



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

#### HB3173

Introduced 2/17/2023, by Rep. John Egofske

#### SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-5

Amends the Budget Law of the Civil Administrative Code of Illinois. Provides that, beginning with budgets prepared for fiscal year 2024, revenue estimates shall be based solely on receipts from taxes, fees, and federal transfers and shall not include debt incurred, existing debt refinanced, or additional funds appropriated, assigned, or transferred from another fund. Provides that appropriations for a fiscal year shall not exceed revenue estimated by the General Assembly to be available during that year. Provides that, except for deficiency or emergency appropriations, all appropriations are expendable only during the fiscal year for which they were appropriated, except that the General Assembly may provide for appropriations from the Budget Stabilization Fund in excess of revenue estimated by the General Assembly to be available during that year by adoption of a resolution approved by a record vote of three-fifths of the members of each chamber. Provides that the excess appropriations may not exceed the total amount available in the Budget Stabilization Fund. Provides that no public money shall be expended except pursuant to appropriations made by law. Provides that expenditures for any fiscal year shall not exceed the State's revenues and reserves in the general funds, including proceeds of any debt obligation, for that year. Provides that no debt obligation, except as shall be repaid within the fiscal year of issuance, shall be authorized for the current operation of any service or program, nor shall the proceeds of any debt obligation be expended for a purpose other than that for which it was authorized. Provides that any law requiring the expenditure of funds shall be null and void unless, during the session in which the Act receives final passage, an appropriation is made for the estimated first year's funding. Effective immediately.

LRB103 29955 DTM 56370 b

1 AN ACT concerning government.

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

4 Section 5. The Budget Law of the Civil Administrative Code  
5 of Illinois is amended by changing Section 50-5 as follows:

6 (15 ILCS 20/50-5)

7 Sec. 50-5. Governor to submit State budget.

8 (a) The Governor shall, as soon as possible and not later  
9 than the second Wednesday in March in 2010 (March 10, 2010),  
10 the third Wednesday in February in 2011, the fourth Wednesday  
11 in February in 2012 (February 22, 2012), the first Wednesday  
12 in March in 2013 (March 6, 2013), the fourth Wednesday in March  
13 in 2014 (March 26, 2014), the first Wednesday in February in  
14 2022 (February 2, 2022), and the third Wednesday in February  
15 of each year thereafter, except as otherwise provided in this  
16 Section, submit a State budget, embracing therein the amounts  
17 recommended by the Governor to be appropriated to the  
18 respective departments, offices, and institutions, and for all  
19 other public purposes, the estimated revenues from taxation,  
20 and the estimated revenues from sources other than taxation.  
21 Except with respect to the capital development provisions of  
22 the State budget, beginning with the revenue estimates  
23 prepared for fiscal year 2012, revenue estimates shall be

1 based solely on: (i) revenue sources (including non-income  
2 resources), rates, and levels that exist as of the date of the  
3 submission of the State budget for the fiscal year and (ii)  
4 revenue sources (including non-income resources), rates, and  
5 levels that have been passed by the General Assembly as of the  
6 date of the submission of the State budget for the fiscal year  
7 and that are authorized to take effect in that fiscal year.  
8 Except with respect to the capital development provisions of  
9 the State budget, the Governor shall determine available  
10 revenue, deduct the cost of essential government services,  
11 including, but not limited to, pension payments and debt  
12 service, and assign a percentage of the remaining revenue to  
13 each statewide prioritized goal, as established in Section  
14 50-25 of this Law, taking into consideration the proposed  
15 goals set forth in the report of the Commission established  
16 under that Section. The Governor shall also demonstrate how  
17 spending priorities for the fiscal year fulfill those  
18 statewide goals. The amounts recommended by the Governor for  
19 appropriation to the respective departments, offices and  
20 institutions shall be formulated according to each  
21 department's, office's, and institution's ability to  
22 effectively deliver services that meet the established  
23 statewide goals. The amounts relating to particular functions  
24 and activities shall be further formulated in accordance with  
25 the object classification specified in Section 13 of the State  
26 Finance Act. In addition, the amounts recommended by the

1 Governor for appropriation shall take into account each State  
2 agency's effectiveness in achieving its prioritized goals for  
3 the previous fiscal year, as set forth in Section 50-25 of this  
4 Law, giving priority to agencies and programs that have  
5 demonstrated a focus on the prevention of waste and the  
6 maximum yield from resources.

7 Beginning in fiscal year 2011, the Governor shall  
8 distribute written quarterly financial reports on operating  
9 funds, which may include general, State, or federal funds and  
10 may include funds related to agencies that have significant  
11 impacts on State operations, and budget statements on all  
12 appropriated funds to the General Assembly and the State  
13 Comptroller. The reports shall be submitted no later than 45  
14 days after the last day of each quarter of the fiscal year and  
15 shall be posted on the Governor's Office of Management and  
16 Budget's website on the same day. The reports shall be  
17 prepared and presented for each State agency and on a  
18 statewide level in an executive summary format that may  
19 include, for the fiscal year to date, individual itemizations  
20 for each significant revenue type as well as itemizations of  
21 expenditures and obligations, by agency, with an appropriate  
22 level of detail. The reports shall include a calculation of  
23 the actual total budget surplus or deficit for the fiscal year  
24 to date. The Governor shall also present periodic budget  
25 addresses throughout the fiscal year at the invitation of the  
26 General Assembly.

1           The Governor shall not propose expenditures and the  
2 General Assembly shall not enact appropriations that exceed  
3 the resources estimated to be available, as provided in this  
4 Section. Appropriations may be adjusted during the fiscal year  
5 by means of one or more supplemental appropriation bills if  
6 any State agency either fails to meet or exceeds the goals set  
7 forth in Section 50-25 of this Law.

8           For the purposes of Article VIII, Section 2 of the 1970  
9 Illinois Constitution, the State budget for the following  
10 funds shall be prepared on the basis of revenue and  
11 expenditure measurement concepts that are in concert with  
12 generally accepted accounting principles for governments:

- 13           (1) General Revenue Fund.
- 14           (2) Common School Fund.
- 15           (3) Educational Assistance Fund.
- 16           (4) Road Fund.
- 17           (5) Motor Fuel Tax Fund.
- 18           (6) Agricultural Premium Fund.

19           These funds shall be known as the "budgeted funds". The  
20 revenue estimates used in the State budget for the budgeted  
21 funds shall include the estimated beginning fund balance, plus  
22 revenues estimated to be received during the budgeted year,  
23 plus the estimated receipts due the State as of June 30 of the  
24 budgeted year that are expected to be collected during the  
25 lapse period following the budgeted year, minus the receipts  
26 collected during the first 2 months of the budgeted year that

1 became due to the State in the year before the budgeted year.  
2 Revenues shall also include estimated federal reimbursements  
3 associated with the recognition of Section 25 of the State  
4 Finance Act liabilities. For any budgeted fund for which  
5 current year revenues are anticipated to exceed expenditures,  
6 the surplus shall be considered to be a resource available for  
7 expenditure in the budgeted fiscal year.

8 Expenditure estimates for the budgeted funds included in  
9 the State budget shall include the costs to be incurred by the  
10 State for the budgeted year, to be paid in the next fiscal  
11 year, excluding costs paid in the budgeted year which were  
12 carried over from the prior year, where the payment is  
13 authorized by Section 25 of the State Finance Act. For any  
14 budgeted fund for which expenditures are expected to exceed  
15 revenues in the current fiscal year, the deficit shall be  
16 considered as a use of funds in the budgeted fiscal year.

17 Revenues and expenditures shall also include transfers  
18 between funds that are based on revenues received or costs  
19 incurred during the budget year.

20 Appropriations for expenditures shall also include all  
21 anticipated statutory continuing appropriation obligations  
22 that are expected to be incurred during the budgeted fiscal  
23 year.

24 By March 15 of each year, the Commission on Government  
25 Forecasting and Accountability shall prepare revenue and fund  
26 transfer estimates in accordance with the requirements of this

1 Section and report those estimates to the General Assembly and  
2 the Governor.

3 For all funds other than the budgeted funds, the proposed  
4 expenditures shall not exceed funds estimated to be available  
5 for the fiscal year as shown in the budget. Appropriation for a  
6 fiscal year shall not exceed funds estimated by the General  
7 Assembly to be available during that year.

8 Beginning with budgets prepared for Fiscal Year 2024:

9 (1) Revenue estimates shall be based solely on  
10 receipts from taxes, fees, and federal transfers and shall  
11 not include debt incurred, existing debt refinanced, or  
12 additional funds appropriated, assigned, or transferred  
13 from another fund.

14 (2) The General Assembly by law shall make  
15 appropriations for all expenditures of public funds by the  
16 State. Appropriations for a fiscal year shall not exceed  
17 revenue estimated by the General Assembly to be available  
18 during that year. Except for deficiency or emergency  
19 appropriations, all appropriations are expendable only  
20 during the fiscal year for which they were appropriated,  
21 except that the General Assembly may provide for  
22 appropriations from the Budget Stabilization Fund in  
23 excess of revenue estimated by the General Assembly to be  
24 available during that year by adoption of a resolution  
25 approved by a record vote of three-fifths of the members  
26 of each chamber. The excess appropriations may not exceed

1       the total amount available in the Budget Stabilization  
2       Fund.

3       (3) No public money shall be expended except pursuant  
4       to appropriations made by law. Expenditures for any fiscal  
5       year shall not exceed the State's revenues and reserves in  
6       the general funds, including proceeds of any debt  
7       obligation, for that year. No debt obligation, except as  
8       shall be repaid within the fiscal year of issuance, shall  
9       be authorized for the current operation of any service or  
10       program, nor shall the proceeds of any debt obligation be  
11       expended for a purpose other than that for which it was  
12       authorized.

13       (4) Any law requiring the expenditure of funds shall  
14       be null and void unless, during the session in which the  
15       Act receives final passage, an appropriation is made for  
16       the estimated first year's funding.

17       (b) By February 24, 2010, the Governor must file a written  
18       report with the Secretary of the Senate and the Clerk of the  
19       House of Representatives containing the following:

20               (1) for fiscal year 2010, the revenues for all  
21       budgeted funds, both actual to date and estimated for the  
22       full fiscal year;

23               (2) for fiscal year 2010, the expenditures for all  
24       budgeted funds, both actual to date and estimated for the  
25       full fiscal year;

26               (3) for fiscal year 2011, the estimated revenues for



1 all budgeted funds, including without limitation the  
2 affordable General Revenue Fund appropriations, for the  
3 full fiscal year; and

4 (4) for fiscal year 2011, an estimate of the  
5 anticipated liabilities for all budgeted funds, including  
6 without limitation the affordable General Revenue Fund  
7 appropriations, debt service on bonds issued, and the  
8 State's contributions to the pension systems, for the full  
9 fiscal year.

10 Between July 1 and August 31 of each fiscal year, the  
11 members of the General Assembly and members of the public may  
12 make written budget recommendations to the Governor.

13 Beginning with budgets prepared for fiscal year 2013, the  
14 budgets submitted by the Governor and appropriations made by  
15 the General Assembly for all executive branch State agencies  
16 must adhere to a method of budgeting where each priority must  
17 be justified each year according to merit rather than  
18 according to the amount appropriated for the preceding year.

19 (Source: P.A. 102-671, eff. 11-30-21.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.