



Rep. David R. Leitch

Filed: 3/15/2005

09400HB3272ham001

LRB094 09238 AMC 43828 a

1 AMENDMENT TO HOUSE BILL 3272

2 AMENDMENT NO. _____. Amend House Bill 3272 by replacing
3 everything after the enacting clause with the following:

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 (a) Except as provided in subsection (b), notwithstanding
9 any other State law to the contrary, the Governor may, through
10 June 30, 2007, from time to time direct the State Treasurer and
11 Comptroller to transfer a specified sum from any fund held by
12 the State Treasurer to the General Revenue Fund in order to
13 help defray the State's operating costs for the fiscal year.
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
16 revenues to be deposited into the fund during that fiscal year
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
20 balances, the Governor may calculate and direct the State
21 Treasurer with the Comptroller to transfer additional amounts
22 determined by applying the formula authorized in Public Act
23 93-839 to the funds balances on July 1, 2003. No transfer may
24 be made from a fund under this Section that would have the

1 effect of reducing the available balance in the fund to an
2 amount less than the amount remaining unexpended and unreserved
3 from the total appropriation from that fund estimated to be
4 expended for that fiscal year. This Section does not apply to
5 any funds that are restricted by federal law to a specific use,
6 to any funds in the Motor Fuel Tax Fund, the Hospital Provider
7 Fund, the Medicaid Provider Relief Fund, the Teacher Health
8 Insurance Security Fund, or the Reviewing Court Alternative
9 Dispute Resolution Fund, or to any funds to which subsection
10 (f) of Section 20-40 of the Nursing and Advanced Practice
11 Nursing Act applies. Notwithstanding any other provision of
12 this Section, for fiscal year 2004, the total transfer under
13 this Section from the Road Fund or the State Construction
14 Account Fund shall not exceed the lesser of (i) 5% of the
15 revenues to be deposited into the fund during that fiscal year
16 or (ii) 25% of the beginning balance in the fund. For fiscal
17 year 2005 through fiscal year 2007, no amounts may be
18 transferred under this Section from the Road Fund, the State
19 Construction Account Fund, the Criminal Justice Information
20 Systems Trust Fund, the Wireless Service Emergency Fund, or the
21 Mandatory Arbitration Fund.

22 In determining the available balance in a fund, the
23 Governor may include receipts, transfers into the fund, and
24 other resources anticipated to be available in the fund in that
25 fiscal year.

26 The State Treasurer and Comptroller shall transfer the
27 amounts designated under this Section as soon as may be
28 practicable after receiving the direction to transfer from the
29 Governor.

30 (b) This Section does not apply to any fund established
31 under the Community Senior Services and Resources Act.

32 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
33 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
34 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.

1 1-15-05.)

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