



Sen. Kwame Raoul

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LRB095 04669 JAM 32673 a

1 AMENDMENT TO SENATE BILL 222

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 222 on page 10, in  
3 line 11 by replacing "Court" with "Court or the Appellate  
4 Court"; and

5 on page 38, in line 19 by replacing "amended" with "amended by  
6 changing Section 8h and"; and

7 on page 38, by inserting after line 23 the following:

8 "(30 ILCS 105/8h)

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

10 (a) Except as otherwise provided in this Section and  
11 Section 8n of this Act, and ~~(c), (d), or (e)~~, notwithstanding  
12 any other State law to the contrary, the Governor may, through  
13 June 30, 2007, from time to time direct the State Treasurer and  
14 Comptroller to transfer a specified sum from any fund held by  
15 the State Treasurer to the General Revenue Fund in order to

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

1 Facility Development and Operation Fund, the Horse Racing  
2 Equity Trust Fund, or the Hospital Basic Services Preservation  
3 Fund, or to any funds to which subsection (f) of Section 20-40  
4 of the Nursing and Advanced Practice Nursing Act applies. No  
5 transfers may be made under this Section from the Pet  
6 Population Control Fund. Notwithstanding any other provision  
7 of this Section, for fiscal year 2004, the total transfer under  
8 this Section from the Road Fund or the State Construction  
9 Account Fund shall not exceed the lesser of (i) 5% of the  
10 revenues to be deposited into the fund during that fiscal year  
11 or (ii) 25% of the beginning balance in the fund. For fiscal  
12 year 2005 through fiscal year 2007, no amounts may be  
13 transferred under this Section from the Road Fund, the State  
14 Construction Account Fund, the Criminal Justice Information  
15 Systems Trust Fund, the Wireless Service Emergency Fund, or the  
16 Mandatory Arbitration Fund.

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

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

25 (a-5) Transfers directed to be made under this Section on  
26 or before February 28, 2006 that are still pending on May 19,

1 2006 (the effective date of Public Act 94-774) ~~this amendatory~~  
2 ~~Act of the 94th General Assembly~~ shall be redirected as  
3 provided in Section 8n of this Act.

4 (b) This Section does not apply to: (i) the Ticket For The  
5 Cure Fund; (ii) any fund established under the Community Senior  
6 Services and Resources Act; or (iii) on or after January 1,  
7 2006 (the effective date of Public Act 94-511), the Child Labor  
8 and Day and Temporary Labor Enforcement Fund.

9 (c) This Section does not apply to the Demutualization  
10 Trust Fund established under the Uniform Disposition of  
11 Unclaimed Property Act.

12 (d) This Section does not apply to moneys set aside in the  
13 Illinois State Podiatric Disciplinary Fund for podiatric  
14 scholarships and residency programs under the Podiatric  
15 Scholarship and Residency Act.

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

19 (f) This Section does not apply to the Illinois Judicial  
20 Election Democracy Trust Fund.

21 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,  
22 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;  
23 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.  
24 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.  
25 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,  
26 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;

1 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.  
2 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,  
3 eff. 6-6-06; revised 6-19-06.)".