General  
19 Revenue Fund payroll voucher that (1) includes payments of  
20 salary to eligible employees in the State Employees' Retirement  
21 System of Illinois and (2) does not include the corresponding  
22 payment of State contributions to that retirement system at the  
23 full rate certified under Section 14-135.08 for that fiscal  
24 year for eligible employees, unless the balance in the fund on  
25 which the payroll voucher is drawn is insufficient to pay the  
26 total payroll voucher, or unavailable due to any limitation on

1 appropriations that may apply, including, but not limited to,  
2 limitations on appropriations from the Road Fund under Section  
3 8.3 of the State Finance Act. If the State Comptroller approves  
4 a payroll voucher under this Section for which the fund balance  
5 is insufficient to pay the full amount of the required State  
6 contribution to the State Employees' Retirement System of  
7 Illinois, the Comptroller shall promptly so notify the  
8 retirement system.

9 (c) Notwithstanding any other provisions of law, beginning  
10 July 1, 2007, required State and employee contributions to the  
11 State Employees' Retirement System of Illinois relating to  
12 affected legislative staff employees shall be paid out of  
13 moneys appropriated for that purpose to the Commission on  
14 Government Forecasting and Accountability, rather than out of  
15 the lump-sum appropriations otherwise made for the payroll and  
16 other costs of those employees.

17 These payments must be made pursuant to payroll vouchers  
18 submitted by the employing entity as part of the regular  
19 payroll voucher process.

20 For the purpose of this subsection, "affected legislative  
21 staff employees" means legislative staff employees paid out of  
22 lump-sum appropriations made to the General Assembly, an  
23 Officer of the General Assembly, or the Senate Operations  
24 Commission, but does not include district-office staff or  
25 employees of legislative support services agencies.

26 (Source: P.A. 96-45, eff. 7-15-09; 96-958, eff. 7-1-10;



1 96-1497, eff. 1-14-11; 97-72, eff. 7-1-11.)

2 Section 10-10. The Illinois Pension Code is amended by  
3 changing Section 14-131 as follows:

4 (40 ILCS 5/14-131)

5 Sec. 14-131. Contributions by State.

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

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

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

22 The Board shall also determine a State contribution rate  
23 for each fiscal year, expressed as a percentage of payroll,  
24 based on the total required State contribution for that fiscal

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

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

16 (c) Contributions shall be made by the several departments  
17 for each pay period by warrants drawn by the State Comptroller  
18 against their respective funds or appropriations based upon  
19 vouchers stating the amount to be so contributed. These amounts  
20 shall be based on the full rate certified by the Board under  
21 Section 14-135.08 for that fiscal year. From the effective date  
22 of this amendatory Act of the 93rd General Assembly through the  
23 payment of the final payroll from fiscal year 2004  
24 appropriations, the several departments shall not make  
25 contributions for the remainder of fiscal year 2004 but shall  
26 instead make payments as required under subsection (a-1) of

1 Section 14.1 of the State Finance Act. The several departments  
2 shall resume those contributions at the commencement of fiscal  
3 year 2005.

4 (c-1) Notwithstanding subsection (c) of this Section, for  
5 fiscal years 2010, ~~and~~ 2012, and 2013 only, contributions by  
6 the several departments are not required to be made for General  
7 Revenue Funds payrolls processed by the Comptroller. Payrolls  
8 paid by the several departments from all other State funds must  
9 continue to be processed pursuant to subsection (c) of this  
10 Section.

11 (c-2) For State fiscal years 2010, ~~and~~ 2012, and 2013 only,  
12 on or as soon as possible after the 15th day of each month, the  
13 Board shall submit vouchers for payment of State contributions  
14 to the System, in a total monthly amount of one-twelfth of the  
15 fiscal year General Revenue Fund contribution as certified by  
16 the System pursuant to Section 14-135.08 of the Illinois  
17 Pension Code.

18 (d) If an employee is paid from trust funds or federal  
19 funds, the department or other employer shall pay employer  
20 contributions from those funds to the System at the certified  
21 rate, unless the terms of the trust or the federal-State  
22 agreement preclude the use of the funds for that purpose, in  
23 which case the required employer contributions shall be paid by  
24 the State. From the effective date of this amendatory Act of  
25 the 93rd General Assembly through the payment of the final  
26 payroll from fiscal year 2004 appropriations, the department or

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

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

16 For State fiscal years 1996 through 2005, the State  
17 contribution to the System, as a percentage of the applicable  
18 employee payroll, shall be increased in equal annual increments  
19 so that by State fiscal year 2011, the State is contributing at  
20 the rate required under this Section; except that (i) for State  
21 fiscal year 1998, for all purposes of this Code and any other  
22 law of this State, the certified percentage of the applicable  
23 employee payroll shall be 5.052% for employees earning eligible  
24 creditable service under Section 14-110 and 6.500% for all  
25 other employees, notwithstanding any contrary certification  
26 made under Section 14-135.08 before the effective date of this

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

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

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

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

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

1 share of total bond proceeds, (ii) any amounts received from  
2 the General Revenue Fund in fiscal year 2010, and (iii) any  
3 reduction in bond proceeds due to the issuance of discounted  
4 bonds, if applicable.

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

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

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

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

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

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

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



1 the Pension Contribution Fund as soon as practicable after the  
2 certification.

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

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

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

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

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

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

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

12 (k) For fiscal years ~~year~~ 2012 and 2013 only, after the  
13 submission of all payments for eligible employees from personal  
14 services line items paid from the General Revenue Fund in the  
15 fiscal year have been made, the Comptroller shall provide to  
16 the System a certification of the sum of all expenditures in  
17 the fiscal year for personal services. Upon receipt of the  
18 certification, the System shall determine the amount due to the  
19 System based on the full rate certified by the Board under  
20 Section 14-135.08 for the fiscal year in order to meet the  
21 State's obligation under this Section. The System shall compare  
22 this amount due to the amount received by the System for the  
23 fiscal year. If the amount due is more than the amount  
24 received, the difference shall be termed the "Prior Fiscal Year  
25 Shortfall" for purposes of this Section, and the Prior Fiscal  
26 Year Shortfall shall be satisfied under Section 1.2 of the

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

7 (Source: P.A. 96-43, eff. 7-15-09; 96-45, eff. 7-15-09;  
8 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11; 96-1511, eff.  
9 1-27-11; 96-1554, eff. 3-18-11; 97-72, eff. 7-1-11.)

10 Section 10-15. The State Pension Funds Continuing  
11 Appropriation Act is amended by changing Sections 1 and 1.2 as  
12 follows:

13 (40 ILCS 15/1)

14 Sec. 1. Appropriations from State Pensions Fund.

15 (a) For the purpose of making up any deficiency in the  
16 appropriations to the designated retirement systems that are  
17 required to be made under Section 8.12 of the State Finance  
18 Act, there is hereby appropriated, on a continuing annual basis  
19 in each fiscal year, from the State Pensions Fund to each  
20 designated retirement system, the amount, if any, by which the  
21 total appropriation to that system from the State Pensions Fund  
22 for that fiscal year is less than the amount required to be  
23 appropriated to that retirement system under Section 8.12 of  
24 the State Finance Act.

1           The annual appropriation under this Section to each  
2 designated retirement system shall take effect on July 1 for  
3 the State fiscal year beginning on that date.

4           The amount of any continuing appropriation used by a  
5 retirement system under this Section for a given fiscal year  
6 shall be charged against the unexpended amount of any  
7 appropriation to that retirement system for that fiscal year  
8 under Section 8.12 of the State Finance Act that subsequently  
9 becomes available, subject to Section 8.3 of the State Finance  
10 Act.

11           "Designated retirement systems" means the State Employees'  
12 Retirement System of Illinois, the Teachers' Retirement System  
13 of the State of Illinois, the State Universities Retirement  
14 System, the Judges Retirement System of Illinois, and the  
15 General Assembly Retirement System.

16           The appropriations made in this Section are appropriated to  
17 the designated retirement systems as a part of the annual State  
18 contribution required by the laws providing for the funding of  
19 those systems. Beginning in State fiscal year 2014, the  
20 appropriations made in this Section are appropriated to the  
21 designated retirement systems for the funding of the unfunded  
22 liabilities of the designated retirement systems and are in  
23 addition to, and not in lieu of, any State contributions  
24 required under the Illinois Pension Code.

25           (b) For State fiscal year 2011 only, a continuing  
26 appropriation is provided to the State Universities'

1 Retirement System that shall not exceed the amount certified by  
2 the System on or before December 31, 2009; however, the  
3 continuing appropriation shall not reduce the amount in the  
4 State Pensions Fund below \$5,000,000.

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

6 (40 ILCS 15/1.2)

7 Sec. 1.2. Appropriations for the State Employees'  
8 Retirement System.

9 (a) From each fund from which an amount is appropriated for  
10 personal services to a department or other employer under  
11 Article 14 of the Illinois Pension Code, there is hereby  
12 appropriated to that department or other employer, on a  
13 continuing annual basis for each State fiscal year, an  
14 additional amount equal to the amount, if any, by which (1) an  
15 amount equal to the percentage of the personal services line  
16 item for that department or employer from that fund for that  
17 fiscal year that the Board of Trustees of the State Employees'  
18 Retirement System of Illinois has certified under Section  
19 14-135.08 of the Illinois Pension Code to be necessary to meet  
20 the State's obligation under Section 14-131 of the Illinois  
21 Pension Code for that fiscal year, exceeds (2) the amounts  
22 otherwise appropriated to that department or employer from that  
23 fund for State contributions to the State Employees' Retirement  
24 System for that fiscal year. From the effective date of this  
25 amendatory Act of the 93rd General Assembly through the final

1 payment from a department or employer's personal services line  
2 item for fiscal year 2004, payments to the State Employees'  
3 Retirement System that otherwise would have been made under  
4 this subsection (a) shall be governed by the provisions in  
5 subsection (a-1).

6 (a-1) If a Fiscal Year 2004 Shortfall is certified under  
7 subsection (f) of Section 14-131 of the Illinois Pension Code,  
8 there is hereby appropriated to the State Employees' Retirement  
9 System of Illinois on a continuing basis from the General  
10 Revenue Fund an additional aggregate amount equal to the Fiscal  
11 Year 2004 Shortfall.

12 (a-2) If a Fiscal Year 2010 Shortfall is certified under  
13 subsection (i) ~~(g)~~ of Section 14-131 of the Illinois Pension  
14 Code, there is hereby appropriated to the State Employees'  
15 Retirement System of Illinois on a continuing basis from the  
16 General Revenue Fund an additional aggregate amount equal to  
17 the Fiscal Year 2010 Shortfall.

18 (a-3) If a Fiscal Year 2011 Shortfall is certified under  
19 subsection (j) of Section 14-131 of the Illinois Pension Code,  
20 there is hereby appropriated to the State Employees' Retirement  
21 System of Illinois on a continuing basis from the General  
22 Revenue Fund an additional aggregate amount equal to the Fiscal  
23 Year 2011 Shortfall.

24 (a-4) If a Prior Fiscal Year Shortfall is certified under  
25 subsection (k) of Section 14-131 of the Illinois Pension Code,  
26 there is hereby appropriated to the State Employees' Retirement

1 System of Illinois on a continuing basis from the General  
2 Revenue Fund an additional aggregate amount equal to the Prior  
3 Fiscal Year Shortfall.

4 (b) The continuing appropriations provided for by this  
5 Section shall first be available in State fiscal year 1996.

6 (c) Beginning in Fiscal Year 2005, any continuing  
7 appropriation under this Section arising out of an  
8 appropriation for personal services from the Road Fund to the  
9 Department of State Police or the Secretary of State shall be  
10 payable from the General Revenue Fund rather than the Road  
11 Fund.

12 (d) For State fiscal year 2010 only, a continuing  
13 appropriation is provided to the State Employees' Retirement  
14 System equal to the amount certified by the System on or before  
15 December 31, 2008, less the gross proceeds of the bonds sold in  
16 fiscal year 2010 under the authorization contained in  
17 subsection (a) of Section 7.2 of the General Obligation Bond  
18 Act.

19 (e) For State fiscal year 2011 only, the continuing  
20 appropriation under this Section provided to the State  
21 Employees' Retirement System is limited to an amount equal to  
22 the amount certified by the System on or before December 31,  
23 2009, less any amounts received pursuant to subsection (a-3) of  
24 Section 14.1 of the State Finance Act.

25 (f) ~~(e)~~ For State fiscal year 2011 only, a continuing  
26 appropriation is provided to the State Employees' Retirement



1 System equal to the amount certified by the System on or before  
2 April 1, 2011, less the gross proceeds of the bonds sold in  
3 fiscal year 2011 under the authorization contained in  
4 subsection (a) of Section 7.2 of the General Obligation Bond  
5 Act.

6 (Source: P.A. 96-43, eff. 7-15-09; 96-45, eff. 7-15-09; 96-958,  
7 eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11;  
8 96-1511, eff. 1-27-11; revised 4-5-11.)

9 Section 10-20. The Uniform Disposition of Unclaimed  
10 Property Act is amended by changing Section 18 as follows:

11 (765 ILCS 1025/18) (from Ch. 141, par. 118)

12 Sec. 18. Deposit of funds received under the Act.

13 (a) The State Treasurer shall retain all funds received  
14 under this Act, including the proceeds from the sale of  
15 abandoned property under Section 17, in a trust fund. The State  
16 Treasurer may deposit any amount in the Trust Fund into the  
17 State Pensions Fund during the fiscal year at his or her  
18 discretion; however, he or she shall, on April 15 and October  
19 15 of each year, deposit any amount in the trust fund exceeding  
20 \$2,500,000 into the State Pensions Fund. Beginning in State  
21 fiscal year 2014, all ~~All~~ amounts in excess of \$2,500,000 that  
22 are deposited into the State Pensions Fund from the unclaimed  
23 Property Trust Fund shall be apportioned to the designated  
24 retirement systems as provided in subsection (c-6) of Section

1 8.12 of the State Finance Act to reduce their actuarial reserve  
2 deficiencies. He or she shall make prompt payment of claims he  
3 or she duly allows as provided for in this Act for the trust  
4 fund. Before making the deposit the State Treasurer shall  
5 record the name and last known address of each person appearing  
6 from the holders' reports to be entitled to the abandoned  
7 property. The record shall be available for public inspection  
8 during reasonable business hours.

9 (b) Before making any deposit to the credit of the State  
10 Pensions Fund, the State Treasurer may deduct: (1) any costs in  
11 connection with sale of abandoned property, (2) any costs of  
12 mailing and publication in connection with any abandoned  
13 property, and (3) any costs in connection with the maintenance  
14 of records or disposition of claims made pursuant to this Act.  
15 The State Treasurer shall semiannually file an itemized report  
16 of all such expenses with the Legislative Audit Commission.

17 (Source: P.A. 95-950, eff. 8-29-08; 96-1000, eff. 7-2-10.)

18 ARTICLE 15. REGIONAL OFFICES OF EDUCATION

19 Section 15-5. The State Finance Act is amended by changing  
20 Section 8.2 as follows:

21 (30 ILCS 105/8.2) (from Ch. 127, par. 144.2)

22 Sec. 8.2. Appropriations for the distribution of the common  
23 school fund to the several counties and for the payment of

1 ~~salaries and~~ expenses of regional ~~county~~ superintendents of  
2 schools and the amount to be paid into the Illinois State  
3 teachers' pension and retirement fund and for the refund of  
4 excess taxes paid into the common school fund are payable from  
5 the common school fund.

6 (Source: Laws 1953, p. 1048.)

7 Section 15-10. The State Revenue Sharing Act is amended by  
8 changing Section 12 as follows:

9 (30 ILCS 115/12) (from Ch. 85, par. 616)

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

14 (a) all amounts realized from the additional personal  
15 property tax replacement income tax imposed by subsections (c)  
16 and (d) of Section 201 of the Illinois Income Tax Act, except  
17 for those amounts deposited into the Income Tax Refund Fund  
18 pursuant to subsection (c) of Section 901 of the Illinois  
19 Income Tax Act; and

20 (b) all amounts realized from the additional personal  
21 property replacement invested capital taxes imposed by Section  
22 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue  
23 Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and  
24 Section 3 of the Water Company Invested Capital Tax Act, and

1 amounts payable to the Department of Revenue under the  
2 Telecommunications Infrastructure Maintenance Fee Act.

3 As soon as may be after the end of each month, the  
4 Department of Revenue shall certify to the Treasurer and the  
5 Comptroller the amount of all refunds paid out of the General  
6 Revenue Fund through the preceding month on account of  
7 overpayment of liability on taxes paid into the Personal  
8 Property Tax Replacement Fund. Upon receipt of such  
9 certification, the Treasurer and the Comptroller shall  
10 transfer the amount so certified from the Personal Property Tax  
11 Replacement Fund into the General Revenue Fund.

12 The payments of revenue into the Personal Property Tax  
13 Replacement Fund shall be used exclusively for distribution to  
14 taxing districts, regional offices and officials for fiscal  
15 years ~~year~~ 2012 and 2013 only, and local officials as provided  
16 in this Section and in the School Code, payment of the ordinary  
17 and contingent expenses of the Property Tax Appeal Board,  
18 payment of the expenses of the Department of Revenue incurred  
19 in administering the collection and distribution of monies paid  
20 into the Personal Property Tax Replacement Fund and transfers  
21 due to refunds to taxpayers for overpayment of liability for  
22 taxes paid into the Personal Property Tax Replacement Fund.

23 As soon as may be after the effective date of this  
24 amendatory Act of 1980, the Department of Revenue shall certify  
25 to the Treasurer the amount of net replacement revenue paid  
26 into the General Revenue Fund prior to that effective date from

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

16 All interest earned by monies accumulated in the Personal  
17 Property Tax Replacement Fund shall be deposited in such Fund.  
18 All amounts allocated pursuant to this Section are appropriated  
19 on a continuing basis.

20 Prior to December 31, 1980, as soon as may be after the end  
21 of each quarter beginning with the quarter ending December 31,  
22 1979, and on and after December 31, 1980, as soon as may be  
23 after January 1, March 1, April 1, May 1, July 1, August 1,  
24 October 1 and December 1 of each year, the Department of  
25 Revenue shall allocate to each taxing district as defined in  
26 Section 1-150 of the Property Tax Code, in accordance with the

1 provisions of paragraph (2) of this Section the portion of the  
2 funds held in the Personal Property Tax Replacement Fund which  
3 is required to be distributed, as provided in paragraph (1),  
4 for each quarter. Provided, however, under no circumstances  
5 shall any taxing district during each of the first two years of  
6 distribution of the taxes imposed by this amendatory Act of  
7 1979 be entitled to an annual allocation which is less than the  
8 funds such taxing district collected from the 1978 personal  
9 property tax. Provided further that under no circumstances  
10 shall any taxing district during the third year of distribution  
11 of the taxes imposed by this amendatory Act of 1979 receive  
12 less than 60% of the funds such taxing district collected from  
13 the 1978 personal property tax. In the event that the total of  
14 the allocations made as above provided for all taxing  
15 districts, during either of such 3 years, exceeds the amount  
16 available for distribution the allocation of each taxing  
17 district shall be proportionately reduced. Except as provided  
18 in Section 13 of this Act, the Department shall then certify,  
19 pursuant to appropriation, such allocations to the State  
20 Comptroller who shall pay over to the several taxing districts  
21 the respective amounts allocated to them.

22 Any township which receives an allocation based in whole or  
23 in part upon personal property taxes which it levied pursuant  
24 to Section 6-507 or 6-512 of the Illinois Highway Code and  
25 which was previously required to be paid over to a municipality  
26 shall immediately pay over to that municipality a proportionate

1 share of the personal property replacement funds which such  
2 township receives.

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

21 Any township which receives an allocation based in whole or  
22 in part on personal property taxes which it levied pursuant to  
23 Section 1c of the Public Graveyards Act and which taxes were  
24 previously required to be paid over to or used for such public  
25 cemetery or cemeteries shall immediately pay over to or use for  
26 such public cemetery or cemeteries a proportionate share of the

1 personal property tax replacement funds which the township  
2 receives.

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

13 (1) The portion of the Personal Property Tax  
14 Replacement Fund required to be distributed as of the time  
15 allocation is required to be made shall be the amount  
16 available in such Fund as of the time allocation is  
17 required to be made.

18 The amount available for distribution shall be the  
19 total amount in the fund at such time minus the necessary  
20 administrative and other authorized expenses as limited by  
21 the appropriation and the amount determined by: (a) \$2.8  
22 million for fiscal year 1981; (b) for fiscal year 1982,  
23 .54% of the funds distributed from the fund during the  
24 preceding fiscal year; (c) for fiscal year 1983 through  
25 fiscal year 1988, .54% of the funds distributed from the  
26 fund during the preceding fiscal year less .02% of such



1 fund for fiscal year 1983 and less .02% of such funds for  
2 each fiscal year thereafter; (d) for fiscal year 1989  
3 through fiscal year 2011 no more than 105% of the actual  
4 administrative expenses of the prior fiscal year; (e) for  
5 fiscal year 2012 and beyond, a sufficient amount to pay (i)  
6 stipends, additional compensation, salary reimbursements,  
7 and other amounts directed to be paid out of this Fund for  
8 local officials as authorized or required by statute and  
9 (ii) no more than 105% of the actual administrative  
10 expenses of the prior fiscal year, including payment of the  
11 ordinary and contingent expenses of the Property Tax Appeal  
12 Board and payment of the expenses of the Department of  
13 Revenue incurred in administering the collection and  
14 distribution of moneys paid into the Fund; or (f) for  
15 fiscal years ~~year~~ 2012 and 2013 only, a sufficient amount  
16 to pay stipends, additional compensation, salary  
17 reimbursements, and other amounts directed to be paid out  
18 of this Fund for regional offices and officials as  
19 authorized or required by statute. Such portion of the fund  
20 shall be determined after the transfer into the General  
21 Revenue Fund due to refunds, if any, paid from the General  
22 Revenue Fund during the preceding quarter. If at any time,  
23 for any reason, there is insufficient amount in the  
24 Personal Property Tax Replacement Fund for payments for  
25 regional offices and officials or local officials or  
26 payment of costs of administration or for transfers due to

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

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

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

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

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

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

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

1 other taxing districts.

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

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

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

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

1 to disconnection, and the amount of such reduction shall be  
2 added to the Tax Base of the taxing district to which  
3 annexation is made.

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

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

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

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

19 (Source: P.A. 96-45, eff. 7-15-09; 97-72, eff. 7-1-11; 97-619,  
20 eff. 11-14-11.)

21 Section 15-15. The School Code is amended by changing  
22 Sections 3-2.5 and 18-5 as follows:

23 (105 ILCS 5/3-2.5)

24 Sec. 3-2.5. Salaries.

1 (a) Except as otherwise provided in this Section, the  
2 regional superintendents of schools shall receive for their  
3 services an annual salary according to the population, as  
4 determined by the last preceding federal census, of the region  
5 they serve, as set out in the following schedule:

6 SALARIES OF REGIONAL SUPERINTENDENTS OF  
7 SCHOOLS

8 POPULATION OF REGION	ANNUAL SALARY
9 Less than 48,000	\$73,500
10 48,000 to 99,999	\$78,000
11 100,000 to 999,999	\$81,500
12 1,000,000 and over	\$83,500

13 The changes made by Public Act 86-98 in the annual salary  
14 that the regional superintendents of schools shall receive for  
15 their services shall apply to the annual salary received by the  
16 regional superintendents of schools during each of their  
17 elected terms of office that commence after July 26, 1989 and  
18 before the first Monday of August, 1995.

19 The changes made by Public Act 89-225 in the annual salary  
20 that regional superintendents of schools shall receive for  
21 their services shall apply to the annual salary received by the  
22 regional superintendents of schools during their elected terms  
23 of office that commence after August 4, 1995 and end on August  
24 1, 1999.

25 The changes made by this amendatory Act of the 91st General  
26 Assembly in the annual salary that the regional superintendents

1 of schools shall receive for their services shall apply to the  
 2 annual salary received by the regional superintendents of  
 3 schools during each of their elected terms of office that  
 4 commence on or after August 2, 1999.

5 Beginning July 1, 2000, the salary that the regional  
 6 superintendent of schools receives for his or her services  
 7 shall be adjusted annually to reflect the percentage increase,  
 8 if any, in the most recent Consumer Price Index, as defined and  
 9 officially reported by the United States Department of Labor,  
 10 Bureau of Labor Statistics, except that no annual increment may  
 11 exceed 2.9%. If the percentage of change in the Consumer Price  
 12 Index is a percentage decrease, the salary that the regional  
 13 superintendent of schools receives shall not be adjusted for  
 14 that year.

15 When regional superintendents are authorized by the School  
 16 Code to appoint assistant regional superintendents, the  
 17 assistant regional superintendent shall receive an annual  
 18 salary based on his or her qualifications and computed as a  
 19 percentage of the salary of the regional superintendent to whom  
 20 he or she is assistant, as set out in the following schedule:

21	SALARIES	OF	ASSISTANT	REGIONAL
22	SUPERINTENDENTS			
23	QUALIFICATIONS OF			PERCENTAGE OF SALARY
24	ASSISTANT REGIONAL			OF REGIONAL
25	SUPERINTENDENT			SUPERINTENDENT
26	No Bachelor's degree, but State			



1	certificate valid for teaching	
2	and supervising.	70%
3	Bachelor's degree plus	
4	State certificate valid	
5	for supervising.	75%
6	Master's degree plus	
7	State certificate valid	
8	for supervising.	90%

9       However, in any region in which the appointment of more  
10 than one assistant regional superintendent is authorized,  
11 whether by Section 3-15.10 of this Code or otherwise, not more  
12 than one assistant may be compensated at the 90% rate and any  
13 other assistant shall be paid at not exceeding the 75% rate, in  
14 each case depending on the qualifications of the assistant.

15       The salaries provided in this Section plus an amount for  
16 other employment-related compensation or benefits for regional  
17 superintendents and assistant regional superintendents are  
18 payable monthly by the State Board of Education out of the  
19 Personal Property Tax Replacement Fund through a specific  
20 appropriation to that effect in the State Board of Education  
21 budget for the fiscal years ~~year~~ 2012 and 2013 only, and are  
22 payable monthly from the Common School Fund for fiscal year  
23 2014 ~~2013~~ and beyond through a specific appropriation to that  
24 effect in the State Board of Education budget. The State  
25 Comptroller in making his or her warrant to any county for the  
26 amount due it from the Personal Property Tax Replacement Fund

1 for the fiscal years ~~year~~ 2012 and 2013 only, and from the  
2 Common School Fund for fiscal year 2014 ~~2013~~ and beyond shall  
3 deduct from it the several amounts for which warrants have been  
4 issued to the regional superintendent, and any assistant  
5 regional superintendent, of the educational service region  
6 encompassing the county since the preceding apportionment from  
7 the Personal Property Tax Replacement Fund for the fiscal years  
8 ~~year~~ 2012 and 2013 only, and from the Common School Fund for  
9 fiscal year 2014 ~~2013~~ and beyond.

10 County boards may provide for additional compensation for  
11 the regional superintendent or the assistant regional  
12 superintendents, or for each of them, to be paid quarterly from  
13 the county treasury.

14 (b) Upon abolition of the office of regional superintendent  
15 of schools in educational service regions containing 2,000,000  
16 or more inhabitants as provided in Section 3-0.01 of this Code,  
17 the funds provided under subsection (a) of this Section shall  
18 continue to be appropriated and reallocated, as provided for  
19 pursuant to subsection (b) of Section 3-0.01 of this Code, to  
20 the educational service centers established pursuant to  
21 Section 2-3.62 of this Code for an educational service region  
22 containing 2,000,000 or more inhabitants.

23 (c) If the State pays all or any portion of the employee  
24 contributions required under Section 16-152 of the Illinois  
25 Pension Code for employees of the State Board of Education, it  
26 shall also, subject to appropriation in the State Board of

1 Education budget for such payments to Regional Superintendents  
2 and Assistant Regional Superintendents, pay the employee  
3 contributions required of regional superintendents of schools  
4 and assistant regional superintendents of schools on the same  
5 basis, but excluding any contributions based on compensation  
6 that is paid by the county rather than the State.

7 This subsection (c) applies to contributions based on  
8 payments of salary earned after the effective date of this  
9 amendatory Act of the 91st General Assembly, except that in the  
10 case of an elected regional superintendent of schools, this  
11 subsection does not apply to contributions based on payments of  
12 salary earned during a term of office that commenced before the  
13 effective date of this amendatory Act.

14 (Source: P.A. 96-893, eff. 7-1-10; 96-1086, eff. 7-16-10;  
15 97-333, eff. 8-12-11; 97-619, eff. 11-14-11.)

16 (105 ILCS 5/18-5) (from Ch. 122, par. 18-5)

17 Sec. 18-5. Compensation of regional superintendents and  
18 assistants. The State Board of Education shall request an  
19 appropriation payable from the Personal Property Tax  
20 Replacement Fund for fiscal years ~~year~~ 2012 and 2013 only, and  
21 the common school fund for fiscal year 2014 ~~2013~~ and beyond as  
22 and for compensation for regional superintendents of schools  
23 and the assistant regional superintendents of schools  
24 authorized by Section 3-15.10 of this Act, and as provided in  
25 "An Act concerning fees and salaries and to classify the

1 several counties of this State with reference thereto",  
2 approved March 29, 1872 as amended, and shall present vouchers  
3 to the Comptroller monthly for the payment to the several  
4 regional superintendents and such assistant regional  
5 superintendents of their compensation as fixed by law. Such  
6 payments shall be made either (1) monthly, at the close of the  
7 month, or (2) semimonthly on or around the 15th of the month  
8 and at the close of the month, at the option of the regional  
9 superintendent or assistant regional superintendent.

10 (Source: P.A. 97-619, eff. 11-14-11.)

11 ARTICLE 95. SEVERABILITY

12 Section 95-95. 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 upon  
16 becoming law."