



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5536

Introduced 2/9/2024, by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

30 ILCS 122/15

Amends the Budget Stabilization Act. Provides that moneys may be withdrawn and appropriated from the Budget Stabilization Fund as follows: (1) if the Governor declares a state of emergency resulting from a catastrophic event that necessitates government action to protect life or public safety, then, for that fiscal year, moneys may be withdrawn and appropriated from the Budget Stabilization Fund, by an appropriation setting forth the nature of the emergency and limited to the purposes contained in the declaration, passed by an affirmative vote of a majority of the members elected to each house of the General Assembly; (2) if the employment growth forecast for any fiscal year is estimated to be less than 1%, then, for that fiscal year, moneys may be withdrawn and appropriated from the Budget Stabilization Fund by the affirmative vote of a majority of the members elected to each house of the General Assembly; and (3) any amount may be withdrawn and appropriated from the Budget Stabilization Fund at any time by the affirmative vote of at least three-fifths of the members elected to each house of the General Assembly.

LRB103 37379 MXP 67500 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 Budget Stabilization Act is amended by
5 changing Section 15 as follows:

6 (30 ILCS 122/15)

7 Sec. 15. Transfers to and withdrawals and appropriations
8 from the Budget Stabilization Fund. In furtherance of the
9 State's objective for the Budget Stabilization Fund to have
10 resources representing 7.5% of the State's annual general
11 funds revenues:

12 (a) For each fiscal year when the General Assembly's
13 appropriations and transfers or diversions as required by law
14 from general funds do not exceed 99% of the estimated general
15 funds revenues pursuant to subsection (a) of Section 10, the
16 Comptroller shall transfer from the General Revenue Fund as
17 provided by this Section a total amount equal to 0.5% of the
18 estimated general funds revenues to the Budget Stabilization
19 Fund.

20 (b) For each fiscal year when the General Assembly's
21 appropriations and transfers or diversions as required by law
22 from general funds do not exceed 98% of the estimated general
23 funds revenues pursuant to subsection (b) of Section 10, the

1 Comptroller shall transfer from the General Revenue Fund as
2 provided by this Section a total amount equal to 1% of the
3 estimated general funds revenues to the Budget Stabilization
4 Fund.

5 (c) The Comptroller shall transfer 1/12 of the total
6 amount to be transferred each fiscal year under this Section
7 into the Budget Stabilization Fund on the first day of each
8 month of that fiscal year or as soon thereafter as possible.
9 The balance of the Budget Stabilization Fund shall not exceed
10 7.5% of the total of general funds revenues estimated for that
11 fiscal year except as provided by subsection (d) of this
12 Section.

13 (d) If the balance of the Budget Stabilization Fund
14 exceeds 7.5% of the total general funds revenues estimated for
15 that fiscal year, the additional transfers are not required
16 unless there are outstanding liabilities under Section 25 of
17 the State Finance Act from prior fiscal years. If there are
18 such outstanding Section 25 liabilities, then the Comptroller
19 shall continue to transfer 1/12 of the total amount identified
20 for transfer to the Budget Stabilization Fund on the first day
21 of each month of that fiscal year or as soon thereafter as
22 possible to be reserved for those Section 25 liabilities.
23 Nothing in this Act prohibits the General Assembly from
24 appropriating additional moneys into the Budget Stabilization
25 Fund.

26 (e) On or before August 31 of each fiscal year, the amount

1 determined to be transferred to the Budget Stabilization Fund
2 shall be reconciled to actual general funds revenues for that
3 fiscal year. The final transfer for each fiscal year shall be
4 adjusted so that the total amount transferred under this
5 Section is equal to the percentage specified in subsection (a)
6 or (b) of this Section, as applicable, based on actual general
7 funds revenues calculated consistently with subsection (c) of
8 Section 10 of this Act for each fiscal year.

9 (f) For the fiscal year beginning July 1, 2006 and for each
10 fiscal year thereafter, the budget proposal to the General
11 Assembly shall identify liabilities incurred in a prior fiscal
12 year under Section 25 of the State Finance Act and the budget
13 proposal shall provide funding as allowable pursuant to
14 subsection (d) of this Section, if applicable.

15 (g) Moneys may be withdrawn and appropriated from the
16 Budget Stabilization Fund as follows:

17 (1) If the Governor declares a state of emergency
18 resulting from a catastrophic event that necessitates
19 government action to protect life or public safety, then,
20 for that fiscal year, moneys may be withdrawn and
21 appropriated from the Budget Stabilization Fund, by an
22 appropriation setting forth the nature of the emergency
23 and limited to the purposes contained in the declaration,
24 passed by an affirmative vote of a majority of the members
25 elected to each house of the General Assembly.

26 (2) If the employment growth forecast for any fiscal

1 year is estimated to be less than 1%, then, for that fiscal
2 year, moneys may be withdrawn and appropriated from the
3 Budget Stabilization Fund by the affirmative vote of a
4 majority of the members elected to each house of the
5 General Assembly.

6 (3) Any amount may be withdrawn and appropriated from
7 the Budget Stabilization Fund at any time by the
8 affirmative vote of at least three-fifths of the members
9 elected to each house of the General Assembly.

10 (Source: P.A. 102-1115, eff. 1-9-23.)