

1 AN ACT in relation to 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 8.3 as follows:

6 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

7 Sec. 8.3. Money in the Road Fund shall, if and when the
8 State of Illinois incurs any bonded indebtedness for the
9 construction of permanent highways, be set aside and used for
10 the purpose of paying and discharging annually the principal
11 and interest on that bonded indebtedness then due and
12 payable, and for no other purpose. The surplus, if any, in
13 the Road Fund after the payment of principal and interest on
14 that bonded indebtedness then annually due shall be used as
15 follows:

16 first -- to pay the cost of administration of
17 Chapters 2 through 10 of the Illinois Vehicle Code,
18 except the cost of administration of Articles I and II of
19 Chapter 3 of that Code; and

20 secondly -- for expenses of the Department of
21 Transportation for construction, reconstruction,
22 improvement, repair, maintenance, operation, and
23 administration of highways in accordance with the
24 provisions of laws relating thereto, or for any purpose
25 related or incident to and connected therewith, including
26 the separation of grades of those highways with railroads
27 and with highways and including the payment of awards
28 made by the Industrial Commission under the terms of the
29 Workers' Compensation Act or Workers' Occupational
30 Diseases Act for injury or death of an employee of the
31 Division of Highways in the Department of Transportation;

1 or for the acquisition of land and the erection of
2 buildings for highway purposes, including the acquisition
3 of highway right-of-way or for investigations to
4 determine the reasonably anticipated future highway
5 needs; or for making of surveys, plans, specifications
6 and estimates for and in the construction and maintenance
7 of flight strips and of highways necessary to provide
8 access to military and naval reservations, to defense
9 industries and defense-industry sites, and to the sources
10 of raw materials and for replacing existing highways and
11 highway connections shut off from general public use at
12 military and naval reservations and defense-industry
13 sites, or for the purchase of right-of-way, except that
14 the State shall be reimbursed in full for any expense
15 incurred in building the flight strips; or for the
16 operating and maintaining of highway garages; or for
17 patrolling and policing the public highways and
18 conserving the peace; or for any of those purposes or any
19 other purpose that may be provided by law.

20 Appropriations for any of those purposes are payable from
21 the Road Fund. Appropriations may also be made from the Road
22 Fund for the administrative expenses of any State agency that
23 are related to motor vehicles or arise from the use of motor
24 vehicles.

25 Beginning with fiscal year 1980 and thereafter, no Road
26 Fund monies shall be appropriated to the following
27 Departments or agencies of State government for
28 administration, grants, or operations; but this limitation is
29 not a restriction upon appropriating for those purposes any
30 Road Fund monies that are eligible for federal reimbursement;

- 31 1. Department of Public Health;
- 32 2. Department of Transportation, only with respect
33 to subsidies for one-half fare Student Transportation and
34 Reduced Fare for Elderly;

1 3. Department of Central Management Services,
2 except for expenditures incurred for group insurance
3 premiums of appropriate personnel;

4 4. Judicial Systems and Agencies.

5 Beginning with fiscal year 1981 and thereafter, no Road
6 Fund monies shall be appropriated to the following
7 Departments or agencies of State government for
8 administration, grants, or operations; but this limitation is
9 not a restriction upon appropriating for those purposes any
10 Road Fund monies that are eligible for federal reimbursement:

11 1. Department of State Police, except for
12 expenditures with respect to the Division of Operations;

13 2. Department of Transportation, only with respect
14 to Intercity Rail Subsidies and Rail Freight Services.

15 Beginning with fiscal year 1982 and thereafter, no Road
16 Fund monies shall be appropriated to the following
17 Departments or agencies of State government for
18 administration, grants, or operations; but this limitation is
19 not a restriction upon appropriating for those purposes any
20 Road Fund monies that are eligible for federal reimbursement:
21 Department of Central Management Services, except for awards
22 made by the Industrial Commission under the terms of the
23 Workers' Compensation Act or Workers' Occupational Diseases
24 Act for injury or death of an employee of the Division of
25 Highways in the Department of Transportation.

26 Beginning with fiscal year 1984 and thereafter, no Road
27 Fund monies shall be appropriated to the following
28 Departments or agencies of State government for
29 administration, grants, or operations; but this limitation is
30 not a restriction upon appropriating for those purposes any
31 Road Fund monies that are eligible for federal reimbursement:

32 1. Department of State Police, except not more than
33 40% of the funds appropriated for the Division of
34 Operations;

1 2. State Officers.

2 Beginning with fiscal year 1984 and thereafter, no Road
3 Fund monies shall be appropriated to any Department or agency
4 of State government for administration, grants, or operations
5 except as provided hereafter; but this limitation is not a
6 restriction upon appropriating for those purposes any Road
7 Fund monies that are eligible for federal reimbursement. It
8 shall not be lawful to circumvent the above appropriation
9 limitations by governmental reorganization or other methods.
10 Appropriations shall be made from the Road Fund only in
11 accordance with the provisions of this Section.

12 Money in the Road Fund shall, if and when the State of
13 Illinois incurs any bonded indebtedness for the construction
14 of permanent highways, be set aside and used for the purpose
15 of paying and discharging during each fiscal year the
16 principal and interest on that bonded indebtedness as it
17 becomes due and payable as provided in the Transportation
18 Bond Act, and for no other purpose. The surplus, if any, in
19 the Road Fund after the payment of principal and interest on
20 that bonded indebtedness then annually due shall be used as
21 follows:

- 22 first -- to pay the cost of administration of
23 Chapters 2 through 10 of the Illinois Vehicle Code; and
24 secondly -- no Road Fund monies derived from fees,
25 excises, or license taxes relating to registration,
26 operation and use of vehicles on public highways or to
27 fuels used for the propulsion of those vehicles, shall be
28 appropriated or expended other than for costs of
29 administering the laws imposing those fees, excises, and
30 license taxes, statutory refunds and adjustments allowed
31 thereunder, administrative costs of the Department of
32 Transportation, payment of debts and liabilities incurred
33 in construction and reconstruction of public highways and
34 bridges, acquisition of rights-of-way for and the cost of

1 construction, reconstruction, maintenance, repair, and
2 operation of public highways and bridges under the
3 direction and supervision of the State, political
4 subdivision, or municipality collecting those monies, and
5 the costs for patrolling and policing the public highways
6 (by State, political subdivision, or municipality
7 collecting that money) for enforcement of traffic laws.
8 The separation of grades of such highways with railroads
9 and costs associated with protection of at-grade highway
10 and railroad crossing shall also be permissible.

11 Appropriations for any of such purposes are payable from
12 the Road Fund or the Grade Crossing Protection Fund as
13 provided in Section 8 of the Motor Fuel Tax Law.

14 Except as provided in this paragraph, beginning with
15 fiscal year 1991 and thereafter, no Road Fund monies shall be
16 appropriated to the Department of State Police for the
17 purposes of this Section in excess of its total fiscal year
18 1990 Road Fund appropriations for those purposes unless
19 otherwise provided in Section 5g of this Act. For fiscal year
20 2003 only, no Road Fund monies shall be appropriated to the
21 Department of State Police for the purposes of this Section
22 in excess of \$97,310,000. For fiscal year 2004 only, no Road
23 Fund moneys shall be appropriated to the Department of State
24 Police for the purposes of this Section in excess of
25 \$52,733,200. It shall not be lawful to circumvent this
26 limitation on appropriations by governmental reorganization
27 or other methods unless otherwise provided in Section 5g of
28 this Act.

29 In fiscal year 1994, no Road Fund monies shall be
30 appropriated to the Secretary of State for the purposes of
31 this Section in excess of the total fiscal year 1991 Road
32 Fund appropriations to the Secretary of State for those
33 purposes, plus \$9,800,000. It shall not be lawful to
34 circumvent this limitation on appropriations by governmental

1 reorganization or other method.

2 Beginning with fiscal year 1995 and thereafter, no Road
3 Fund monies shall be appropriated to the Secretary of State
4 for the purposes of this Section in excess of the total
5 fiscal year 1994 Road Fund appropriations to the Secretary of
6 State for those purposes. It shall not be lawful to
7 circumvent this limitation on appropriations by governmental
8 reorganization or other methods.

9 Beginning with fiscal year 2000, total Road Fund
10 appropriations to the Secretary of State for the purposes of
11 this Section shall not exceed the amounts specified for the
12 following fiscal years:

13	Fiscal Year 2000	\$80,500,000;
14	Fiscal Year 2001	\$80,500,000;
15	Fiscal Year 2002	\$80,500,000;
16	Fiscal Year 2003	\$130,500,000;
17	<u>Fiscal Year 2004</u>	<u>\$80,500,000;</u>
18	<u>Fiscal Year 2005</u>	<u>\$64,400,000;</u>
19	<u>Fiscal Year 2006</u>	<u>\$48,300,000;</u>
20	<u>Fiscal Year 2007</u>	<u>\$32,200,000;</u>
21	<u>Fiscal Year 2008</u>	<u>\$16,100,000;</u>
22	<u>Fiscal Year 2009</u>	<u>\$10,000,000;</u>
23	Fiscal Year <u>2010</u> 2004 and	
24	each year thereafter	<u>\$0</u> \$30,500,000 .

25 It shall not be lawful to circumvent this limitation on
26 appropriations by governmental reorganization or other
27 methods.

28 No new program may be initiated in fiscal year 1991 and
29 thereafter that is not consistent with the limitations
30 imposed by this Section for fiscal year 1984 and thereafter,
31 insofar as appropriation of Road Fund monies is concerned.

32 Nothing in this Section prohibits transfers from the Road
33 Fund to the State Construction Account Fund under Section 5e
34 of this Act.

1 The additional amounts authorized for expenditure in this
2 Section by this amendatory Act of the 92nd General Assembly
3 shall be repaid to the Road Fund from the General Revenue
4 Fund in the next succeeding fiscal year that the General
5 Revenue Fund has a positive budgetary balance, as determined
6 by generally accepted accounting principles applicable to
7 government.

8 Beginning with fiscal year 2005 and thereafter, no Road
9 Fund moneys may be appropriated to the Department of Central
10 Management Services, the Department of Employment Security,
11 the Department of Revenue, the Court of Claims, or any other
12 State agency (other than the Department of State Police and
13 the Department of Transportation and, until fiscal year 2010,
14 the Secretary of State) for the purposes of this Section.
15 Appropriations to those entities for those purposes shall,
16 instead, be made from the General Revenue Fund. It shall not
17 be lawful to circumvent this limitation on appropriations by
18 governmental reorganization or other methods. Nothing in
19 this paragraph prohibits appropriations from the Road Fund to
20 the Department of State Police for the purposes of the
21 highway patrol budget only.

22 Beginning with fiscal year 2010 and thereafter, no Road
23 Fund moneys may be appropriated to the Secretary of State for
24 the purposes of this Section. Appropriations to the
25 Secretary of State for those purposes shall, instead, be made
26 from the General Revenue Fund. It shall not be lawful to
27 circumvent this limitation on appropriations by governmental
28 reorganization or other methods.

29 (Source: P.A. 91-37, eff. 7-1-99; 91-760, eff. 1-1-01;
30 92-600, eff. 6-28-02.)

31 Section 99. Effective date. This Act takes effect July
32 1, 2003.