



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3128

by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.866 new

30 ILCS 730/3

30 ILCS 730/7 new

from Ch. 96 1/2, par. 8203

Amends the State Finance Act. Creates the Coal Mining Conservation and Reclamation Fund as a special fund in the State treasury. Amends the Illinois Coal Technology Development Assistance Act. Provides that the Department of Natural Resources shall use all monies in the Coal Mining Land Conservation and Reclamation Fund to administer the Department's responsibilities. Provides that, notwithstanding any other law to the contrary, the Fund is not subject to sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would transfer any amounts from the Fund into any other fund of the State. Provides that during fiscal year 2016 and each fiscal year thereafter, an amount of \$333,333.33 shall be transferred from the Coal Technology Development Assistance Fund to the Fund. Effective immediately.

LRB099 10345 SXM 30572 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by adding
5 Section 5.866 as follows:

6 (30 ILCS 105/5.866 new)

7 Sec. 5.866. The Coal Mining Land Conservation and
8 Reclamation Fund.

9 Section 10. The Illinois Coal Technology Development
10 Assistance Act is amended by changing Sections 3 and 7 as
11 follows:

12 (30 ILCS 730/3) (from Ch. 96 1/2, par. 8203)

13 Sec. 3. Transfers to and from the Coal Technology
14 Development Assistance Fund ~~Funds~~.

15 (a) As soon as may be practicable after the first day of
16 each month, the Department of Revenue shall certify to the
17 Treasurer an amount equal to 1/64 of the revenue realized from
18 the tax imposed by the Electricity Excise Tax Law, Section 2 of
19 the Public Utilities Revenue Act, Section 2 of the Messages Tax
20 Act, and Section 2 of the Gas Revenue Tax Act, during the
21 preceding month. Upon receipt of the certification, the

1 Treasurer shall transfer the amount shown on such certification
2 from the General Revenue Fund to the Coal Technology
3 Development Assistance Fund, which is hereby created as a
4 special fund in the State treasury, except that no transfer
5 shall be made in any month in which the Fund has reached the
6 following balance:

7 (1) \$7,000,000 during fiscal year 1994.

8 (2) \$8,500,000 during fiscal year 1995.

9 (3) \$10,000,000 during fiscal years 1996 and 1997.

10 (4) During fiscal year 1998 through fiscal year 2004,
11 an amount equal to the sum of \$10,000,000 plus additional
12 moneys deposited into the Coal Technology Development
13 Assistance Fund from the Renewable Energy Resources and
14 Coal Technology Development Assistance Charge under
15 Section 6.5 of the Renewable Energy, Energy Efficiency, and
16 Coal Resources Development Law of 1997.

17 (5) During fiscal year 2005, an amount equal to the sum
18 of \$7,000,000 plus additional moneys deposited into the
19 Coal Technology Development Assistance Fund from the
20 Renewable Energy Resources and Coal Technology Development
21 Assistance Charge under Section 6.5 of the Renewable
22 Energy, Energy Efficiency, and Coal Resources Development
23 Law of 1997.

24 (6) During fiscal year 2006 and each fiscal year
25 thereafter, an amount equal to the sum of \$10,000,000 plus
26 additional moneys deposited into the Coal Technology

1 Development Assistance Fund from the Renewable Energy
2 Resources and Coal Technology Development Assistance
3 Charge under Section 6.5 of the Renewable Energy, Energy
4 Efficiency, and Coal Resources Development Law of 1997.

5 (b) During fiscal year 2016 and each fiscal year
6 thereafter, an amount of \$333,333.33 shall be transferred from
7 the Coal Technology Development Assistance Fund to the Coal
8 Mining Land Conservation and Reclamation Fund on the first day
9 of each month.

10 (Source: P.A. 93-839, eff. 7-30-04; revised 12-1-14.)

11 (30 ILCS 730/7 new)

12 Sec. 7. Coal Mining Land Conservation and Reclamation Fund.
13 The Coal Mining Land Conservation and Reclamation Fund is
14 hereby created. The Department of Natural Resources shall use
15 all monies from the Coal Mining Land Conservation and
16 Reclamation Fund to administer the Department's
17 responsibilities under the Surface Coal Mining Land
18 Conservation and Reclamation Act. Monies may be used as
19 necessary for additional personal costs associated with
20 administration of the Act. Notwithstanding any other law to the
21 contrary, the Coal Mining Land Conservation and Reclamation
22 Fund is not subject to sweeps, administrative charge-backs, or
23 any other fiscal or budgetary maneuver that would in any way
24 transfer any amounts from the Coal Mining Land Conservation and
25 Reclamation Fund into any other fund of the State.

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