

1 AN ACT concerning nursing.

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 8h as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.
8 Notwithstanding any other State law to the contrary, the
9 Director of the Governor's Office of Management and Budget may
10 from time to time direct the State Treasurer and Comptroller to
11 transfer a specified sum from any fund held by the State
12 Treasurer to the General Revenue Fund in order to help defray
13 the State's operating costs for the fiscal year. The total
14 transfer under this Section from any fund in any fiscal year
15 shall not exceed the lesser of 8% of the revenues to be
16 deposited into the fund during that year or 25% of the
17 beginning balance in the fund. No transfer may be made from a
18 fund under this Section that would have the effect of reducing
19 the available balance in the fund to an amount less than the
20 amount remaining unexpended and unreserved from the total
21 appropriation from that fund for that fiscal year. This Section
22 does not apply to any funds that are restricted by federal law
23 to a specific use, ~~or~~ to any funds in the Motor Fuel Tax Fund or
24 the Hospital Provider Fund, or to any funds to which subsection
25 (f) of Section 20-40 of the Nursing and Advanced Practice
26 Nursing Act applies. Notwithstanding any other provision of
27 this Section, the total transfer under this Section from the
28 Road Fund or the State Construction Account Fund shall not
29 exceed 5% of the revenues to be deposited into the fund during
30 that year.

31 In determining the available balance in a fund, the
32 Director of the Governor's Office of Management and Budget may

1 include receipts, transfers into the fund, and other resources
2 anticipated to be available in the fund in that fiscal year.

3 The State Treasurer and Comptroller shall transfer the
4 amounts designated under this Section as soon as may be
5 practicable after receiving the direction to transfer from the
6 Director of the Governor's Office of Management and Budget.

7 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04.)

8 Section 10. The Nursing and Advanced Practice Nursing Act
9 is amended by changing Section 20-40 as follows:

10 (225 ILCS 65/20-40)

11 (Section scheduled to be repealed on January 1, 2008)

12 Sec. 20-40. Fund. There is hereby created within the State
13 Treasury the Nursing Dedicated and Professional Fund. The
14 monies in the Fund may be used by and at the direction of the
15 Department for the administration and enforcement of this Act,
16 including but not limited to:

17 (a) Distribution and publication of the Nursing and
18 Advanced Practice Nursing Act and the rules at the time of
19 renewal to all persons licensed by the Department under
20 this Act.

21 (b) Employment of secretarial, nursing,
22 administrative, enforcement, and other staff for the
23 administration of this Act.

24 (c) Conducting a survey, as prescribed by rule of the
25 Department, once every 4 years during the license renewal
26 period.

27 (d) Conducting of training seminars for licensees
28 under this Act relating to the obligations,
29 responsibilities, enforcement and other provisions of the
30 Act and its rules.

31 (e) Disposition of Fees:

32 (i) (Blank).

33 (ii) All of the fees and fines collected pursuant
34 to this Act shall be deposited in the Nursing Dedicated

1 and Professional Fund.

2 (iii) For the fiscal year beginning July 1, 1988,
3 the moneys deposited in the Nursing Dedicated and
4 Professional Fund shall be appropriated to the
5 Department for expenses of the Department and the Board
6 in the administration of this Act. All earnings
7 received from investment of moneys in the Nursing
8 Dedicated and Professional Fund shall be deposited in
9 the Nursing Dedicated and Professional Fund and shall
10 be used for the same purposes as fees deposited in the
11 Fund.

12 (iv) For the fiscal year beginning July 1, 2004
13 ~~2001~~ and for each fiscal year thereafter, \$1,200,000
14 ~~\$750,000~~ of the moneys deposited in the Nursing
15 Dedicated and Professional Fund each year shall be set
16 aside and appropriated to the Illinois Department of
17 Public Health for nursing scholarships awarded
18 pursuant to the Nursing Education Scholarship Law.
19 Representatives of the Department and the Nursing
20 Education Scholarship Program Advisory Council shall
21 review this requirement and the scholarship awards
22 every 2 years.

23 (v) Moneys in the Fund may be transferred to the
24 Professions Indirect Cost Fund as authorized under
25 Section 2105-300 of the Department of Professional
26 Regulation Law (20 ILCS 2105/2105-300).

27 (f) Moneys set aside for nursing scholarships awarded
28 pursuant to the Nursing Education Scholarship Law as provided
29 in item (iv) of subsection (e) of this Section may not be
30 transferred under Section 8h of the State Finance Act.

31 (Source: P.A. 91-239, 1-1-00; 92-46, eff. 7-1-01.)

32 Section 99. Effective date. This Act takes effect upon
33 becoming law.