

1 AN ACT concerning State 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 Sections 8h, as added by Public Act 93-32, and 8j 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
10 ~~Bureau of the Budget~~ may from time to time direct the State
11 Treasurer and Comptroller to transfer a specified sum from
12 any fund held by the State Treasurer to the General Revenue
13 Fund in order to help defray the State's operating costs for
14 the fiscal year. The total transfer under this Section from
15 any fund in any fiscal year shall not exceed the lesser of 8%
16 of the revenues to be deposited into the fund during that
17 year or 25% of the beginning balance in the fund. No
18 transfer may be made from a fund under this Section that
19 would have the effect of reducing the available balance in
20 the fund to an amount less than the amount remaining
21 unexpended and unreserved from the total appropriation from
22 that fund for that fiscal year. This Section does not apply
23 to any funds that are restricted by federal law to a specific
24 use or to any funds in the Motor Fuel Tax Fund.
25 Notwithstanding any other provision of this Section, the
26 total transfer under this Section from the Road Fund or the
27 State Construction Account Fund shall not exceed 5% of the
28 revenues to be deposited into the fund during that year.

29 In determining the available balance in a fund, the
30 Director of the Governor's Office of Management and Budget
31 ~~Bureau of the Budget~~ may include receipts, transfers into the

1 fund, and other resources anticipated to be available in the
2 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
6 the Director of the Governor's Office of Management and
7 Budget Bureau-of-the-Budget.

8 Notwithstanding any other provision of law to the
9 contrary, beginning on the effective date of this amendatory
10 Act of the 93rd General Assembly no transfers are authorized
11 to be made under this Section unless specific authority for
12 the transfer is granted by the General Assembly. As soon as
13 may be practical after the effective date of this amendatory
14 Act of the 93rd General Assembly, the State Treasurer and the
15 Comptroller shall reverse all transfers previously made under
16 the authority of this Section.

17 (Source: P.A. 93-32, eff. 6-20-03; revised 8-21-03.)

18 (30 ILCS 105/8j)

19 Sec. 8j. Allocation and transfer of fee receipts to
20 General Revenue Fund. ~~If--and-only-if-any-one-or-more-of~~
21 ~~Senate-Bills-774, 841, 842, and 1903--of--the--93rd--General~~
22 ~~Assembly--become--law,--notwithstanding--any-other-law-to-the~~
23 ~~contrary,~~ Additional amounts generated by the new and
24 increased fees created or authorized by Public Acts 93-22,
25 93-23, 93-24, and 93-32 ~~these-amendatory--Acts--of--the--93rd~~
26 ~~General--Assembly~~ ~~this--amendatory--Act--of--the--93rd--General~~
27 ~~Assembly--and--by--Senate-Bill-774, Senate-Bill-841, and--Senate~~
28 ~~Bill--842--of--the--93rd--General--Assembly,~~ ~~if--those--bills--become~~
29 ~~law,~~ shall be allocated between the fund otherwise entitled
30 to receive the fee and the General Revenue Fund by the
31 Governor's Office of Management and Budget Bureau--of--the
32 Budget. In determining the amount of the allocation to the
33 General Revenue Fund, the Director of the Governor's Office

1 of Management and Budget Bureau-~~of-the-Budget~~ shall calculate
2 whether the available resources in the fund are sufficient to
3 satisfy the unexpended and unreserved appropriations from the
4 fund for the fiscal year.

5 In calculating the available resources in a fund, the
6 Director of the Governor's Office of Management and Budget
7 Bureau-~~of-the-Budget~~ may include receipts, transfers into the
8 fund, and other resources anticipated to be available in the
9 fund in that fiscal year.

10 Upon determining the amount of an allocation to the
11 General Revenue Fund under this Section, the Director of the
12 Governor's Office of Management and Budget Bureau--~~of--the~~
13 Budget may direct the State Treasurer and Comptroller to
14 transfer the amount of that allocation from the fund in which
15 the fee amounts have been deposited to the General Revenue
16 Fund; provided, however, that the Director shall not direct
17 the transfer of any amount that would have the effect of
18 reducing the available resources in the fund to an amount
19 less than the amount remaining unexpended and unreserved from
20 the total appropriation from that fund for that fiscal year.

21 The State Treasurer and Comptroller shall transfer the
22 amounts designated under this Section as soon as may be
23 practicable after receiving the direction to transfer from
24 the Director of the Governor's Office of Management and
25 Budget Bureau-~~of-the-Budget~~.

26 Notwithstanding any other provision of law to the
27 contrary, beginning on the effective date of this amendatory
28 Act of the 93rd General Assembly no transfers are authorized
29 to be made under this Section unless specific authority for
30 the transfer is granted by the General Assembly. As soon as
31 may be practical after the effective date of this amendatory
32 Act of the 93rd General Assembly, the State Treasurer and the
33 Comptroller shall reverse all transfers previously made under
34 the authority of this Section.

1 (Source: P.A. 93-25, eff. 6-20-03; 93-32, eff. 6-20-03;
2 revised 8-21-03.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.