



Sen. Patrick Welch

Filed: 5/31/2004

09300HB7177sam001

LRB093 16367 MKM 52015 a

1 AMENDMENT TO HOUSE BILL 7177

2 AMENDMENT NO. _____. Amend House Bill 7177 by replacing
3 everything after the enacting clause with the following:

4 "Section 15. The State Finance Act is amended by adding
5 Section 25.5 as follows:

6 (30 ILCS 105/25.5 new)

7 Sec. 25.5. Fiscal Year 2005 limitations; contingency
8 reserves.

9 (a) As used in this Section, "State agency" has the meaning
10 set forth in Section 1-7 of the Illinois State Auditing Act.

11 As used in this Section, "appropriation for an exempted
12 purpose" means an appropriation for (i) grants payable by the
13 State Board of Education or (ii) the purposes of the Children's
14 Health Insurance Program Act.

15 As used in this Section, "appropriate certifying officer"
16 means:

17 (1) The Lieutenant Governor, as to appropriations made
18 to that officer and as to appropriations from which that
19 officer is authorized to approve expenditures under
20 Section 10 of this Act.

21 (2) The Attorney General, as to appropriations made to
22 that officer and as to appropriations from which that
23 officer is authorized to approve expenditures under
24 Section 10 of this Act.

1 (3) The Secretary of State, as to appropriations made
2 to that officer and as to appropriations from which that
3 officer is authorized to approve expenditures under
4 Section 10 of this Act.

5 (4) The Treasurer, as to appropriations made to that
6 officer and as to appropriations from which that officer is
7 authorized to approve expenditures under Section 10 of this
8 Act.

9 (5) The Comptroller, as to appropriations made to that
10 officer and as to appropriations from which that officer is
11 authorized to approve expenditures under Section 10 of this
12 Act.

13 (6) The Auditor General, as to appropriations made to
14 that officer and as to appropriations from which that
15 officer is authorized to approve expenditures under
16 Section 10 of this Act.

17 (7) The President of the Senate, as to appropriations
18 made to that officer and as to appropriations from which
19 that officer is authorized to approve expenditures under
20 Section 10 of this Act.

21 (8) The President of the Senate, acting with the
22 concurrence of the Senate Operations Commission, as to
23 appropriations made to the Senate Operations Commission.

24 (9) The Minority Leader of the Senate, as to
25 appropriations made to that officer and as to
26 appropriations from which that officer is authorized to
27 approve expenditures under Section 10 of this Act.

28 (10) The Speaker of the House of Representatives, as to
29 appropriations made to that officer and as to
30 appropriations from which that officer is authorized to
31 approve expenditures under Section 10 of this Act.

32 (11) The Minority Leader of the House of
33 Representatives, as to appropriations made to that officer
34 and as to appropriations from which that officer is

1 authorized to approve expenditures under Section 10 of this
2 Act.

3 (12) The Chairman of the Joint Committee on Legislative
4 Support Services, acting with the approval of that
5 Committee, as to appropriations to the legislative support
6 services agencies.

7 (13) The President of the Senate and the Speaker of the
8 House of Representatives, acting jointly, as to
9 appropriations to State agencies that are part of the
10 Legislative Branch of government but are not included under
11 item (7), (8), (9), (10), (11) or (12).

12 (14) The Chief Justice of the Illinois Supreme Court,
13 as to appropriations to State agencies that are part of the
14 Judicial Branch of Government.

15 (15) The Governor in all other cases.

16 (b) The appropriate certifying officer shall designate as a
17 contingency reserve an amount equal to 2.25% of the total
18 appropriations made to each State agency from the General
19 Revenue Fund for State fiscal year 2005, excluding all
20 appropriations for exempted purposes. The contingency reserve
21 need not be applied uniformly across all programs and items of
22 appropriation, but may be applied to the various programs and
23 items of appropriation as the certifying officer deems
24 appropriate, except that no contingency reserve may be
25 established out of an appropriation for an exempted purpose.

26 (c) The specific amounts and line items in any State agency
27 appropriation to be held in a contingency reserve shall be
28 certified by the appropriate certifying officer to the
29 Comptroller, the Governor, and the 4 Legislative Leaders no
30 later than the close of business on July 30, 2004. A designated
31 contingency reserve becomes effective upon certification.

32 (d) If the designated contingency reserve in an item of
33 appropriation exceeds the available balance in that item on the
34 date of the certification, the Comptroller shall so notify the

1 certifying authority. The certifying authority shall file an
2 amended certification within 15 days after receiving the
3 notice.

4 (e) Appropriated amounts placed in a contingency reserve
5 shall not be obligated, encumbered, or expended. Any periodic
6 transfer or automatic expenditure based upon an appropriated
7 amount for which a contingency reserve has been established
8 shall be reduced to reflect that contingency reserve.

9 (f) Notwithstanding any other provision of this amendatory
10 Act of the 93rd General Assembly, the contingency reserves
11 authorized herein shall not exceed a total of \$400,000,000.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.".