



Rep. Jay C. Hoffman

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09400SB0014ham002

LRB094 07034 RCE 58379 a

1 AMENDMENT TO SENATE BILL 14

2 AMENDMENT NO. _____. Amend Senate Bill 14, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The State Finance Act is amended by changing
6 Sections 8h and 8j and by adding Section 8n as follows:

7 (30 ILCS 105/8h)

8 Sec. 8h. Transfers to General Revenue Fund.

9 (a) Except as otherwise provided in this Section and
10 Section 8n of this Act, and ~~subsection (b),~~ notwithstanding any
11 other State law to the contrary, the Governor may, through June
12 30, 2007, from time to time direct the State Treasurer and
13 Comptroller to transfer a specified sum from any fund held by
14 the State Treasurer to the General Revenue Fund in order to
15 help defray the State's operating costs for the fiscal year.
16 The total transfer under this Section from any fund in any
17 fiscal year shall not exceed the lesser of (i) 8% of the
18 revenues to be deposited into the fund during that fiscal year
19 or (ii) an amount that leaves a remaining fund balance of 25%
20 of the July 1 fund balance of that fiscal year. In fiscal year
21 2005 only, prior to calculating the July 1, 2004 final
22 balances, the Governor may calculate and direct the State
23 Treasurer with the Comptroller to transfer additional amounts
24 determined by applying the formula authorized in Public Act

1 93-839 to the funds balances on July 1, 2003. No transfer may
2 be made from a fund under this Section that would have the
3 effect of reducing the available balance in the fund to an
4 amount less than the amount remaining unexpended and unreserved
5 from the total appropriation from that fund estimated to be
6 expended for that fiscal year.

7 This Section does not apply to any funds that are
8 restricted by federal law to a specific use, to any funds in
9 the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the
10 Hospital Provider Fund, the Medicaid Provider Relief Fund, the
11 Teacher Health Insurance Security Fund, the Reviewing Court
12 Alternative Dispute Resolution Fund, ~~or~~ the Voters' Guide Fund,
13 the Foreign Language Interpreter Fund, the Lawyers' Assistance
14 Program Fund, the Supreme Court Federal Projects Fund, the
15 Supreme Court Special State Projects Fund, ~~or~~ the Low-Level
16 Radioactive Waste Facility Development and Operation Fund, or
17 the Hospital Basic Services Preservation Fund, or to any funds
18 to which subsection (f) of Section 20-40 of the Nursing and
19 Advanced Practice Nursing Act applies. No transfers may be made
20 under this Section from the Pet Population Control Fund.

21 Notwithstanding any other provision of this Section, for
22 fiscal year 2004, the total transfer under this Section from
23 the Road Fund or the State Construction Account Fund shall not
24 exceed the lesser of (i) 5% of the revenues to be deposited
25 into the fund during that fiscal year or (ii) 25% of the
26 beginning balance in the fund. For fiscal year 2005 through
27 fiscal year 2007, no amounts may be transferred under this
28 Section from the Road Fund, the State Construction Account
29 Fund, the Criminal Justice Information Systems Trust Fund, the
30 Wireless Service Emergency Fund, or the Mandatory Arbitration
31 Fund.

32 In determining the available balance in a fund, the
33 Governor may include receipts, transfers into the fund, and
34 other resources anticipated to be available in the fund in that

1 fiscal year.

2 The State Treasurer and Comptroller shall transfer the
3 amounts designated under this Section as soon as may be
4 practicable after receiving the direction to transfer from the
5 Governor.

6 (a-5) Transfers directed to be made under this Section on
7 or before February 28, 2006 that are still pending on the
8 effective date of this amendatory Act of the 94th General
9 Assembly shall be redirected as provided in Section 8n of this
10 Act.

11 (b) This Section does not apply to: (i) the Ticket For The
12 Cure Fund; (ii) or to any fund established under the Community
13 Senior Services and Resources Act; or (iii) (ii) on or after
14 January 1, 2006 (the effective date of Public Act 94-511) ~~this~~
15 ~~amendatory Act of the 94th General Assembly,~~ the Child Labor
16 and Day and Temporary Labor Enforcement Fund.

17 (c) This Section does not apply to the Demutualization
18 Trust Fund established under the Uniform Disposition of
19 Unclaimed Property Act.

20 (d) (e) This Section does not apply to moneys set aside in
21 the Illinois State Podiatric Disciplinary Fund for podiatric
22 scholarships and residency programs under the Podiatric
23 Scholarship and Residency 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; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
28 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
29 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
30 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; revised 1-23-06.)

31 (30 ILCS 105/8j)

32 Sec. 8j. Allocation and transfer of fee receipts to General
33 Revenue Fund. Except as otherwise provided in this Section and

1 Section 8n of this Act, and notwithstanding ~~Notwithstanding~~ any
2 other law to the contrary, additional amounts generated by the
3 new and increased fees created or authorized by Public Acts
4 93-22, 93-23, 93-24, and 93-32 shall be allocated between the
5 fund otherwise entitled to receive the fee and the General
6 Revenue Fund by the Governor ~~Governor's Office of Management~~
7 ~~and Budget~~. In determining the amount of the allocation to the
8 General Revenue Fund, the Governor ~~Director of the Governor's~~
9 ~~Office of Management and Budget~~ shall calculate whether the
10 available resources in the fund are sufficient to satisfy the
11 unexpended and unreserved appropriations from the fund for the
12 fiscal year.

13 In calculating the available resources in a fund, the
14 Governor ~~Director of the Governor's Office of Management and~~
15 ~~Budget~~ may include receipts, transfers into the fund, and other
16 resources anticipated to be available in the fund in that
17 fiscal year.

18 Upon determining the amount of an allocation to the General
19 Revenue Fund under this Section, the Governor ~~Director of the~~
20 ~~Governor's Office of Management and Budget~~ may direct the State
21 Treasurer and Comptroller to transfer the amount of that
22 allocation from the fund in which the fee amounts have been
23 deposited to the General Revenue Fund; provided, however, that
24 the Governor ~~Director~~ shall not direct the transfer of any
25 amount that would have the effect of reducing the available
26 resources in the fund to an amount less than the amount
27 remaining unexpended and unreserved from the total
28 appropriation from that fund for that fiscal year.

29 The State Treasurer and Comptroller shall transfer the
30 amounts designated under this Section as soon as may be
31 practicable after receiving the direction to transfer from the
32 Governor ~~Director of the Governor's Office of Management and~~
33 ~~Budget~~.

34 This Section does not apply to the Demutualization Trust

1 Fund established under the Uniform Disposition of Unclaimed
2 Property Act.

3 Transfers directed to be made under this Section on or
4 before February 28, 2006 that are still pending on the
5 effective date of this amendatory Act of the 94th General
6 Assembly shall be redirected as provided in Section 8n of this
7 Act.

8 (Source: P.A. 93-25, eff. 6-20-03; 93-32, eff. 6-20-03; 94-686,
9 eff. 11-2-05.)

10 (30 ILCS 105/8n new)

11 Sec. 8n. Redirected fund transfers.

12 (a) Transfers directed to be made under Section 8h of this
13 Act on or before February 28, 2006 that are still pending on
14 the effective date of this amendatory Act of the 94th General
15 Assembly shall be redirected and completed as provided in
16 subsections (c) and (d) of this Section.

17 (b) Transfers directed to be made under Section 8j of this
18 Act on or before February 28, 2006 that are still pending on
19 the effective date of this amendatory Act of the 94th General
20 Assembly shall be redirected and completed as provided in
21 subsections (c) and (d) of this Section.

22 (c) The first \$250,000,000 of transfers that are subject to
23 redirection under this Section shall be redirected as follows:

24 (1) one-third of each amount directed to be transferred
25 to the General Revenue Fund shall be transferred to the
26 Drug Rebate Fund instead of the General Revenue Fund;

27 (2) one-third of each amount directed to be transferred
28 to the General Revenue Fund shall be transferred to the
29 Hospital Provider Fund instead of the General Revenue Fund;
30 and

31 (3) one-third of each amount directed to be transferred
32 to the General Revenue Fund shall be transferred to the
33 Long-term Care Provider Fund instead of the General Revenue

1 Fund.

2 If the aggregate amount of all transfers that are subject
3 to redirection under this Section exceeds \$250,000,000, the
4 excess over that amount shall be transferred to the General
5 Revenue Fund.

6 (d) All transfers redirected by this Section must be
7 completed by the State Comptroller and State Treasurer within 7
8 days after the effective date of this amendatory Act of the
9 94th General Assembly.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.".