1 AN ACT concerning finance.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

- Section 5. The State Finance Act is amended by changing Section 8h as follows:
- 6 (30 ILCS 105/8h)
- 7 Sec. 8h. Transfers to General Revenue Fund.
- 8 (a) Except as provided in subsection (b), notwithstanding any other State law to the contrary, the Governor may, through 9 June 30, 2007, from time to time direct the State Treasurer and 10 Comptroller to transfer a specified sum from any fund held by 11 the State Treasurer to the General Revenue Fund in order to 12 help defray the State's operating costs for the fiscal year. 13 14 The total transfer under this Section from any fund in any 15 fiscal year shall not exceed the lesser of (i) 8% of the revenues to be deposited into the fund during that fiscal year 16 17 or (ii) an amount that leaves a remaining fund balance of 25% 18 of the July 1 fund balance of that fiscal year. In fiscal year 19 2005 only, prior to calculating the July 1, 2004 final balances, the Governor may calculate and direct the State 20 Treasurer with the Comptroller to transfer additional amounts 21 22 determined by applying the formula authorized in Public Act 93-839 to the funds balances on July 1, 2003. No transfer may 23 be made from a fund under this Section that would have the 24 25 effect of reducing the available balance in the fund to an 26 amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be 27 28 expended for that fiscal year. This Section does not apply to 29 any funds that are restricted by federal law to a specific use, 30 to any funds in the Motor Fuel Tax Fund, the Hospital Provider Fund, the Medicaid Provider Relief Fund, the Teacher Health 31 Insurance Security Fund, or the Reviewing Court Alternative 32

- 1 Dispute Resolution Fund, or to any funds to which subsection
- 2 (f) of Section 20-40 of the Nursing and Advanced Practice
- 3 Nursing Act applies. Notwithstanding any other provision of
- 4 this Section, for fiscal year 2004, the total transfer under
- 5 this Section from the Road Fund or the State Construction
- 6 Account Fund shall not exceed the lesser of (i) 5% of the
- 7 revenues to be deposited into the fund during that fiscal year
- 8 or (ii) 25% of the beginning balance in the fund. For fiscal
- 9 year 2005 through fiscal year 2007, no amounts may be
- 10 transferred under this Section from the Road Fund, the State
- 11 Construction Account Fund, the Criminal Justice Information
- 12 Systems Trust Fund, the Wireless Service Emergency Fund, or the
- 13 Mandatory Arbitration Fund.
- In determining the available balance in a fund, the
- 15 Governor may include receipts, transfers into the fund, and
- other resources anticipated to be available in the fund in that
- 17 fiscal year.
- 18 The State Treasurer and Comptroller shall transfer the
- 19 amounts designated under this Section as soon as may be
- 20 practicable after receiving the direction to transfer from the
- 21 Governor.
- 22 (b) This Section does not apply to any fund established
- 23 under the Community Senior Services and Resources Act.
- 24 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
- 25 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
- 26 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
- 27 1-15-05.)
- 28 Section 99. Effective date. This Act takes effect upon
- 29 becoming law.