

SB1311



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1311

Introduced 2/8/2011, by Sen. Jeffrey M. Schoenberg

SYNOPSIS AS INTRODUCED:

30 ILCS 105/6z-35
625 ILCS 5/2-119

from Ch. 95 1/2, par. 2-119

Amends the State Finance Act. Removes the requirement that the Comptroller and the Treasurer shall transfer a monthly amount from the General Revenue Fund into the Live and Learn Fund. Amends the Illinois Vehicle Code. Provides that proceeds from certain vehicle title and transfer of registration fees shall be deposited into the Live and Learn Fund. Provides that the deposits shall be made beginning 60 days after the effective date or July 1, 2011, whichever is later. Effective immediately.

LRB097 05102 PJG 45145 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 changing
5 Section 6z-35 as follows:

6 (30 ILCS 105/6z-35)

7 Sec. 6z-35. There is hereby created in the State Treasury a
8 special fund to be known as the Live and Learn Fund. ~~The~~
9 ~~Comptroller and the Treasurer shall transfer \$1,742,000 from~~
10 ~~the General Revenue Fund into the Live and Learn Fund each~~
11 ~~month. The first transfer shall be made 60 days after the~~
12 ~~effective date of this amendatory Act of 1993, with subsequent~~
13 ~~transfers occurring on the first of each month.~~ Moneys
14 deposited into the Fund under Section 2-119 of the Illinois
15 Vehicle Code may, subject to appropriation, be used by the
16 Secretary of State for any or all of the following purposes:

17 (a) An organ donation awareness or education program.

18 (b) To provide additional funds for all types of
19 library grants as authorized and administered by the
20 Secretary of State as State Librarian.

21 (Source: P.A. 88-78.)

22 Section 10. The Illinois Vehicle Code is amended by

1 changing Section 2-119 as follows:

2 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

3 Sec. 2-119. Disposition of fees and taxes.

4 (a) All moneys received from Salvage Certificates shall be
5 deposited in the Common School Fund in the State Treasury.

6 (b) Beginning January 1, 1990 and concluding December 31,
7 1994, of the money collected for each certificate of title,
8 duplicate certificate of title and corrected certificate of
9 title, \$0.50 shall be deposited into the Used Tire Management
10 Fund. Beginning January 1, 1990 and concluding December 31,
11 1994, of the money collected for each certificate of title,
12 duplicate certificate of title and corrected certificate of
13 title, \$1.50 shall be deposited in the Park and Conservation
14 Fund.

15 Beginning January 1, 1995, of the money collected for each
16 certificate of title, duplicate certificate of title and
17 corrected certificate of title, \$2 shall be deposited in the
18 Park and Conservation Fund. The moneys deposited in the Park
19 and Conservation Fund pursuant to this Section shall be used
20 for the acquisition and development of bike paths as provided
21 for in Section 805-420 of the Department of Natural Resources
22 (Conservation) Law (20 ILCS 805/805-420).

23 Beginning January 1, 2000, of the moneys collected for each
24 certificate of title, duplicate certificate of title, and
25 corrected certificate of title, \$48 shall be deposited into the

1 Road Fund and \$4 shall be deposited into the Motor Vehicle
2 License Plate Fund, except that if the balance in the Motor
3 Vehicle License Plate Fund exceeds \$40,000,000 on the last day
4 of a calendar month, then during the next calendar month the \$4
5 shall instead be deposited into the Road Fund.

6 Beginning January 1, 2005, of the moneys collected for each
7 delinquent vehicle registration renewal fee, \$20 shall be
8 deposited into the General Revenue Fund.

9 Beginning (i) on the first day of the first month to occur
10 not less than 60 days after the effective date of this
11 amendatory Act of the 97th General Assembly or (ii) July 1,
12 2011, whichever is later, and excluding proceeds of the
13 additional fees imposed by Public Act 96-34 and amounts
14 required to be paid into the Parks and Conservation Fund, the
15 Road Fund, and the Motor Vehicle License Plate Fund under this
16 Section, 13% of the proceeds of fees collected for certificate
17 of title, duplicate certificate of title, and corrected
18 certificate of title and 67% of proceeds of fees collected for
19 transfer of registration or any evidence of proper registration
20 shall be deposited into the Live and Learn Fund. The deposits
21 may not exceed (i) \$1,742,000 in any month or (ii) \$20,904,000
22 in any fiscal year.

23 Except as otherwise provided in this Code, all remaining
24 moneys collected for certificates of title, and all moneys
25 collected for filing of security interests, shall be placed in
26 the General Revenue Fund in the State Treasury.

1 (c) All moneys collected for that portion of a driver's
2 license fee designated for driver education under Section 6-118
3 shall be placed in the Driver Education Fund in the State
4 Treasury.

5 (d) Beginning January 1, 1999, of the monies collected as a
6 registration fee for each motorcycle, motor driven cycle and
7 moped, 27% of each annual registration fee for such vehicle and
8 27% of each semiannual registration fee for such vehicle is
9 deposited in the Cycle Rider Safety Training Fund.

10 (e) Of the monies received by the Secretary of State as
11 registration fees or taxes or as payment of any other fee, as
12 provided in this Act, except fees received by the Secretary
13 under paragraph (7) of subsection (b) of Section 5-101 and
14 Section 5-109 of this Code, 37% shall be deposited into the
15 State Construction Fund.

16 (f) Of the total money collected for a CDL instruction
17 permit or original or renewal issuance of a commercial driver's
18 license (CDL) pursuant to the Uniform Commercial Driver's
19 License Act (UCDLA): (i) \$6 of the total fee for an original or
20 renewal CDL, and \$6 of the total CDL instruction permit fee
21 when such permit is issued to any person holding a valid
22 Illinois driver's license, shall be paid into the
23 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License
24 Information System/American Association of Motor Vehicle
25 Administrators network Trust Fund) and shall be used for the
26 purposes provided in Section 6z-23 of the State Finance Act and

1 (ii) \$20 of the total fee for an original or renewal CDL or
2 commercial driver instruction permit shall be paid into the
3 Motor Carrier Safety Inspection Fund, which is hereby created
4 as a special fund in the State Treasury, to be used by the
5 Department of State Police, subject to appropriation, to hire
6 additional officers to conduct motor carrier safety
7 inspections pursuant to Chapter 18b of this Code.

8 (g) All remaining moneys received by the Secretary of State
9 as registration fees or taxes or as payment of any other fee,
10 as provided in this Act, except fees received by the Secretary
11 under paragraph (7) (A) of subsection (b) of Section 5-101 and
12 Section 5-109 of this Code, shall be deposited in the Road Fund
13 in the State Treasury. Moneys in the Road Fund shall be used
14 for the purposes provided in Section 8.3 of the State Finance
15 Act.

16 (h) (Blank).

17 (i) (Blank).

18 (j) (Blank).

19 (k) There is created in the State Treasury a special fund
20 to be known as the Secretary of State Special License Plate
21 Fund. Money deposited into the Fund shall, subject to
22 appropriation, be used by the Office of the Secretary of State
23 (i) to help defray plate manufacturing and plate processing
24 costs for the issuance and, when applicable, renewal of any new
25 or existing registration plates authorized under this Code and
26 (ii) for grants made by the Secretary of State to benefit

1 Illinois Veterans Home libraries.

2 On or before October 1, 1995, the Secretary of State shall
3 direct the State Comptroller and State Treasurer to transfer
4 any unexpended balance in the Special Environmental License
5 Plate Fund, the Special Korean War Veteran License Plate Fund,
6 and the Retired Congressional License Plate Fund to the
7 Secretary of State Special License Plate Fund.

8 (l) The Motor Vehicle Review Board Fund is created as a
9 special fund in the State Treasury. Moneys deposited into the
10 Fund under paragraph (7) of subsection (b) of Section 5-101 and
11 Section 5-109 shall, subject to appropriation, be used by the
12 Office of the Secretary of State to administer the Motor
13 Vehicle Review Board, including without limitation payment of
14 compensation and all necessary expenses incurred in
15 administering the Motor Vehicle Review Board under the Motor
16 Vehicle Franchise Act.

17 (m) Effective July 1, 1996, there is created in the State
18 Treasury a special fund to be known as the Family
19 Responsibility Fund. Moneys deposited into the Fund shall,
20 subject to appropriation, be used by the Office of the
21 Secretary of State for the purpose of enforcing the Family
22 Financial Responsibility Law.

23 (n) The Illinois Fire Fighters' Memorial Fund is created as
24 a special fund in the State Treasury. Moneys deposited into the
25 Fund shall, subject to appropriation, be used by the Office of
26 the State Fire Marshal for construction of the Illinois Fire

1 Fighters' Memorial to be located at the State Capitol grounds
2 in Springfield, Illinois. Upon the completion of the Memorial,
3 moneys in the Fund shall be used in accordance with Section
4 3-634.

5 (o) Of the money collected for each certificate of title
6 for all-terrain vehicles and off-highway motorcycles, \$17
7 shall be deposited into the Off-Highway Vehicle Trails Fund.

8 (p) For audits conducted on or after July 1, 2003 pursuant
9 to Section 2-124(d) of this Code, 50% of the money collected as
10 audit fees shall be deposited into the General Revenue Fund.

11 (Source: P.A. 96-554, eff. 1-1-10.)

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