

1 AN ACT concerning roads.

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. It shall not be lawful to
23 circumvent this limitation on appropriations by governmental
24 reorganization or other methods unless otherwise provided in
25 Section 5g of this Act.

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

33 Beginning with fiscal year 1995 and thereafter, no Road
34 Fund monies shall be appropriated to the Secretary of State

1 for the purposes of this Section in excess of the total
 2 fiscal year 1994 Road Fund appropriations to the Secretary of
 3 State for those purposes. It shall not be lawful to
 4 circumvent this limitation on appropriations by governmental
 5 reorganization or other methods.

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

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

20 It shall not be lawful to circumvent this limitation on
 21 appropriations by governmental reorganization or other
 22 methods.

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

27 Nothing in this Section prohibits transfers from the Road
 28 Fund to the State Construction Account Fund under Section 5e
 29 of this Act.

30 Beginning with fiscal year 2005 and thereafter, no Road
 31 Fund moneys may be appropriated to the Department of Central
 32 Management Services, the Department of Employment Security,
 33 the Department of Revenue, the Court of Claims, or any other
 34 State agency (other than the Department of State Police and

1 the Department of Transportation and, until fiscal year 2008,
2 the Secretary of State) for the purposes of this Section.
3 Appropriations to those entities for those purposes shall,
4 instead, be made from the General Revenue Fund. It shall not
5 be lawful to circumvent this limitation on appropriations by
6 governmental reorganization or other methods. Nothing in
7 this paragraph prohibits appropriations from the Road Fund to
8 the Department of State Police for the purposes of the
9 highway patrol budget only or the Court of Claims for any
10 claims made against any activities that are funded by the
11 Road Fund.

12 Beginning with fiscal year 2008 and thereafter, no Road
13 Fund moneys may be appropriated to the Secretary of State for
14 the purposes of this Section. Appropriations to the
15 Secretary of State for those purposes shall, instead, be made
16 from the General Revenue Fund. It shall not be lawful to
17 circumvent this limitation on appropriations by governmental
18 reorganization or other methods.

19 The additional amounts authorized for expenditure in this
20 Section by this amendatory Act of the 92nd General Assembly
21 shall be repaid to the Road Fund from the General Revenue
22 Fund in the next succeeding fiscal year that the General
23 Revenue Fund has a positive budgetary balance, as determined
24 by generally accepted accounting principles applicable to
25 government.

26 (Source: P.A. 91-37, eff. 7-1-99; 91-760, eff. 1-1-01;
27 92-600, eff. 6-28-02.)