



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5207

Introduced 2/9/2024, by Rep. Brad Halbrook

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/13.2

from Ch. 127, par. 149.2

Amends the State Finance Act. Removes language providing that, for State fiscal year 2024, transfers among line item appropriations to a State agency from the same State treasury fund may be made for operational or lump sum expenses only, provided that the sum of such transfers for a State agency in State fiscal year 2024 shall not exceed 8% of the aggregate amount appropriated to that State agency for operational or lump sum expenses for State fiscal year 2024.

LRB103 38372 MXP 68507 b

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 13.2 as follows:

6 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

7 Sec. 13.2. Transfers among line item appropriations.

8 (a) Transfers among line item appropriations from the same  
9 treasury fund for the objects specified in this Section may be  
10 made in the manner provided in this Section when the balance  
11 remaining in one or more such line item appropriations is  
12 insufficient for the purpose for which the appropriation was  
13 made.

14 (a-1) No transfers may be made from one agency to another  
15 agency, nor may transfers be made from one institution of  
16 higher education to another institution of higher education  
17 except as provided by subsection (a-4).

18 (a-2) Except as otherwise provided in this Section,  
19 transfers may be made only among the objects of expenditure  
20 enumerated in this Section, except that no funds may be  
21 transferred from any appropriation for personal services, from  
22 any appropriation for State contributions to the State  
23 Employees' Retirement System, from any separate appropriation

1 for employee retirement contributions paid by the employer,  
2 nor from any appropriation for State contribution for employee  
3 group insurance.

4 (a-2.5) (Blank).

5 (a-3) Further, if an agency receives a separate  
6 appropriation for employee retirement contributions paid by  
7 the employer, any transfer by that agency into an  
8 appropriation for personal services must be accompanied by a  
9 corresponding transfer into the appropriation for employee  
10 retirement contributions paid by the employer, in an amount  
11 sufficient to meet the employer share of the employee  
12 contributions required to be remitted to the retirement  
13 system.

14 (a-4) Long-Term Care Rebalancing. The Governor may  
15 designate amounts set aside for institutional services  
16 appropriated from the General Revenue Fund or any other State  
17 fund that receives monies for long-term care services to be  
18 transferred to all State agencies responsible for the  
19 administration of community-based long-term care programs,  
20 including, but not limited to, community-based long-term care  
21 programs administered by the Department of Healthcare and  
22 Family Services, the Department of Human Services, and the  
23 Department on Aging, provided that the Director of Healthcare  
24 and Family Services first certifies that the amounts being  
25 transferred are necessary for the purpose of assisting persons  
26 in or at risk of being in institutional care to transition to

1 community-based settings, including the financial data needed  
2 to prove the need for the transfer of funds. The total amounts  
3 transferred shall not exceed 4% in total of the amounts  
4 appropriated from the General Revenue Fund or any other State  
5 fund that receives monies for long-term care services for each  
6 fiscal year. A notice of the fund transfer must be made to the  
7 General Assembly and posted at a minimum on the Department of  
8 Healthcare and Family Services website, the Governor's Office  
9 of Management and Budget website, and any other website the  
10 Governor sees fit. These postings shall serve as notice to the  
11 General Assembly of the amounts to be transferred. Notice  
12 shall be given at least 30 days prior to transfer.

13 (b) In addition to the general transfer authority provided  
14 under subsection (c), the following agencies have the specific  
15 transfer authority granted in this subsection:

16 The Department of Healthcare and Family Services is  
17 authorized to make transfers representing savings attributable  
18 to not increasing grants due to the births of additional  
19 children from line items for payments of cash grants to line  
20 items for payments for employment and social services for the  
21 purposes outlined in subsection (f) of Section 4-2 of the  
22 Illinois Public Aid Code.

23 The Department of Children and Family Services is  
24 authorized to make transfers not exceeding 2% of the aggregate  
25 amount appropriated to it within the same treasury fund for  
26 the following line items among these same line items: Foster

1 Home and Specialized Foster Care and Prevention, Institutions  
2 and Group Homes and Prevention, and Purchase of Adoption and  
3 Guardianship Services.

4 The Department on Aging is authorized to make transfers  
5 not exceeding 10% of the aggregate amount appropriated to it  
6 within the same treasury fund for the following Community Care  
7 Program line items among these same line items: purchase of  
8 services covered by the Community Care Program and  
9 Comprehensive Case Coordination.

10 The State Board of Education is authorized to make  
11 transfers from line item appropriations within the same  
12 treasury fund for General State Aid, General State Aid - Hold  
13 Harmless, and Evidence-Based Funding, provided that no such  
14 transfer may be made unless the amount transferred is no  
15 longer required for the purpose for which that appropriation  
16 was made, to the line item appropriation for Transitional  
17 Assistance when the balance remaining in such line item  
18 appropriation is insufficient for the purpose for which the  
19 appropriation was made.

20 The State Board of Education is authorized to make  
21 transfers between the following line item appropriations  
22 within the same treasury fund: Disabled Student  
23 Services/Materials (Section 14-13.01 of the School Code),  
24 Disabled Student Transportation Reimbursement (Section  
25 14-13.01 of the School Code), Disabled Student Tuition -  
26 Private Tuition (Section 14-7.02 of the School Code),

1 Extraordinary Special Education (Section 14-7.02b of the  
2 School Code), Reimbursement for Free Lunch/Breakfast Program,  
3 Summer School Payments (Section 18-4.3 of the School Code),  
4 and Transportation - Regular/Vocational Reimbursement (Section  
5 29-5 of the School Code). Such transfers shall be made only  
6 when the balance remaining in one or more such line item  
7 appropriations is insufficient for the purpose for which the  
8 appropriation was made and provided that no such transfer may  
9 be made unless the amount transferred is no longer required  
10 for the purpose for which that appropriation was made.

11 The Department of Healthcare and Family Services is  
12 authorized to make transfers not exceeding 4% of the aggregate  
13 amount appropriated to it, within the same treasury fund,  
14 among the various line items appropriated for Medical  
15 Assistance.

16 The Department of Central Management Services is  
17 authorized to make transfers not exceeding 2% of the aggregate  
18 amount appropriated to it, within the same treasury fund, from  
19 the various line items appropriated to the Department, into  
20 the following line item appropriations: auto liability claims  
21 and related expenses and payment of claims under the State  
22 Employee Indemnification Act.

23 (c) The sum of such transfers for an agency in a fiscal  
24 year shall not exceed 2% of the aggregate amount appropriated  
25 to it within the same treasury fund for the following objects:  
26 Personal Services; Extra Help; Student and Inmate

1 Compensation; State Contributions to Retirement Systems; State  
2 Contributions to Social Security; State Contribution for  
3 Employee Group Insurance; Contractual Services; Travel;  
4 Commodities; Printing; Equipment; Electronic Data Processing;  
5 Operation of Automotive Equipment; Telecommunications  
6 Services; Travel and Allowance for Committed, Paroled and  
7 Discharged Prisoners; Library Books; Federal Matching Grants  
8 for Student Loans; Refunds; Workers' Compensation,  
9 Occupational Disease, and Tort Claims; Late Interest Penalties  
10 under the State Prompt Payment Act and Sections 368a and 370a  
11 of the Illinois Insurance Code; and, in appropriations to  
12 institutions of higher education, Awards and Grants.  
13 Notwithstanding the above, any amounts appropriated for  
14 payment of workers' compensation claims to an agency to which  
15 the authority to evaluate, administer and pay such claims has  
16 been delegated by the Department of Central Management  
17 Services may be transferred to any other expenditure object  
18 where such amounts exceed the amount necessary for the payment  
19 of such claims.

20 (c-1) (Blank).

21 (c-2) (Blank).

22 (c-3) (Blank).

23 (c-4) (Blank).

24 (c-5) (Blank).

25 (c-6) (Blank).

26 (c-7) (Blank).

1 (c-8) (Blank).

2 (c-9) Special provisions for State fiscal year 2023.  
3 Notwithstanding any other provision of this Section, for State  
4 fiscal year 2023, transfers among line item appropriations to  
5 a State agency from the same State treasury fund may be made  
6 for operational or lump sum expenses only, provided that the  
7 sum of such transfers for a State agency in State fiscal year  
8 2023 shall not exceed 4% of the aggregate amount appropriated  
9 to that State agency for operational or lump sum expenses for  
10 State fiscal year 2023. For the purpose of this subsection,  
11 "operational or lump sum expenses" includes the following  
12 objects: personal services; extra help; student and inmate  
13 compensation; State contributions to retirement systems; State  
14 contributions to social security; State contributions for  
15 employee group insurance; contractual services; travel;  
16 commodities; printing; equipment; electronic data processing;  
17 operation of automotive equipment; telecommunications  
18 services; travel and allowance for committed, paroled, and  
19 discharged prisoners; library books; federal matching grants  
20 for student loans; refunds; workers' compensation,  
21 occupational disease, and tort claims; late interest penalties  
22 under the State Prompt Payment Act and Sections 368a and 370a  
23 of the Illinois Insurance Code; lump sum and other purposes;  
24 and lump sum operations. For the purpose of this subsection,  
25 "State agency" does not include the Attorney General, the  
26 Secretary of State, the Comptroller, the Treasurer, or the

1 judicial or legislative branches.

2 (c-10) (Blank). ~~Special provisions for State fiscal year~~  
3 ~~2024. Notwithstanding any other provision of this Section, for~~  
4 ~~State fiscal year 2024, transfers among line item~~  
5 ~~appropriations to a State agency from the same State treasury~~  
6 ~~fund may be made for operational or lump sum expenses only,~~  
7 ~~provided that the sum of such transfers for a State agency in~~  
8 ~~State fiscal year 2024 shall not exceed 8% of the aggregate~~  
9 ~~amount appropriated to that State agency for operational or~~  
10 ~~lump sum expenses for State fiscal year 2024. For the purpose~~  
11 ~~of this subsection, "operational or lump sum expenses"~~  
12 ~~includes the following objects: personal services; extra help;~~  
13 ~~student and inmate compensation; State contributions to~~  
14 ~~retirement systems; State contributions to social security;~~  
15 ~~State contributions for employee group insurance; contractual~~  
16 ~~services; travel; commodities; printing; equipment; electronic~~  
17 ~~data processing; operation of automotive equipment;~~  
18 ~~telecommunications services; travel and allowance for~~  
19 ~~committed, paroled, and discharged prisoners; library books;~~  
20 ~~federal matching grants for student loans; refunds; workers'~~  
21 ~~compensation, occupational disease, and tort claims; late~~  
22 ~~interest penalties under the State Prompt Payment Act and~~  
23 ~~Sections 368a and 370a of the Illinois Insurance Code; lump~~  
24 ~~sum and other purposes; and lump sum operations. For the~~  
25 ~~purpose of this subsection, "State agency" does not include~~  
26 ~~the Attorney General, the Secretary of State, the Comptroller,~~

1 ~~the Treasurer, or the judicial or legislative branches.~~

2 (d) Transfers among appropriations made to agencies of the  
3 Legislative and Judicial departments and to the  
4 constitutionally elected officers in the Executive branch  
5 require the approval of the officer authorized in Section 10  
6 of this Act to approve and certify vouchers. Transfers among  
7 appropriations made to the University of Illinois, Southern  
8 Illinois University, Chicago State University, Eastern  
9 Illinois University, Governors State University, Illinois  
10 State University, Northeastern Illinois University, Northern  
11 Illinois University, Western Illinois University, the Illinois  
12 Mathematics and Science Academy and the Board of Higher  
13 Education require the approval of the Board of Higher  
14 Education and the Governor. Transfers among appropriations to  
15 all other agencies require the approval of the Governor.

16 The officer responsible for approval shall certify that  
17 the transfer is necessary to carry out the programs and  
18 purposes for which the appropriations were made by the General  
19 Assembly and shall transmit to the State Comptroller a  
20 certified copy of the approval which shall set forth the  
21 specific amounts transferred so that the Comptroller may  
22 change his records accordingly. The Comptroller shall furnish  
23 the Governor with information copies of all transfers approved  
24 for agencies of the Legislative and Judicial departments and  
25 transfers approved by the constitutionally elected officials  
26 of the Executive branch other than the Governor, showing the

1 amounts transferred and indicating the dates such changes were  
2 entered on the Comptroller's records.

3 (e) The State Board of Education, in consultation with the  
4 State Comptroller, may transfer line item appropriations for  
5 General State Aid or Evidence-Based Funding among the Common  
6 School Fund and the Education Assistance Fund, and, for State  
7 fiscal year 2020 and each fiscal year thereafter, the Fund for  
8 the Advancement of Education. With the advice and consent of  
9 the Governor's Office of Management and Budget, the State  
10 Board of Education, in consultation with the State  
11 Comptroller, may transfer line item appropriations between the  
12 General Revenue Fund and the Education Assistance Fund for the  
13 following programs:

14 (1) Disabled Student Personnel Reimbursement (Section  
15 14-13.01 of the School Code);

16 (2) Disabled Student Transportation Reimbursement  
17 (subsection (b) of Section 14-13.01 of the School Code);

18 (3) Disabled Student Tuition - Private Tuition  
19 (Section 14-7.02 of the School Code);

20 (4) Extraordinary Special Education (Section 14-7.02b  
21 of the School Code);

22 (5) Reimbursement for Free Lunch/Breakfast Programs;

23 (6) Summer School Payments (Section 18-4.3 of the  
24 School Code);

25 (7) Transportation - Regular/Vocational Reimbursement  
26 (Section 29-5 of the School Code);

1           (8) Regular Education Reimbursement (Section 18-3 of  
2           the School Code); and

3           (9) Special Education Reimbursement (Section 14-7.03  
4           of the School Code).

5           (f) For State fiscal year 2020 and each fiscal year  
6           thereafter, the Department on Aging, in consultation with the  
7           State Comptroller, with the advice and consent of the  
8           Governor's Office of Management and Budget, may transfer line  
9           item appropriations for purchase of services covered by the  
10          Community Care Program between the General Revenue Fund and  
11          the Commitment to Human Services Fund.

12          (g) For State fiscal year 2024 and each fiscal year  
13          thereafter, if requested by an agency chief executive officer  
14          and authorized and approved by the Comptroller, the  
15          Comptroller may direct and the Treasurer shall transfer funds  
16          from the General Revenue Fund to fund payroll expenses that  
17          meet the payroll transaction exception criteria as defined by  
18          the Comptroller in the Statewide Accounting Management System  
19          (SAMS) Manual. The agency shall then transfer these funds back  
20          to the General Revenue Fund within 7 days.

21          (Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22;  
22          103-8, eff. 6-7-23.)