



Rep. Gary Hannig

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1 AMENDMENT TO SENATE BILL 1977

2 AMENDMENT NO. _____. Amend Senate Bill 1977, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "ARTICLE 1. SHORT TITLE; PURPOSE

6 Section 1-1. Short title. This Act may be cited as the
7 FY2007 Budget Implementation (Finance) Act.

8 Section 1-3. Purpose. The purpose of this Act is to make
9 changes in State programs that are necessary to implement the
10 Governor's FY2007 budget recommendations concerning finance.

11 ARTICLE 5. AMENDATORY PROVISIONS

12 Section 5-5. The State Employees Group Insurance Act of
13 1971 is amended by changing Sections 6.10, 10, and 13.1 as
14 follows:

15 (5 ILCS 375/6.10)

16 Sec. 6.10. Contributions to the Community College Health
17 Insurance Security Fund.

18 (a) Beginning January 1, 1999, every active contributor of
19 the State Universities Retirement System (established under
20 Article 15 of the Illinois Pension Code) who (1) is a full-time

1 employee of a community college district (other than a
2 community college district subject to Article VII of the Public
3 Community College Act) or an association of community college
4 boards and (2) is not an employee as defined in Section 3 of
5 this Act shall make contributions toward the cost of community
6 college annuitant and survivor health benefits at the rate of
7 0.50% of salary.

8 These contributions shall be deducted by the employer and
9 paid to the State Universities Retirement System as service
10 agent for the Department of Central Management Services. The
11 System may use the same processes for collecting the
12 contributions required by this subsection that it uses to
13 collect the contributions received from those employees under
14 Section 15-157 of the Illinois Pension Code. An employer may
15 agree to pick up or pay the contributions required under this
16 subsection on behalf of the employee; such contributions shall
17 be deemed to have been paid by the employee.

18 The State Universities Retirement System shall promptly
19 deposit all moneys collected under this subsection (a) into the
20 Community College Health Insurance Security Fund created in
21 Section 6.9 of this Act. The moneys collected under this
22 Section shall be used only for the purposes authorized in
23 Section 6.9 of this Act and shall not be considered to be
24 assets of the State Universities Retirement System.
25 Contributions made under this Section are not transferable to
26 other pension funds or retirement systems and are not
27 refundable upon termination of service.

28 (b) Beginning January 1, 1999, every community college
29 district (other than a community college district subject to
30 Article VII of the Public Community College Act) or association
31 of community college boards that is an employer under the State
32 Universities Retirement System shall contribute toward the
33 cost of the community college health benefits provided under
34 Section 6.9 of this Act an amount equal to 0.50% of the salary

1 paid to its full-time employees who participate in the State
2 Universities Retirement System and are not members as defined
3 in Section 3 of this Act.

4 These contributions shall be paid by the employer to the
5 State Universities Retirement System as service agent for the
6 Department of Central Management Services. The System may use
7 the same processes for collecting the contributions required by
8 this subsection that it uses to collect the contributions
9 received from those employers under Section 15-155 of the
10 Illinois Pension Code.

11 The State Universities Retirement System shall promptly
12 deposit all moneys collected under this subsection (b) into the
13 Community College Health Insurance Security Fund created in
14 Section 6.9 of this Act. The moneys collected under this
15 Section shall be used only for the purposes authorized in
16 Section 6.9 of this Act and shall not be considered to be
17 assets of the State Universities Retirement System.
18 Contributions made under this Section are not transferable to
19 other pension funds or retirement systems and are not
20 refundable upon termination of service.

21 (c) On or before November 15 of each year, the Board of
22 Trustees of the State Universities Retirement System shall
23 certify to the Governor, the Director of Central Management
24 Services, and the State Comptroller its estimate of the total
25 amount of contributions to be paid under subsection (a) of this
26 Section for the next fiscal year. Beginning in fiscal year
27 2008, the amount certified shall be decreased or increased each
28 year by the amount that the actual active employee
29 contributions either fell short of or exceeded the estimate
30 used by the Board in making the certification for the previous
31 fiscal year. The State Universities Retirement System shall
32 calculate the amount of actual active employee contributions in
33 fiscal years 1999 through 2005. Based upon this calculation,
34 the fiscal year 2008 certification shall include an amount

1 equal to the cumulative amount that the actual active employee
2 contributions either fell short of or exceeded the estimate
3 used by the Board in making the certification for those fiscal
4 years. The certification shall include a detailed explanation
5 of the methods and information that the Board relied upon in
6 preparing its estimate. As soon as possible after the effective
7 date of this Section, the Board shall submit its estimate for
8 fiscal year 1999.

9 (d) Beginning in fiscal year 1999, on the first day of each
10 month, or as soon thereafter as may be practical, the State
11 Treasurer and the State Comptroller shall transfer from the
12 General Revenue Fund to the Community College Health Insurance
13 Security Fund 1/12 of the annual amount appropriated for that
14 fiscal year to the State Comptroller for deposit into the
15 Community College Health Insurance Security Fund under Section
16 1.4 of the State Pension Funds Continuing Appropriation Act.

17 (e) Except where otherwise specified in this Section, the
18 definitions that apply to Article 15 of the Illinois Pension
19 Code apply to this Section.

20 (Source: P.A. 90-497, eff. 8-18-97; 91-887, eff. 7-6-00.)

21 (5 ILCS 375/10) (from Ch. 127, par. 530)

22 Sec. 10. Payments by State; premiums.

23 (a) The State shall pay the cost of basic non-contributory
24 group life insurance and, subject to member paid contributions
25 set by the Department or required by this Section, the basic
26 program of group health benefits on each eligible member,
27 except a member, not otherwise covered by this Act, who has
28 retired as a participating member under Article 2 of the
29 Illinois Pension Code but is ineligible for the retirement
30 annuity under Section 2-119 of the Illinois Pension Code, and
31 part of each eligible member's and retired member's premiums
32 for health insurance coverage for enrolled dependents as
33 provided by Section 9. The State shall pay the cost of the

1 basic program of group health benefits only after benefits are
2 reduced by the amount of benefits covered by Medicare for all
3 members and dependents who are eligible for benefits under
4 Social Security or the Railroad Retirement system or who had
5 sufficient Medicare-covered government employment, except that
6 such reduction in benefits shall apply only to those members
7 and dependents who (1) first become eligible for such Medicare
8 coverage on or after July 1, 1992; or (2) are Medicare-eligible
9 members or dependents of a local government unit which began
10 participation in the program on or after July 1, 1992; or (3)
11 remain eligible for, but no longer receive Medicare coverage
12 which they had been receiving on or after July 1, 1992. The
13 Department may determine the aggregate level of the State's
14 contribution on the basis of actual cost of medical services
15 adjusted for age, sex or geographic or other demographic
16 characteristics which affect the costs of such programs.

17 The cost of participation in the basic program of group
18 health benefits for the dependent or survivor of a living or
19 deceased retired employee who was formerly employed by the
20 University of Illinois in the Cooperative Extension Service and
21 would be an annuitant but for the fact that he or she was made
22 ineligible to participate in the State Universities Retirement
23 System by clause (4) of subsection (a) of Section 15-107 of the
24 Illinois Pension Code shall not be greater than the cost of
25 participation that would otherwise apply to that dependent or
26 survivor if he or she were the dependent or survivor of an
27 annuitant under the State Universities Retirement System.

28 (a-1) Beginning January 1, 1998, for each person who
29 becomes a new SERS annuitant and participates in the basic
30 program of group health benefits, the State shall contribute
31 toward the cost of the annuitant's coverage under the basic
32 program of group health benefits an amount equal to 5% of that
33 cost for each full year of creditable service upon which the
34 annuitant's retirement annuity is based, up to a maximum of

1 100% for an annuitant with 20 or more years of creditable
2 service. The remainder of the cost of a new SERS annuitant's
3 coverage under the basic program of group health benefits shall
4 be the responsibility of the annuitant. In the case of a new
5 SERS annuitant who has elected to receive an alternative
6 retirement cancellation payment under Section 14-108.5 of the
7 Illinois Pension Code in lieu of an annuity, for the purposes
8 of this subsection the annuitant shall be deemed to be
9 receiving a retirement annuity based on the number of years of
10 creditable service that the annuitant had established at the
11 time of his or her termination of service under SERS.

12 (a-2) Beginning January 1, 1998, for each person who
13 becomes a new SERS survivor and participates in the basic
14 program of group health benefits, the State shall contribute
15 toward the cost of the survivor's coverage under the basic
16 program of group health benefits an amount equal to 5% of that
17 cost for each full year of the deceased employee's or deceased
18 annuitant's creditable service in the State Employees'
19 Retirement System of Illinois on the date of death, up to a
20 maximum of 100% for a survivor of an employee or annuitant with
21 20 or more years of creditable service. The remainder of the
22 cost of the new SERS survivor's coverage under the basic
23 program of group health benefits shall be the responsibility of
24 the survivor. In the case of a new SERS survivor who was the
25 dependent of an annuitant who elected to receive an alternative
26 retirement cancellation payment under Section 14-108.5 of the
27 Illinois Pension Code in lieu of an annuity, for the purposes
28 of this subsection the deceased annuitant's creditable service
29 shall be determined as of the date of termination of service
30 rather than the date of death.

31 (a-3) Beginning January 1, 1998, for each person who
32 becomes a new SURS annuitant and participates in the basic
33 program of group health benefits, the State shall contribute
34 toward the cost of the annuitant's coverage under the basic

1 program of group health benefits an amount equal to 5% of that
2 cost for each full year of creditable service upon which the
3 annuitant's retirement annuity is based, up to a maximum of
4 100% for an annuitant with 20 or more years of creditable
5 service. The remainder of the cost of a new SURS annuitant's
6 coverage under the basic program of group health benefits shall
7 be the responsibility of the annuitant.

8 (a-4) (Blank).

9 (a-5) Beginning January 1, 1998, for each person who
10 becomes a new SURS survivor and participates in the basic
11 program of group health benefits, the State shall contribute
12 toward the cost of the survivor's coverage under the basic
13 program of group health benefits an amount equal to 5% of that
14 cost for each full year of the deceased employee's or deceased
15 annuitant's creditable service in the State Universities
16 Retirement System on the date of death, up to a maximum of 100%
17 for a survivor of an employee or annuitant with 20 or more
18 years of creditable service. The remainder of the cost of the
19 new SURS survivor's coverage under the basic program of group
20 health benefits shall be the responsibility of the survivor.

21 (a-6) Beginning July 1, 1998, for each person who becomes a
22 new TRS State annuitant and participates in the basic program
23 of group health benefits, the State shall contribute toward the
24 cost of the annuitant's coverage under the basic program of
25 group health benefits an amount equal to 5% of that cost for
26 each full year of creditable service as a teacher as defined in
27 paragraph (2), (3), or (5) of Section 16-106 of the Illinois
28 Pension Code upon which the annuitant's retirement annuity is
29 based, up to a maximum of 100%; except that the State
30 contribution shall be 12.5% per year (rather than 5%) for each
31 full year of creditable service as a regional superintendent or
32 assistant regional superintendent of schools. The remainder of
33 the cost of a new TRS State annuitant's coverage under the
34 basic program of group health benefits shall be the

1 responsibility of the annuitant.

2 (a-7) Beginning July 1, 1998, for each person who becomes a
3 new TRS State survivor and participates in the basic program of
4 group health benefits, the State shall contribute toward the
5 cost of the survivor's coverage under the basic program of
6 group health benefits an amount equal to 5% of that cost for
7 each full year of the deceased employee's or deceased
8 annuitant's creditable service as a teacher as defined in
9 paragraph (2), (3), or (5) of Section 16-106 of the Illinois
10 Pension Code on the date of death, up to a maximum of 100%;
11 except that the State contribution shall be 12.5% per year
12 (rather than 5%) for each full year of the deceased employee's
13 or deceased annuitant's creditable service as a regional
14 superintendent or assistant regional superintendent of
15 schools. The remainder of the cost of the new TRS State
16 survivor's coverage under the basic program of group health
17 benefits shall be the responsibility of the survivor.

18 (a-8) A new SERS annuitant, new SERS survivor, new SURS
19 annuitant, new SURS survivor, new TRS State annuitant, or new
20 TRS State survivor may waive or terminate coverage in the
21 program of group health benefits. Any such annuitant or
22 survivor who has waived or terminated coverage may enroll or
23 re-enroll in the program of group health benefits only during
24 the annual benefit choice period, as determined by the
25 Director; except that in the event of termination of coverage
26 due to nonpayment of premiums, the annuitant or survivor may
27 not re-enroll in the program.

28 (a-9) No later than May 1 of each calendar year, the
29 Director of Central Management Services shall certify in
30 writing to the Executive Secretary of the State Employees'
31 Retirement System of Illinois the amounts of the Medicare
32 supplement health care premiums and the amounts of the health
33 care premiums for all other retirees who are not Medicare
34 eligible.

1 A separate calculation of the premiums based upon the
2 actual cost of each health care plan shall be so certified.

3 The Director of Central Management Services shall provide
4 to the Executive Secretary of the State Employees' Retirement
5 System of Illinois such information, statistics, and other data
6 as he or she may require to review the premium amounts
7 certified by the Director of Central Management Services.

8 (b) State employees who become eligible for this program on
9 or after January 1, 1980 in positions normally requiring actual
10 performance of duty not less than 1/2 of a normal work period
11 but not equal to that of a normal work period, shall be given
12 the option of participating in the available program. If the
13 employee elects coverage, the State shall contribute on behalf
14 of such employee to the cost of the employee's benefit and any
15 applicable dependent supplement, that sum which bears the same
16 percentage as that percentage of time the employee regularly
17 works when compared to normal work period.

18 (c) The basic non-contributory coverage from the basic
19 program of group health benefits shall be continued for each
20 employee not in pay status or on active service by reason of
21 (1) leave of absence due to illness or injury, (2) authorized
22 educational leave of absence or sabbatical leave, or (3)
23 military leave with pay and benefits. This coverage shall
24 continue until expiration of authorized leave and return to
25 active service, but not to exceed 24 months for leaves under
26 item (1) or (2). This 24-month limitation and the requirement
27 of returning to active service shall not apply to persons
28 receiving ordinary or accidental disability benefits or
29 retirement benefits through the appropriate State retirement
30 system or benefits under the Workers' Compensation or
31 Occupational Disease Act.

32 (d) The basic group life insurance coverage shall continue,
33 with full State contribution, where such person is (1) absent
34 from active service by reason of disability arising from any

1 cause other than self-inflicted, (2) on authorized educational
2 leave of absence or sabbatical leave, or (3) on military leave
3 with pay and benefits.

4 (e) Where the person is in non-pay status for a period in
5 excess of 30 days or on leave of absence, other than by reason
6 of disability, educational or sabbatical leave, or military
7 leave with pay and benefits, such person may continue coverage
8 only by making personal payment equal to the amount normally
9 contributed by the State on such person's behalf. Such payments
10 and coverage may be continued: (1) until such time as the
11 person returns to a status eligible for coverage at State
12 expense, but not to exceed 24 months, (2) until such person's
13 employment or annuitant status with the State is terminated, or
14 (3) for a maximum period of 4 years for members on military
15 leave with pay and benefits and military leave without pay and
16 benefits (exclusive of any additional service imposed pursuant
17 to law).

18 (f) The Department shall establish by rule the extent to
19 which other employee benefits will continue for persons in
20 non-pay status or who are not in active service.

21 (g) The State shall not pay the cost of the basic
22 non-contributory group life insurance, program of health
23 benefits and other employee benefits for members who are
24 survivors as defined by paragraphs (1) and (2) of subsection
25 (q) of Section 3 of this Act. The costs of benefits for these
26 survivors shall be paid by the survivors or by the University
27 of Illinois Cooperative Extension Service, or any combination
28 thereof. However, the State shall pay the amount of the
29 reduction in the cost of participation, if any, resulting from
30 the amendment to subsection (a) made by this amendatory Act of
31 the 91st General Assembly.

32 (h) Those persons occupying positions with any department
33 as a result of emergency appointments pursuant to Section 8b.8
34 of the Personnel Code who are not considered employees under

1 this Act shall be given the option of participating in the
2 programs of group life insurance, health benefits and other
3 employee benefits. Such persons electing coverage may
4 participate only by making payment equal to the amount normally
5 contributed by the State for similarly situated employees. Such
6 amounts shall be determined by the Director. Such payments and
7 coverage may be continued until such time as the person becomes
8 an employee pursuant to this Act or such person's appointment
9 is terminated.

10 (i) Any unit of local government within the State of
11 Illinois may apply to the Director to have its employees,
12 annuitants, and their dependents provided group health
13 coverage under this Act on a non-insured basis. To participate,
14 a unit of local government must agree to enroll all of its
15 employees, who may select coverage under either the State group
16 health benefits plan or a health maintenance organization that
17 has contracted with the State to be available as a health care
18 provider for employees as defined in this Act. A unit of local
19 government must remit the entire cost of providing coverage
20 under the State group health benefits plan or, for coverage
21 under a health maintenance organization, an amount determined
22 by the Director based on an analysis of the sex, age,
23 geographic location, or other relevant demographic variables
24 for its employees, except that the unit of local government
25 shall not be required to enroll those of its employees who are
26 covered spouses or dependents under this plan or another group
27 policy or plan providing health benefits as long as (1) an
28 appropriate official from the unit of local government attests
29 that each employee not enrolled is a covered spouse or
30 dependent under this plan or another group policy or plan, and
31 (2) at least 85% of the employees are enrolled and the unit of
32 local government remits the entire cost of providing coverage
33 to those employees, except that a participating school district
34 must have enrolled at least 85% of its full-time employees who

1 have not waived coverage under the district's group health plan
2 by participating in a component of the district's cafeteria
3 plan. A participating school district is not required to enroll
4 a full-time employee who has waived coverage under the
5 district's health plan, provided that an appropriate official
6 from the participating school district attests that the
7 full-time employee has waived coverage by participating in a
8 component of the district's cafeteria plan. For the purposes of
9 this subsection, "participating school district" includes a
10 unit of local government whose primary purpose is education as
11 defined by the Department's rules.

12 Employees of a participating unit of local government who
13 are not enrolled due to coverage under another group health
14 policy or plan may enroll in the event of a qualifying change
15 in status, special enrollment, special circumstance as defined
16 by the Director, or during the annual Benefit Choice Period. A
17 participating unit of local government may also elect to cover
18 its annuitants. Dependent coverage shall be offered on an
19 optional basis, with the costs paid by the unit of local
20 government, its employees, or some combination of the two as
21 determined by the unit of local government. The unit of local
22 government shall be responsible for timely collection and
23 transmission of dependent premiums.

24 The Director shall annually determine monthly rates of
25 payment, subject to the following constraints:

26 (1) In the first year of coverage, the rates shall be
27 equal to the amount normally charged to State employees for
28 elected optional coverages or for enrolled dependents
29 coverages or other contributory coverages, or contributed
30 by the State for basic insurance coverages on behalf of its
31 employees, adjusted for differences between State
32 employees and employees of the local government in age,
33 sex, geographic location or other relevant demographic
34 variables, plus an amount sufficient to pay for the

1 additional administrative costs of providing coverage to
2 employees of the unit of local government and their
3 dependents.

4 (2) In subsequent years, a further adjustment shall be
5 made to reflect the actual prior years' claims experience
6 of the employees of the unit of local government.

7 In the case of coverage of local government employees under
8 a health maintenance organization, the Director shall annually
9 determine for each participating unit of local government the
10 maximum monthly amount the unit may contribute toward that
11 coverage, based on an analysis of (i) the age, sex, geographic
12 location, and other relevant demographic variables of the
13 unit's employees and (ii) the cost to cover those employees
14 under the State group health benefits plan. The Director may
15 similarly determine the maximum monthly amount each unit of
16 local government may contribute toward coverage of its
17 employees' dependents under a health maintenance organization.

18 Monthly payments by the unit of local government or its
19 employees for group health benefits plan or health maintenance
20 organization coverage shall be deposited in the Local
21 Government Health Insurance Reserve Fund.

22 The Local Government Health Insurance Reserve Fund shall be
23 a continuing fund not subject to fiscal year limitations. All
24 revenues arising from the administration of the health benefits
25 program established under this Section shall be deposited into
26 the Local Government Health Insurance Reserve Fund. All
27 expenditures from this Fund shall be used for payments for
28 health care benefits for local government and rehabilitation
29 facility employees, annuitants, and dependents, and to
30 reimburse the Department or its administrative service
31 organization for all expenses incurred in the administration of
32 benefits. No other State funds may be used for these purposes.

33 A local government employer's participation or desire to
34 participate in a program created under this subsection shall

1 not limit that employer's duty to bargain with the
2 representative of any collective bargaining unit of its
3 employees.

4 (j) Any rehabilitation facility within the State of
5 Illinois may apply to the Director to have its employees,
6 annuitants, and their eligible dependents provided group
7 health coverage under this Act on a non-insured basis. To
8 participate, a rehabilitation facility must agree to enroll all
9 of its employees and remit the entire cost of providing such
10 coverage for its employees, except that the rehabilitation
11 facility shall not be required to enroll those of its employees
12 who are covered spouses or dependents under this plan or
13 another group policy or plan providing health benefits as long
14 as (1) an appropriate official from the rehabilitation facility
15 attests that each employee not enrolled is a covered spouse or
16 dependent under this plan or another group policy or plan, and
17 (2) at least 85% of the employees are enrolled and the
18 rehabilitation facility remits the entire cost of providing
19 coverage to those employees. Employees of a participating
20 rehabilitation facility who are not enrolled due to coverage
21 under another group health policy or plan may enroll in the
22 event of a qualifying change in status, special enrollment,
23 special circumstance as defined by the Director, or during the
24 annual Benefit Choice Period. A participating rehabilitation
25 facility may also elect to cover its annuitants. Dependent
26 coverage shall be offered on an optional basis, with the costs
27 paid by the rehabilitation facility, its employees, or some
28 combination of the 2 as determined by the rehabilitation
29 facility. The rehabilitation facility shall be responsible for
30 timely collection and transmission of dependent premiums.

31 The Director shall annually determine quarterly rates of
32 payment, subject to the following constraints:

33 (1) In the first year of coverage, the rates shall be
34 equal to the amount normally charged to State employees for

1 elected optional coverages or for enrolled dependents
2 coverages or other contributory coverages on behalf of its
3 employees, adjusted for differences between State
4 employees and employees of the rehabilitation facility in
5 age, sex, geographic location or other relevant
6 demographic variables, plus an amount sufficient to pay for
7 the additional administrative costs of providing coverage
8 to employees of the rehabilitation facility and their
9 dependents.

10 (2) In subsequent years, a further adjustment shall be
11 made to reflect the actual prior years' claims experience
12 of the employees of the rehabilitation facility.

13 Monthly payments by the rehabilitation facility or its
14 employees for group health benefits shall be deposited in the
15 Local Government Health Insurance Reserve Fund.

16 (k) Any domestic violence shelter or service within the
17 State of Illinois may apply to the Director to have its
18 employees, annuitants, and their dependents provided group
19 health coverage under this Act on a non-insured basis. To
20 participate, a domestic violence shelter or service must agree
21 to enroll all of its employees and pay the entire cost of
22 providing such coverage for its employees. A participating
23 domestic violence shelter may also elect to cover its
24 annuitants. Dependent coverage shall be offered on an optional
25 basis, with employees, or some combination of the 2 as
26 determined by the domestic violence shelter or service. The
27 domestic violence shelter or service shall be responsible for
28 timely collection and transmission of dependent premiums.

29 The Director shall annually determine rates of payment,
30 subject to the following constraints:

31 (1) In the first year of coverage, the rates shall be
32 equal to the amount normally charged to State employees for
33 elected optional coverages or for enrolled dependents
34 coverages or other contributory coverages on behalf of its

1 employees, adjusted for differences between State
2 employees and employees of the domestic violence shelter or
3 service in age, sex, geographic location or other relevant
4 demographic variables, plus an amount sufficient to pay for
5 the additional administrative costs of providing coverage
6 to employees of the domestic violence shelter or service
7 and their dependents.

8 (2) In subsequent years, a further adjustment shall be
9 made to reflect the actual prior years' claims experience
10 of the employees of the domestic violence shelter or
11 service.

12 Monthly payments by the domestic violence shelter or
13 service or its employees for group health insurance shall be
14 deposited in the Local Government Health Insurance Reserve
15 Fund.

16 (1) A public community college or entity organized pursuant
17 to the Public Community College Act may apply to the Director
18 initially to have only annuitants not covered prior to July 1,
19 1992 by the district's health plan provided health coverage
20 under this Act on a non-insured basis. The community college
21 must execute a 2-year contract to participate in the Local
22 Government Health Plan. Any annuitant may enroll in the event
23 of a qualifying change in status, special enrollment, special
24 circumstance as defined by the Director, or during the annual
25 Benefit Choice Period.

26 The Director shall annually determine monthly rates of
27 payment subject to the following constraints: for those
28 community colleges with annuitants only enrolled, first year
29 rates shall be equal to the average cost to cover claims for a
30 State member adjusted for demographics, Medicare
31 participation, and other factors; and in the second year, a
32 further adjustment of rates shall be made to reflect the actual
33 first year's claims experience of the covered annuitants.

34 (1-5) The provisions of subsection (1) become inoperative

1 on July 1, 1999.

2 (m) The Director shall adopt any rules deemed necessary for
3 implementation of this amendatory Act of 1989 (Public Act
4 86-978).

5 (Source: P.A. 92-16, eff. 6-28-01; 93-839, eff. 7-30-04.)

6 (5 ILCS 375/13.1) (from Ch. 127, par. 533.1)

7 Sec. 13.1. (a) All contributions, appropriations,
8 interest, and dividend payments to fund the program of health
9 benefits and other employee benefits, and all other revenues
10 arising from the administration of any employee health benefits
11 program, shall be deposited in a trust fund outside the State
12 Treasury, with the State Treasurer as ex-officio custodian, to
13 be known as the Health Insurance Reserve Fund.

14 (b) Upon the adoption of a self-insurance health plan, any
15 monies attributable to the group health insurance program shall
16 be deposited in or transferred to the Health Insurance Reserve
17 Fund for use by the Department. As of the effective date of
18 this amendatory Act of 1986, the Department shall certify to
19 the Comptroller the amount of money in the Group Insurance
20 Premium Fund attributable to the State group health insurance
21 program and the Comptroller shall transfer such money from the
22 Group Insurance Premium Fund to the Health Insurance Reserve
23 Fund. Contributions by the State to the Health Insurance
24 Reserve Fund to meet the requirements of this Act, as
25 established by the Director, from the General Revenue Fund and
26 the Road Fund to the Health Insurance Reserve Fund shall be by
27 annual appropriations, and all other contributions to meet the
28 requirements of the programs of health benefits or other
29 employee benefits shall be deposited in the Health Insurance
30 Reserve Fund. The Department shall draw the appropriation from
31 the General Revenue Fund and the Road Fund from time to time as
32 necessary to make expenditures authorized under this Act.

33 The Director may employ such assistance and services and

1 may purchase such goods as may be necessary for the proper
2 development and administration of any of the benefit programs
3 authorized by this Act. The Director may promulgate rules and
4 regulations in regard to the administration of these programs.

5 All monies received by the Department for deposit in or
6 transfer to the Health Insurance Reserve Fund, through
7 appropriation or otherwise, shall be used to provide for the
8 making of payments to claimants and providers and to reimburse
9 the Department for all expenses directly incurred relating to
10 Department development and administration of the program of
11 health benefits and other employee benefits.

12 Any administrative service organization administering any
13 self-insurance health plan and paying claims and benefits under
14 authority of this Act may receive, pursuant to written
15 authorization and direction of the Director, an initial
16 transfer and periodic transfers of funds from the Health
17 Insurance Reserve Fund in amounts determined by the Director
18 who may consider the amount recommended by the administrative
19 service organization. Notwithstanding any other statute, such
20 transferred funds shall be retained by the administrative
21 service organization in a separate account provided by any bank
22 as defined by the Illinois Banking Act. The Department may
23 promulgate regulations further defining the banks authorized
24 to accept such funds and all methodology for transfer of such
25 funds. Any interest earned by monies in such account shall
26 inure to the Health Insurance Reserve Fund, shall remain in
27 such account and shall be used exclusively to pay claims and
28 benefits under this Act. Such transferred funds shall be used
29 exclusively for administrative service organization payment of
30 claims to claimants and providers under the self-insurance
31 health plan by the drawing of checks against such account. The
32 administrative service organization may not use such
33 transferred funds, or interest accrued thereon, for any other
34 purpose including, but not limited to, reimbursement of

1 administrative expenses or payments of administration fees due
2 the organization pursuant to its contract or contracts with the
3 Department of Central Management Services.

4 The account of the administrative service organization
5 established under this Section, any transfers from the Health
6 Insurance Reserve Fund to such account and the use of such
7 account and funds shall be subject to (1) audit by the
8 Department or private contractor authorized by the Department
9 to conduct audits, and (2) post audit pursuant to the Illinois
10 State Auditing Act.

11 (c) The Director, with the advice and consent of the
12 Commission, shall establish premiums for optional coverage for
13 dependents of eligible members for the health plans. The
14 eligible members shall be responsible for their portion of such
15 optional premium. The State shall contribute an amount per
16 month for each eligible member who has enrolled one or more
17 dependents under the health plans. Such contribution shall be
18 made directly to the Health Insurance Reserve Fund. Those
19 employees described in subsection (b) of Section 9 of this Act
20 shall be allowed to continue in the health plan by making
21 personal payments with the premiums to be deposited in the
22 Health Insurance Reserve Fund.

23 (d) The Health Insurance Reserve Fund shall be a continuing
24 fund not subject to fiscal year limitations. All expenditures
25 from that fund shall be at the direction of the Director and
26 shall be only for the purpose of:

27 (1) the payment of administrative expenses incurred by
28 the Department for the program of health benefits or other
29 employee benefit programs, including but not limited to the
30 costs of audits or actuarial consultations, professional
31 and contractual services, electronic data processing
32 systems and services, and expenses in connection with the
33 development and administration of such programs;

34 (2) the payment of administrative expenses incurred by

1 the Administrative Service Organization;

2 (3) the payment of health benefits;

3 (4) refunds to employees for erroneous payments of
4 their selected dependent coverage;

5 (5) payment of premium for stop-loss or re-insurance;

6 (6) payment of premium to health maintenance
7 organizations pursuant to Section 6.1 of this Act;

8 (7) payment of adoption program benefits; and

9 (8) payment of other benefits offered to members and
10 dependents under this Act.

11 (Source: P.A. 91-390, eff. 7-30-99.)

12 Section 5-10. The Department of Commerce and Economic
13 Opportunity Law of the Civil Administrative Code of Illinois is
14 amended by adding Section 605-812 as follows:

15 (20 ILCS 605/605-812 new)

16 Sec. 605-812. Employment opportunities grant program.

17 (a) The Department shall administer a grant program to
18 expand employment opportunities for targeted populations in
19 eligible grant areas in Illinois. The goal of the program shall
20 be to expand the number of people in targeted populations who
21 enter and complete building trades apprenticeship programs and
22 achieve journey-level status within a building trades union.

23 (b) All successful grant applicants shall be required to
24 partner with a joint labor and management-sponsored
25 apprenticeship program or programs. All successful grant
26 applicants must provide participating individuals with paid
27 employment opportunities while participating in the program.

28 (c) The Department shall establish criteria for (i)
29 prioritizing grant requests from eligible grant applicants and
30 (ii) determining what project activities qualify for funding.
31 Entities eligible to apply for grant funding shall include:
32 community-based organizations and educational institutions.

1 These eligible entities shall have the following capabilities:
2 a demonstrated expertise in serving targeted populations;
3 knowledge of the construction industry; demonstrated success
4 in placing clients in employment; previous experience offering
5 employment services for targeted populations; and expertise in
6 preparing workers for employment in the building trades.

7 (d) The Department shall determine the targeted
8 populations to be served by the program. The Department shall
9 establish geographic boundaries of eligible grant areas.

10 (e) The Department shall require all successful grant
11 applicants to report quarterly on implementation of planned
12 activities and success in reaching key milestones. Successful
13 grant applicants must also maintain and report
14 individual-level information on types of services received and
15 resulting outcomes, including placement into specific
16 apprenticeship programs.

17 (f) The Department shall report to the Governor and the
18 General Assembly on December 31, 2007 and on December 31 of
19 each year thereafter as long as grant-funded activities are
20 provided on the activities undertaken by all successful grant
21 applicants. The report shall include an evaluation of those
22 activities and their success in assisting participating
23 individuals to enter and complete building trades
24 apprenticeship programs and achieve journey-level status.

25 Section 5-15. The Renewable Energy, Energy Efficiency, and
26 Coal Resources Development Law of 1997 is amended by changing
27 Section 6-4 as follows:

28 (20 ILCS 687/6-4)

29 (Section scheduled to be repealed on December 16, 2007)

30 Sec. 6-4. Renewable Energy Resources Trust Fund.

31 (a) A fund to be called the Renewable Energy Resources
32 Trust Fund is hereby established in the State Treasury.

1 (b) The Renewable Energy Resources Trust Fund shall be
2 administered by the Department to provide grants, loans, and
3 other incentives to foster investment in and the development
4 and use of renewable energy resources as provided in Section
5 6-3 of this Law or pursuant to the Illinois Renewable Fuels
6 Development Program Act.

7 (c) All funds used by the Department for the Renewable
8 Energy Resources Program shall be subject to appropriation by
9 the General Assembly.

10 (Source: P.A. 90-561, eff. 12-16-97.)

11 Section 5-20. The Illinois Renewable Fuels Development
12 Program Act is amended by changing Section 20 as follows:

13 (20 ILCS 689/20)

14 Sec. 20. Grants. Subject to appropriation ~~from the Build~~
15 ~~Illinois Bond Fund~~, the Director is authorized to award grants
16 to eligible applicants. The annual aggregate amount of grants
17 awarded shall not exceed \$20,000,000 ~~\$15,000,000~~.

18 (Source: P.A. 93-15, eff. 6-11-03; 93-618, eff. 12-11-03.)

19 Section 5-25. The Mental Health and Developmental
20 Disabilities Administrative Act is amended by changing Section
21 18.4 as follows:

22 (20 ILCS 1705/18.4)

23 Sec. 18.4. Community Mental Health Medicaid Trust Fund;
24 reimbursement.

25 (a) The Community Mental Health Medicaid Trust Fund is
26 hereby created in the State Treasury.

27 (b) Except as otherwise provided in this Section, ~~effective~~
28 ~~in the first fiscal year~~ following repayment of interfund
29 transfers under subsection (b-1), amounts ~~the first~~
30 ~~\$73,000,000~~ paid to the State by the federal government under

1 Title XIX or Title XXI of the Social Security Act for services
2 delivered by community mental health ~~services~~ providers, and
3 any interest earned thereon, shall be deposited as follows:

4 (1) The first \$75,000,000 shall be deposited directly
5 into the Community Mental Health Medicaid Trust Fund to be
6 used for the purchase of community mental health services;

7 (2) The next \$4,500,000 shall be deposited directly
8 into the Community Mental Health Medicaid Trust Fund to be
9 used by the Department of Human Services' Division of
10 Mental Health for the oversight and administration of
11 community mental health services and up to \$1,000,000 of
12 this amount may be used for support of community mental
13 health service initiatives; and

14 (3) Any additional amounts shall be deposited 50% into
15 the Community Mental Health Medicaid Trust Fund to be used
16 for the purchase of community mental health services and
17 50% into the General Revenue Fund. ~~directly into the~~
18 ~~Community Mental Health Medicaid Trust Fund. The next~~
19 ~~\$25,000,000 shall be deposited into the General Revenue~~
20 ~~Fund. Amounts received in excess of \$98,000,000 in any~~
21 ~~State fiscal year after fiscal year 2006 shall be deposited~~
22 ~~50% into the General Revenue Fund and 50% into the~~
23 ~~Community Mental Health Medicaid Trust Fund. The~~
24 ~~Department shall analyze the budgeting and programmatic~~
25 ~~impact of this funding allocation and report to the~~
26 ~~Governor and the General Assembly the results of this~~
27 ~~analysis and any recommendations for change, no later than~~
28 ~~December 31, 2005.~~

29 (b-1) For State fiscal year 2005, the first \$73,000,000 in
30 any funds paid to the State by the federal government under
31 Title XIX or Title XXI of the Social Security Act for services
32 delivered by community mental health services providers, and
33 any interest earned thereon, shall be deposited directly into
34 the Community Mental Health Medicaid Trust Fund before any

1 deposits are made into the General Revenue Fund. The next
2 \$25,000,000, less any deposits made prior to the effective date
3 of this amendatory Act of the 94th General Assembly, shall be
4 deposited into the General Revenue Fund. Amounts received in
5 excess of \$98,000,000 shall be deposited 50% into the General
6 Revenue Fund and 50% into the Community Mental Health Medicaid
7 Trust Fund. At the direction of the Director of Health Care and
8 Family Services ~~Public Aid~~, on April 1, 2005, or as soon
9 thereafter as practical, the Comptroller shall direct and the
10 State Treasurer shall transfer amounts not to exceed
11 \$14,000,000 into the Community Mental Health Medicaid Trust
12 Fund from the Public Aid Recoveries Trust Fund.

13 (b-2) For State fiscal year 2006, and in subsequent fiscal
14 years until any transfers under subsection (b-1) are repaid,
15 the first \$73,000,000 in any funds paid to the State by the
16 federal government under Title XIX or Title XXI of the Social
17 Security Act for services delivered by community mental health
18 ~~services~~ providers, and any interest earned thereon, shall be
19 deposited directly into the Community Mental Health Medicaid
20 Trust Fund. Then the next \$14,000,000, or such amount as was
21 transferred under subsection (b-1) at the direction of the
22 Director of Health Care and Family Services ~~Public Aid~~, shall
23 be deposited into the Public Aid Recoveries Trust Fund. ~~The~~
24 ~~next \$11,000,000 shall be deposited into the General Revenue~~
25 ~~Fund.~~ Any additional amounts received shall be deposited in
26 accordance with subsection (b) ~~50% into the General Revenue~~
27 ~~Fund and 50% into the Community Mental Health Medicaid Trust~~
28 ~~Fund.~~

29 (c) The Department shall reimburse community mental health
30 ~~services~~ providers for ~~Medicaid-reimbursed mental health~~
31 services provided to eligible individuals. Moneys in the
32 Community Mental Health Medicaid Trust Fund may be used for
33 that purpose.

34 (d) As used in this Section:

1 ~~"Medicaid reimbursed mental health services" means~~
2 ~~services provided by a community mental health provider under~~
3 ~~an agreement with the Department that is eligible for~~
4 ~~reimbursement under the federal Title XIX program or Title XXI~~
5 ~~program.~~

6 "Community mental health provider Provider" means a
7 community agency that is funded by the Department to provide a
8 ~~Medicaid reimbursed~~ service.

9 "Service Services" means a mental health service services
10 provided pursuant to the provisions of administrative rules
11 adopted by the Department and funded by the Department of Human
12 Services' Division of Mental Health. ~~under one of the following~~
13 ~~programs:~~

- 14 ~~(1) Medicaid Clinic Option;~~
15 ~~(2) Medicaid Rehabilitation Option;~~
16 ~~(3) Targeted Case Management.~~

17 (Source: P.A. 93-841, eff. 7-30-04; 94-58, eff. 6-17-05.)

18 Section 5-35. The Illinois Global Partnership Act is
19 amended by changing Section 50 as follows:

20 (20 ILCS 3948/50)

21 Sec. 50. Finances; audits; annual report.

22 (a) IGP may accept funds, grants, gifts, and services from
23 the government of the United States or its agencies, from this
24 State or its departments, agencies, or instrumentalities, from
25 any other governmental unit, and from private and civic sources
26 for the purpose of funding any projects authorized by this Act.
27 IGP may receive appropriations.

28 (b) Services of personnel, use of equipment and office
29 space, and other necessary services may be accepted from
30 members of the board as part of IGP's financial support.

31 (c) State funds appropriated for the operations and
32 functions of IGP for fiscal year 2011 and each fiscal year

1 thereafter should not exceed 60% of IGP's funding from all
2 sources for the fiscal year.

3 (d) The board shall arrange for the annual financial audit
4 of IGP by one or more independent certified public accountants
5 in accordance with generally accepted accounting principles.
6 The annual audit results shall be included in the annual report
7 required under subsection (e).

8 (e) IGP shall report annually on its activities and
9 finances to the Governor and the members of the General
10 Assembly.

11 (f) Payments by the IGP to the Department of Agriculture as
12 reimbursement for employee costs as provided in Section 45 and
13 for proportionate lease payments for office space for employees
14 shall be deposited into the Agricultural Premium Fund.

15 (Source: P.A. 94-388, eff. 7-29-05.)

16 Section 5-36. The I-FLY Act is amended by changing Sections
17 10, 15, 20, and 25 as follows:

18 (20 ILCS 3958/10)

19 Sec. 10. Definitions. As used in this Act:

20 "Air carrier" means an entity that provides commercial
21 passenger air transportation.

22 "Commission" means the Air Service Commission.

23 "Department" means the Department of Transportation.

24 (Source: P.A. 93-585, eff. 8-22-03.)

25 (20 ILCS 3958/15)

26 Sec. 15. I-FLY Fund.

27 (a) The I-FLY Fund is created as a special fund in the
28 State treasury. Moneys may be deposited into the Fund from: (1)
29 appropriations made by the General Assembly and units of local
30 government to the Fund, (2) federal moneys designated for the
31 Fund, and (3) any grants or gifts designated for the Fund.

1 (b) The moneys in the Fund shall be used by the Department
2 ~~Commission~~, subject to appropriation, for air carrier
3 recruitment, ~~and~~ retention program grants, ~~and for~~ planning
4 grants, and Commission expenses.

5 (Source: P.A. 93-585, eff. 8-22-03.)

6 (20 ILCS 3958/20)

7 Sec. 20. Air Service Commission. There is created the Air
8 Service Commission. The Commission shall consist of 5 members,
9 each of whom has airport management or air carrier experience,
10 or both. The members shall be appointed by the Governor, with
11 the advice and consent of the Senate, each one from a different
12 geographical region of the State outside of Cook County. The
13 Governor shall designate one of the members as the chairperson.

14 Members shall serve for a term of 4 years, except that, for
15 the initial members appointed, one shall serve for a term of 5
16 years, one for a term of 4 years, one for a term of 3 years, one
17 for a term of 2 years, and one for a term of one year. Initial
18 terms shall commence on July 1, 2003. Each member shall serve
19 until a successor is appointed and qualified. Vacancies shall
20 be filled in the same manner as initial appointments. The
21 members shall not receive a salary but shall be reimbursed for
22 the necessary expenses incurred in the performance of their
23 duties.

24 The Commission ~~shall administer this Act and~~ is authorized
25 to do all things reasonable and necessary to accomplish the
26 goals of the I-FLY Program in cooperation with the Department.

27 (Source: P.A. 93-585, eff. 8-22-03.)

28 (20 ILCS 3958/25)

29 Sec. 25. I-FLY Program.

30 (a) The Department ~~Commission~~ shall establish the I-FLY
31 Program, in cooperation with the Commission. The Program shall
32 consist of the following components:

1 (1) air carrier recruitment and retention grants as
2 described in subsection (c); and

3 (2) planning grants under subsection (d).

4 The Department ~~Commission~~ may make grants under this Act
5 only to airports that are located completely outside of Cook
6 County.

7 (b) During any one-year period, an airport may receive a
8 grant for only one of the 2 components specified in subsection
9 (a).

10 (c) Air carrier recruitment and retention program grants.

11 (1) An airport may receive an air carrier recruitment
12 and retention program grant from the Department ~~Commission~~
13 only if:

14 (A) it is capable of supporting takeoffs and
15 landings by aircraft that have at least 19 passenger
16 seats or have made improvements or commitments to the
17 Department ~~Commission~~ to provide this capability; and

18 (B) it has a commitment from an air carrier to
19 start or continue air service to the community that the
20 airport serves subject to financial support from the
21 State and from the airport or unit of local government
22 that the airport serves. The commitment must specify
23 that the air carrier would not provide or continue to
24 provide service to the community if financial
25 assistance were not available.

26 (2) An application for an air carrier recruitment and
27 retention program grant must contain commitments from the
28 airport or the unit of local government in which the
29 airport is located as to the amount of the total project
30 cost, the contribution from the unit of local government or
31 airport, the method in which the contribution from the
32 airport or unit of local government will be generated, and
33 the requested State contribution.

34 (3) The air carrier recruitment and retention program

1 grant shall be used to guarantee the financial viability of
2 air carriers providing reasonable air service at the
3 airport. A grant under this subsection (c) to a particular
4 airport may be in only one of the following 3 forms:

5 (A) A grant may be used to guarantee that an air
6 carrier shall receive an agreed amount of revenue per
7 flight.

8 (B) A grant may be used to guarantee a reduced or
9 subsidized consumer ticket price.

10 (C) A grant may be used to guarantee a profit goal
11 established by the air carrier and airport.

12 (4) During the first year of a grant under this
13 subsection (c), the grant shall pay 80% of the total cost
14 of the guarantee and the airport or unit of local
15 government in which the airport is located shall pay 20% of
16 the total cost of the guarantee. During the second year of
17 a grant under this subsection (c), the grant shall pay 50%
18 of the total cost of the guarantee and the airport or the
19 unit of local government in which the airport is located
20 shall pay 50% of the total cost of the guarantee.

21 (5) The total State funding for a grant under this
22 subsection (c) to a particular airport may not exceed
23 \$1,000,000 in any year.

24 (6) An airport that has received a 2-year grant under
25 this subsection (c) may apply for another grant for an
26 additional 2-year period; however, the Department
27 ~~Commission~~ shall, in determining whether to make a grant
28 for an additional 2-year period, give priority to other
29 airports that have not previously received a grant under
30 this subsection (c). The Department ~~Commission~~ shall also
31 give priority in making grants under this subsection (c) to
32 airports at which the Department ~~Commission~~ determines
33 that a 2-year grant may result in the creation of stable
34 and reliable commercial air service without an additional

1 grant.

2 (d) Planning grants. An airport may apply for and receive a
3 planning grant to conduct feasibility studies or business plans
4 designed to study the recruitment, retention, or expansion of
5 an air carrier at the airport. To be eligible for a grant under
6 this subsection (d), the airport must have the potential for
7 initial or expanded air service as the Department ~~Commission~~
8 determines through its evaluation process. The grant shall pay
9 70% of the total cost of the feasibility studies or business
10 plans and the airport or the unit of local government in which
11 the airport is located shall pay 30% of the total cost of the
12 feasibility studies or business plans. An airport may receive
13 only one planning grant.

14 (Source: P.A. 93-585, eff. 8-22-03.)

15 Section 5-37. The Compensation Review Act is amended by
16 changing Section 2 as follows:

17 (25 ILCS 120/2) (from Ch. 63, par. 902)

18 Sec. 2. There is created the Compensation Review Board,
19 hereinafter referred to as the Board, as an independent
20 commission within the legislative branch of State government.

21 The Board shall consist of 12 members, appointed 3 each by
22 the Speaker of the House of Representatives, the Minority
23 Leader thereof, the President of the Senate, and the Minority
24 Leader thereof. Members shall be adults and be residents of
25 Illinois. Members may not be members or employees or former
26 members or employees of the judicial, executive or legislative
27 branches of State government; nor may members be persons
28 registered under the Lobbyist Registration Act. Any member may
29 be reappointed for a consecutive term. The respective
30 appointing legislative leader may remove any such appointed
31 member prior to the expiration of his term on the Board for
32 official misconduct, incompetence or neglect of duty.

1 Members shall serve without compensation but shall receive
2 an allowance for living expenses incurred in the performance of
3 their official duties in an amount per day equal to the amount
4 permitted to be deducted for such expenses by members of the
5 General Assembly under the federal Internal Revenue Code, as
6 now or hereafter amended. The rate for reimbursement of mileage
7 expenses shall be equal to the amount established from time to
8 time for members of the General Assembly.

9 The Board may, without regard to the Personnel Code, employ
10 and fix the compensation or remuneration of employees and
11 contract for personal and professional services as it considers
12 necessary or desirable. The General Assembly shall appropriate
13 to the Commission on Government Forecasting and Accountability
14 the funds necessary to operate the Board, and the Commission
15 shall prepare and submit vouchers on behalf of the Board and
16 provide other fiscal services to the Board as the Board
17 requests and directs; but the Commission shall not exercise any
18 authority or control over the Board or its employees or
19 contractors.

20 (Source: P.A. 91-357, eff. 7-29-99; 91-798, eff. 7-9-00.)

21 Section 5-40. The State Finance Act is amended by changing
22 Sections 6p-5, 6z-32, 6z-63, 6z-64, 8.3, 8.16c, 8.43, 8.44,
23 8.55, 8g, 8h, and 13.2 and by adding Sections 5.663 and 8.45 as
24 follows:

25 (30 ILCS 105/5.663 new)

26 Sec. 5.663. The Pension Stabilization Fund.

27 (30 ILCS 105/6p-5)

28 Sec. 6p-5. Efficiency Initiatives Revolving Fund. Amounts
29 designated by the Director of Central Management Services and
30 approved by the Governor as savings from the efficiency
31 initiatives authorized by Section 405-292 of the Department of

1 Central Management Services Law of the Civil Administrative
2 Code of Illinois shall be paid into the Efficiency Initiatives
3 Revolving Fund. State agencies shall pay these amounts into the
4 Efficiency Initiatives Revolving Fund from the line item
5 appropriations where the cost savings are anticipated to occur.
6 The money in this fund shall be used by the Department for
7 expenses incurred in connection with the efficiency
8 initiatives authorized by Section 405-292 of the Department of
9 Central Management Services Law of the Civil Administrative
10 Code of Illinois or for payment of Facilities Management
11 Revolving Fund billings issued to the Department, as authorized
12 under Section 6z-65. On or before August 31, 2004, and each
13 August 31 thereafter, the Department of Central Management
14 Services shall transfer excess balances in the Efficiency
15 Initiatives Revolving Fund to the General Revenue Fund. As used
16 in this Section, "excess balances" means amounts in excess of
17 the amount necessary to fund current and anticipated efficiency
18 initiatives.

19 (Source: P.A. 93-25, eff. 6-20-03.)

20 (30 ILCS 105/6z-32)

21 Sec. 6z-32. Conservation 2000.

22 (a) The Conservation 2000 Fund and the Conservation 2000
23 Projects Fund are created as special funds in the State
24 Treasury. These funds shall be used to establish a
25 comprehensive program to protect Illinois' natural resources
26 through cooperative partnerships between State government and
27 public and private landowners. Moneys in these Funds may be
28 used, subject to appropriation, by the Environmental
29 Protection Agency and the Departments of Agriculture, Natural
30 Resources, and Transportation for purposes relating to natural
31 resource protection, recreation, tourism, and compatible
32 agricultural and economic development activities. Without
33 limiting these general purposes, moneys in these Funds may be

1 used, subject to appropriation, for the following specific
2 purposes:

3 (1) To foster sustainable agriculture practices and
4 control soil erosion and sedimentation, including grants
5 to Soil and Water Conservation Districts for conservation
6 practice cost-share grants and for personnel, educational,
7 and administrative expenses.

8 (2) To establish and protect a system of ecosystems in
9 public and private ownership through conservation
10 easements, incentives to public and private landowners,
11 including technical assistance and grants, and land
12 acquisition provided these mechanisms are all voluntary on
13 the part of the landowner and do not involve the use of
14 eminent domain.

15 (3) To develop a systematic and long-term program to
16 effectively measure and monitor natural resources and
17 ecological conditions through investments in technology
18 and involvement of scientific experts.

19 (4) To initiate strategies to enhance, use, and
20 maintain Illinois' inland lakes through education,
21 technical assistance, research, and financial incentives.

22 (5) To conduct an extensive review of existing Illinois
23 water laws.

24 (b) The State Comptroller and State Treasurer shall
25 automatically transfer on the last day of each month, beginning
26 on September 30, 1995 and ending on June 30, 2009, from the
27 General Revenue Fund to the Conservation 2000 Fund, an amount
28 equal to 1/10 of the amount set forth below in fiscal year 1996
29 and an amount equal to 1/12 of the amount set forth below in
30 each of the other specified fiscal years:

| 31 Fiscal Year | Amount |
|----------------|--------------|
| 32 1996 | \$ 3,500,000 |
| 33 1997 | \$ 9,000,000 |
| 34 1998 | \$10,000,000 |

| | | |
|---|--|--------------|
| 1 | 1999 | \$11,000,000 |
| 2 | 2000 | \$12,500,000 |
| 3 | 2001 through 2004 | \$14,000,000 |
| 4 | 2005 | \$7,000,000 |
| 5 | 2006 | \$11,000,000 |
| 6 | <u>2007</u> | <u>\$0</u> |
| 7 | <u>2008</u> 2007 through 2009 | \$14,000,000 |

8 (c) Notwithstanding any other provision of law to the
9 contrary and in addition to any other transfers that may be
10 provided for by law, on the last day of each month beginning on
11 July 31, 2006 and ending on June 30, 2007, or as soon
12 thereafter as may be practical, the State Comptroller shall
13 direct and the State Treasurer shall transfer \$1,000,000 from
14 the Open Space Lands Acquisition and Development Fund to the
15 Conservation 2000 Fund.

16 (d) ~~(e)~~ There shall be deposited into the Conservation 2000
17 Projects Fund such bond proceeds and other moneys as may, from
18 time to time, be provided by law.

19 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

20 (30 ILCS 105/6z-63)
21 Sec. 6z-63. The Professional Services Fund.

22 (a) The Professional Services Fund is created as a
23 revolving fund in the State treasury. The following moneys
24 shall be deposited into the Fund:

25 (1) amounts authorized for transfer to the Fund from
26 the General Revenue Fund and other State funds (except for
27 funds classified by the Comptroller as federal trust funds
28 or State trust funds) pursuant to State law or Executive
29 Order;

30 (2) federal funds received by the Department of Central
31 Management Services (the "Department") as a result of
32 expenditures from the Fund;

33 (3) interest earned on moneys in the Fund; and

1 (4) receipts or inter-fund transfers resulting from
 2 billings issued by the Department to State agencies for the
 3 cost of professional services rendered by the Department
 4 that are not compensated through the specific fund
 5 transfers authorized by this Section.

6 (b) Moneys in the Fund may be used by the Department for
 7 reimbursement or payment for:

8 (1) providing professional services to State agencies
 9 or other State entities;

10 (2) rendering other services to State agencies at the
 11 Governor's direction or to other State entities upon
 12 agreement between the Director of Central Management
 13 Services and the appropriate official or governing body of
 14 the other State entity; or

15 (3) providing for payment of administrative and other
 16 expenses incurred by the Department in providing
 17 professional services.

18 (c) State agencies or other State entities may direct the
 19 Comptroller to process inter-fund transfers or make payment
 20 through the voucher and warrant process to the Professional
 21 Services Fund in satisfaction of billings issued under
 22 subsection (a) of this Section.

23 (d) Reconciliation. For the fiscal year beginning on July
 24 1, 2004 only, the Director of Central Management Services (the
 25 "Director") shall order that each State agency's payments and
 26 transfers made to the Fund be reconciled with actual Fund costs
 27 for professional services provided by the Department on no less
 28 than an annual basis. The Director may require reports from
 29 State agencies as deemed necessary to perform this
 30 reconciliation.

31 (e) The following amounts are authorized for transfer into
 32 the Professional Services Fund for the fiscal year beginning
 33 July 1, 2004:

34 General Revenue Fund \$5,440,431

| | | |
|----|--|-----------|
| 1 | Road Fund | \$814,468 |
| 2 | Motor Fuel Tax Fund | \$263,500 |
| 3 | Child Support Administrative Fund | \$234,013 |
| 4 | Professions Indirect Cost Fund | \$276,800 |
| 5 | Capital Development Board Revolving Fund | \$207,610 |
| 6 | Bank & Trust Company Fund | \$200,214 |
| 7 | State Lottery Fund | \$193,691 |
| 8 | Insurance Producer Administration Fund | \$174,672 |
| 9 | Insurance Financial Regulation Fund | \$168,327 |
| 10 | Illinois Clean Water Fund | \$124,675 |
| 11 | Clean Air Act (CAA) Permit Fund | \$91,803 |
| 12 | Statistical Services Revolving Fund | \$90,959 |
| 13 | Financial Institution Fund | \$109,428 |
| 14 | Horse Racing Fund | \$71,127 |
| 15 | Health Insurance Reserve Fund | \$66,577 |
| 16 | Solid Waste Management Fund | \$61,081 |
| 17 | Guardianship and Advocacy Fund | \$1,068 |
| 18 | Agricultural Premium Fund | \$493 |
| 19 | Wildlife and Fish Fund | \$247 |
| 20 | Radiation Protection Fund | \$33,277 |
| 21 | Nuclear Safety Emergency Preparedness Fund | \$25,652 |
| 22 | Tourism Promotion Fund | \$6,814 |

23 All of these transfers shall be made on July 1, 2004, or as
 24 soon thereafter as practical. These transfers shall be made
 25 notwithstanding any other provision of State law to the
 26 contrary.

27 (e-5) Notwithstanding any other provision of State law to
 28 the contrary, on or after July 1, 2005 and through June 30,
 29 2006, in addition to any other transfers that may be provided
 30 for by law, at the direction of and upon notification from the
 31 Director of Central Management Services, the State Comptroller
 32 shall direct and the State Treasurer shall transfer amounts
 33 into the Professional Services Fund from the designated funds
 34 not exceeding the following totals:

| | | |
|----|---|-------------|
| 1 | Food and Drug Safety Fund | \$3,249 |
| 2 | Financial Institution Fund | \$12,942 |
| 3 | General Professions Dedicated Fund | \$8,579 |
| 4 | Illinois Department of Agriculture | |
| 5 | Laboratory Services Revolving Fund | \$1,963 |
| 6 | Illinois Veterans' Rehabilitation Fund | \$11,275 |
| 7 | State Boating Act Fund | \$27,000 |
| 8 | State Parks Fund | \$22,007 |
| 9 | Agricultural Premium Fund | \$59,483 |
| 10 | Fire Prevention Fund | \$29,862 |
| 11 | Mental Health Fund | \$78,213 |
| 12 | Illinois State Pharmacy Disciplinary Fund | \$2,744 |
| 13 | Radiation Protection Fund | \$16,034 |
| 14 | Solid Waste Management Fund | \$37,669 |
| 15 | Illinois Gaming Law Enforcement Fund | \$7,260 |
| 16 | Subtitle D Management Fund | \$4,659 |
| 17 | Illinois State Medical Disciplinary Fund | \$8,602 |
| 18 | Department of Children and | |
| 19 | Family Services Training Fund | \$29,906 |
| 20 | Facility Licensing Fund | \$1,083 |
| 21 | Youth Alcoholism and Substance | |
| 22 | Abuse Prevention Fund | \$2,783 |
| 23 | Plugging and Restoration Fund | \$1,105 |
| 24 | State Crime Laboratory Fund | \$1,353 |
| 25 | Motor Vehicle Theft Prevention Trust Fund | \$9,190 |
| 26 | Weights and Measures Fund | \$4,932 |
| 27 | Solid Waste Management Revolving | |
| 28 | Loan Fund | \$2,735 |
| 29 | Illinois School Asbestos Abatement Fund | \$2,166 |
| 30 | Violence Prevention Fund | \$5,176 |
| 31 | Capital Development Board Revolving Fund | \$14,777 |
| 32 | DCFS Children's Services Fund | \$1,256,594 |
| 33 | State Police DUI Fund | \$1,434 |
| 34 | Illinois Health Facilities Planning Fund | \$3,191 |

| | | |
|----|---|-----------|
| 1 | Emergency Public Health Fund | \$7,996 |
| 2 | Fair and Exposition Fund | \$3,732 |
| 3 | Nursing Dedicated and Professional Fund | \$5,792 |
| 4 | Optometric Licensing and Disciplinary Board Fund .. | \$1,032 |
| 5 | Underground Resources Conservation Enforcement Fund | \$1,221 |
| 6 | State Rail Freight Loan Repayment Fund | \$6,434 |
| 7 | Drunk and Drugged Driving Prevention Fund | \$5,473 |
| 8 | Illinois Affordable Housing Trust Fund | \$118,222 |
| 9 | Community Water Supply Laboratory Fund | \$10,021 |
| 10 | Used Tire Management Fund | \$17,524 |
| 11 | Natural Areas Acquisition Fund | \$15,501 |
| 12 | Open Space Lands Acquisition | |
| 13 | and Development Fund | \$49,105 |
| 14 | Working Capital Revolving Fund | \$126,344 |
| 15 | State Garage Revolving Fund | \$92,513 |
| 16 | Statistical Services Revolving Fund | \$181,949 |
| 17 | Paper and Printing Revolving Fund | \$3,632 |
| 18 | Air Transportation Revolving Fund | \$1,969 |
| 19 | Communications Revolving Fund | \$304,278 |
| 20 | Environmental Laboratory Certification Fund | \$1,357 |
| 21 | Public Health Laboratory Services Revolving Fund .. | \$5,892 |
| 22 | Provider Inquiry Trust Fund | \$1,742 |
| 23 | Lead Poisoning Screening, | |
| 24 | Prevention, and Abatement Fund | \$8,200 |
| 25 | Drug Treatment Fund | \$14,028 |
| 26 | Feed Control Fund | \$2,472 |
| 27 | Plumbing Licensure and Program Fund | \$3,521 |
| 28 | Insurance Premium Tax Refund Fund | \$7,872 |
| 29 | Tax Compliance and Administration Fund | \$5,416 |
| 30 | Appraisal Administration Fund | \$2,924 |
| 31 | Trauma Center Fund | \$40,139 |
| 32 | Alternate Fuels Fund | \$1,467 |
| 33 | Illinois State Fair Fund | \$13,844 |
| 34 | State Asset Forfeiture Fund | \$8,210 |

| | | |
|----|--|-----------|
| 1 | Federal Asset Forfeiture Fund | \$6,471 |
| 2 | Department of Corrections Reimbursement | |
| 3 | and Education Fund | \$78,965 |
| 4 | Health Facility Plan Review Fund | \$3,444 |
| 5 | LEADS Maintenance Fund | \$6,075 |
| 6 | State Offender DNA Identification | |
| 7 | System Fund..... | \$1,712 |
| 8 | Illinois Historic Sites Fund | \$4,511 |
| 9 | Public Pension Regulation Fund | \$2,313 |
| 10 | Workforce, Technology, and Economic | |
| 11 | Development Fund | \$5,357 |
| 12 | Renewable Energy Resources Trust Fund | \$29,920 |
| 13 | Energy Efficiency Trust Fund | \$8,368 |
| 14 | Pesticide Control Fund | \$6,687 |
| 15 | Conservation 2000 Fund | \$30,764 |
| 16 | Wireless Carrier Reimbursement Fund | \$91,024 |
| 17 | International Tourism Fund | \$13,057 |
| 18 | Public Transportation Fund | \$701,837 |
| 19 | Horse Racing Fund | \$18,589 |
| 20 | Death Certificate Surcharge Fund | \$1,901 |
| 21 | State Police Wireless Service | |
| 22 | Emergency Fund | \$1,012 |
| 23 | Downstate Public Transportation Fund | \$112,085 |
| 24 | Motor Carrier Safety Inspection Fund | \$6,543 |
| 25 | State Police Whistleblower Reward | |
| 26 | and Protection Fund | \$1,894 |
| 27 | Illinois Standardbred Breeders Fund | \$4,412 |
| 28 | Illinois Thoroughbred Breeders Fund | \$6,635 |
| 29 | Illinois Clean Water Fund | \$17,579 |
| 30 | Independent Academic Medical Center Fund | \$5,611 |
| 31 | Child Support Administrative Fund | \$432,527 |
| 32 | Corporate Headquarters Relocation | |
| 33 | Assistance Fund | \$4,047 |
| 34 | Local Initiative Fund | \$58,762 |

| | | |
|----|--|----------|
| 1 | Tourism Promotion Fund | \$88,072 |
| 2 | Digital Divide Elimination Fund | \$11,593 |
| 3 | Presidential Library and Museum Operating Fund | \$4,624 |
| 4 | Metro-East Public Transportation Fund | \$47,787 |
| 5 | Medical Special Purposes Trust Fund | \$11,779 |
| 6 | Dram Shop Fund | \$11,317 |
| 7 | Illinois State Dental Disciplinary Fund | \$1,986 |
| 8 | Hazardous Waste Research Fund | \$1,333 |
| 9 | Real Estate License Administration Fund | \$10,886 |
| 10 | Traffic and Criminal Conviction | |
| 11 | Surcharge Fund | \$44,798 |
| 12 | Criminal Justice Information | |
| 13 | Systems Trust Fund | \$5,693 |
| 14 | Design Professionals Administration | |
| 15 | and Investigation Fund | \$2,036 |
| 16 | State Surplus Property Revolving Fund | \$6,829 |
| 17 | Illinois Forestry Development Fund | \$7,012 |
| 18 | State Police Services Fund | \$47,072 |
| 19 | Youth Drug Abuse Prevention Fund | \$1,299 |
| 20 | Metabolic Screening and Treatment Fund | \$15,947 |
| 21 | Insurance Producer Administration Fund | \$30,870 |
| 22 | Coal Technology Development Assistance Fund | \$43,692 |
| 23 | Rail Freight Loan Repayment Fund | \$1,016 |
| 24 | Low-Level Radioactive Waste | |
| 25 | Facility Development and Operation Fund | \$1,989 |
| 26 | Environmental Protection Permit and Inspection Fund | \$32,125 |
| 27 | Park and Conservation Fund | \$41,038 |
| 28 | Local Tourism Fund | \$34,492 |
| 29 | Illinois Capital Revolving Loan Fund | \$10,624 |
| 30 | Illinois Equity Fund | \$1,929 |
| 31 | Large Business Attraction Fund | \$5,554 |
| 32 | Illinois Beach Marina Fund | \$5,053 |
| 33 | International and Promotional Fund | \$1,466 |
| 34 | Public Infrastructure Construction | |

1 Loan Revolving Fund \$3,111
 2 Insurance Financial Regulation Fund \$42,575
 3 Total \$4,975,487

4 (e-7) Notwithstanding any other provision of State law to
 5 the contrary, on or after July 1, 2006 and through June 30,
 6 2007, in addition to any other transfers that may be provided
 7 for by law, at the direction of and upon notification from the
 8 Director of Central Management Services, the State Comptroller
 9 shall direct and the State Treasurer shall transfer amounts
 10 into the Professional Services Fund from the designated funds
 11 not exceeding the following totals:

12 Food and Drug Safety Fund \$3,300
 13 Financial Institution Fund \$13,000
 14 General Professions Dedicated Fund \$8,600
 15 Illinois Department of Agriculture
 16 Laboratory Services Revolving Fund \$2,000
 17 Illinois Veterans' Rehabilitation Fund \$11,300
 18 State Boating Act Fund \$27,200
 19 State Parks Fund \$22,100
 20 Agricultural Premium Fund \$59,800
 21 Fire Prevention Fund \$30,000
 22 Mental Health Fund \$78,700
 23 Illinois State Pharmacy Disciplinary Fund \$2,800
 24 Radiation Protection Fund \$16,100
 25 Solid Waste Management Fund \$37,900
 26 Illinois Gaming Law Enforcement Fund \$7,300
 27 Subtitle D Management Fund \$4,700
 28 Illinois State Medical Disciplinary Fund \$8,700
 29 Facility Licensing Fund \$1,100
 30 Youth Alcoholism and
 31 Substance Abuse Prevention Fund \$2,800
 32 Plugging and Restoration Fund \$1,100
 33 State Crime Laboratory Fund \$1,400
 34 Motor Vehicle Theft Prevention Trust Fund \$9,200

| | | |
|----|--|-------------|
| 1 | <u>Weights and Measures Fund</u> | \$5,000 |
| 2 | <u>Illinois School Asbestos Abatement Fund</u> | \$2,200 |
| 3 | <u>Violence Prevention Fund</u> | \$5,200 |
| 4 | <u>Capital Development Board Revolving Fund</u> | \$14,900 |
| 5 | <u>DCFS Children's Services Fund</u> | \$1,294,000 |
| 6 | <u>State Police DUI Fund</u> | \$1,400 |
| 7 | <u>Illinois Health Facilities Planning Fund</u> | \$3,200 |
| 8 | <u>Emergency Public Health Fund</u> | \$8,000 |
| 9 | <u>Fair and Exposition Fund</u> | \$3,800 |
| 10 | <u>Nursing Dedicated and Professional Fund</u> | \$5,800 |
| 11 | <u>Optometric Licensing and Disciplinary Board Fund</u> .. | \$1,000 |
| 12 | <u>Underground Resources Conservation</u> | |
| 13 | <u>Enforcement Fund</u> | \$1,200 |
| 14 | <u>State Rail Freight Loan Repayment Fund</u> | \$6,500 |
| 15 | <u>Drunk and Drugged Driving Prevention Fund</u> | \$5,500 |
| 16 | <u>Illinois Affordable Housing Trust Fund</u> | \$118,900 |
| 17 | <u>Community Water Supply Laboratory Fund</u> | \$10,100 |
| 18 | <u>Used Tire Management Fund</u> | \$17,600 |
| 19 | <u>Natural Areas Acquisition Fund</u> | \$15,600 |
| 20 | <u>Open Space Lands Acquisition</u> | |
| 21 | <u>and Development Fund</u> | \$49,400 |
| 22 | <u>Working Capital Revolving Fund</u> | \$127,100 |
| 23 | <u>State Garage Revolving Fund</u> | \$93,100 |
| 24 | <u>Statistical Services Revolving Fund</u> | \$183,000 |
| 25 | <u>Paper and Printing Revolving Fund</u> | \$3,700 |
| 26 | <u>Air Transportation Revolving Fund</u> | \$2,000 |
| 27 | <u>Communications Revolving Fund</u> | \$306,100 |
| 28 | <u>Environmental Laboratory Certification Fund</u> | \$1,400 |
| 29 | <u>Public Health Laboratory Services</u> | |
| 30 | <u>Revolving Fund</u> | \$5,900 |
| 31 | <u>Provider Inquiry Trust Fund</u> | \$1,800 |
| 32 | <u>Lead Poisoning Screening, Prevention,</u> | |
| 33 | <u>and Abatement Fund</u> | \$8,200 |
| 34 | <u>Drug Treatment Fund</u> | \$14,100 |

| | | |
|----|--|-----------|
| 1 | <u>Feed Control Fund</u> | \$2,500 |
| 2 | <u>Plumbing Licensure and Program Fund</u> | \$3,500 |
| 3 | <u>Insurance Premium Tax Refund Fund</u> | \$7,900 |
| 4 | <u>Tax Compliance and Administration Fund</u> | \$5,400 |
| 5 | <u>Appraisal Administration Fund</u> | \$2,900 |
| 6 | <u>Trauma Center Fund</u> | \$40,400 |
| 7 | <u>Alternate Fuels Fund</u> | \$1,500 |
| 8 | <u>Illinois State Fair Fund</u> | \$13,900 |
| 9 | <u>State Asset Forfeiture Fund</u> | \$8,300 |
| 10 | <u>Department of Corrections</u> | |
| 11 | <u>Reimbursement and Education Fund</u> | \$79,400 |
| 12 | <u>Health Facility Plan Review Fund</u> | \$3,500 |
| 13 | <u>LEADS Maintenance Fund</u> | \$6,100 |
| 14 | <u>State Offender DNA Identification System Fund</u> | \$1,700 |
| 15 | <u>Illinois Historic Sites Fund</u> | \$4,500 |
| 16 | <u>Public Pension Regulation Fund</u> | \$2,300 |
| 17 | <u>Workforce, Technology, and Economic</u> | |
| 18 | <u>Development Fund</u> | \$5,400 |
| 19 | <u>Renewable Energy Resources Trust Fund</u> | \$30,100 |
| 20 | <u>Energy Efficiency Trust Fund</u> | \$8,400 |
| 21 | <u>Pesticide Control Fund</u> | \$6,700 |
| 22 | <u>Conservation 2000 Fund</u> | \$30,900 |
| 23 | <u>Wireless Carrier Reimbursement Fund</u> | \$91,600 |
| 24 | <u>International Tourism Fund</u> | \$13,100 |
| 25 | <u>Public Transportation Fund</u> | \$705,900 |
| 26 | <u>Horse Racing Fund</u> | \$18,700 |
| 27 | <u>Death Certificate Surcharge Fund</u> | \$1,900 |
| 28 | <u>State Police Wireless Service Emergency Fund</u> | \$1,000 |
| 29 | <u>Downstate Public Transportation Fund</u> | \$112,700 |
| 30 | <u>Motor Carrier Safety Inspection Fund</u> | \$6,600 |
| 31 | <u>State Police Whistleblower</u> | |
| 32 | <u>Reward and Protection Fund</u> | \$1,900 |
| 33 | <u>Illinois Standardbred Breeders Fund</u> | \$4,400 |
| 34 | <u>Illinois Thoroughbred Breeders Fund</u> | \$6,700 |

| | | |
|----|--|-----------|
| 1 | <u>Illinois Clean Water Fund</u> | \$17,700 |
| 2 | <u>Child Support Administrative Fund</u> | \$435,100 |
| 3 | <u>Tourism Promotion Fund</u> | \$88,600 |
| 4 | <u>Digital Divide Elimination Fund</u> | \$11,700 |
| 5 | <u>Presidential Library and Museum Operating Fund</u> | \$4,700 |
| 6 | <u>Metro-East Public Transportation Fund</u> | \$48,100 |
| 7 | <u>Medical Special Purposes Trust Fund</u> | \$11,800 |
| 8 | <u>Dram Shop Fund</u> | \$11,400 |
| 9 | <u>Illinois State Dental Disciplinary Fund</u> | \$2,000 |
| 10 | <u>Hazardous Waste Research Fund</u> | \$1,300 |
| 11 | <u>Real Estate License Administration Fund</u> | \$10,900 |
| 12 | <u>Traffic and Criminal Conviction Surcharge Fund</u> .. | \$45,100 |
| 13 | <u>Criminal Justice Information Systems Trust Fund</u> | \$5,700 |
| 14 | <u>Design Professionals Administration</u> | |
| 15 | <u>and Investigation Fund</u> | \$2,000 |
| 16 | <u>State Surplus Property Revolving Fund</u> | \$6,900 |
| 17 | <u>State Police Services Fund</u> | \$47,300 |
| 18 | <u>Youth Drug Abuse Prevention Fund</u> | \$1,300 |
| 19 | <u>Metabolic Screening and Treatment Fund</u> | \$16,000 |
| 20 | <u>Insurance Producer Administration Fund</u> | \$31,100 |
| 21 | <u>Coal Technology Development Assistance Fund</u> | \$43,900 |
| 22 | <u>Low-Level Radioactive Waste Facility</u> | |
| 23 | <u>Development and Operation Fund</u> | \$2,000 |
| 24 | <u>Environmental Protection Permit</u> | |
| 25 | <u>and Inspection Fund</u> | \$32,300 |
| 26 | <u>Park and Conservation Fund</u> | \$41,300 |
| 27 | <u>Local Tourism Fund</u> | \$34,700 |
| 28 | <u>Illinois Capital Revolving Loan Fund</u> | \$10,700 |
| 29 | <u>Illinois Equity Fund</u> | \$1,900 |
| 30 | <u>Large Business Attraction Fund</u> | \$5,600 |
| 31 | <u>Illinois Beach Marina Fund</u> | \$5,100 |
| 32 | <u>International and Promotional Fund</u> | \$1,500 |
| 33 | <u>Public Infrastructure Construction</u> | |
| 34 | <u>Loan Revolving Fund</u> | \$3,100 |

| | | |
|---|--|--------------------|
| 1 | <u>Insurance Financial Regulation Fund</u> | <u>\$42,800</u> |
| 2 | <u>Total</u> | <u>\$4,918,200</u> |

3 (e-10) Notwithstanding any other provision of State law to
 4 the contrary and in addition to any other transfers that may be
 5 provided for by law, on the first day of each calendar quarter
 6 of the fiscal year beginning July 1, 2005, or as soon as may be
 7 practical thereafter, the State Comptroller shall direct and
 8 the State Treasurer shall transfer from each designated fund
 9 into the Professional Services Fund amounts equal to one-fourth
 10 of each of the following totals:

| | | |
|----|----------------------------|-------------|
| 11 | General Revenue Fund | \$4,440,000 |
| 12 | Road Fund | \$5,324,411 |
| 13 | Total | \$9,764,411 |

14 (e-15) Notwithstanding any other provision of State law to
 15 the contrary and in addition to any other transfers that may be
 16 provided for by law, the State Comptroller shall direct and the
 17 State Treasurer shall transfer from the funds specified into
 18 the Professional Services Fund according to the schedule
 19 specified herein as follows:

| | | |
|----|-----------------------------------|--------------------|
| 20 | <u>General Revenue Fund</u> | <u>\$4,466,000</u> |
| 21 | <u>Road Fund</u> | <u>\$5,355,500</u> |
| 22 | <u>Total</u> | <u>\$9,821,500</u> |

23 One-fourth of the specified amount shall be transferred on
 24 each of July 1 and October 1, 2006, or as soon as may be
 25 practical thereafter, and one-half of the specified amount
 26 shall be transferred on January 1, 2007, or as soon as may be
 27 practical thereafter.

28 (f) The term "professional services" means services
 29 rendered on behalf of State agencies and other State entities
 30 pursuant to Section 405-293 of the Department of Central
 31 Management Services Law of the Civil Administrative Code of
 32 Illinois.

33 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

1 (30 ILCS 105/6z-64)

2 Sec. 6z-64. The Workers' Compensation Revolving Fund.

3 (a) The Workers' Compensation Revolving Fund is created as
4 a revolving fund in the State treasury. The following moneys
5 shall be deposited into the Fund:

6 (1) amounts authorized for transfer to the Fund from
7 the General Revenue Fund and other State funds (except for
8 funds classified by the Comptroller as federal trust funds
9 or State trust funds) pursuant to State law or Executive
10 Order;

11 (2) federal funds received by the Department of Central
12 Management Services (the "Department") as a result of
13 expenditures from the Fund;

14 (3) interest earned on moneys in the Fund;

15 (4) receipts or inter-fund transfers resulting from
16 billings issued by the Department to State agencies and
17 universities for the cost of workers' compensation
18 services rendered by the Department that are not
19 compensated through the specific fund transfers authorized
20 by this Section, if any;

21 (5) amounts received from a State agency or university
22 for workers' compensation payments for temporary total
23 disability, as provided in Section 405-105 of the
24 Department of Central Management Services Law of the Civil
25 Administrative Code of Illinois; and

26 (6) amounts recovered through subrogation in workers'
27 compensation and workers' occupational disease cases.

28 (b) Moneys in the Fund may be used by the Department for
29 reimbursement or payment for:

30 (1) providing workers' compensation services to State
31 agencies and State universities; or

32 (2) providing for payment of administrative and other
33 expenses incurred by the Department in providing workers'
34 compensation services.

1 (c) State agencies may direct the Comptroller to process
 2 inter-fund transfers or make payment through the voucher and
 3 warrant process to the Workers' Compensation Revolving Fund in
 4 satisfaction of billings issued under subsection (a) of this
 5 Section.

6 (d) Reconciliation. For the fiscal year beginning on July
 7 1, 2004 only, the Director of Central Management Services (the
 8 "Director") shall order that each State agency's payments and
 9 transfers made to the Fund be reconciled with actual Fund costs
 10 for workers' compensation services provided by the Department
 11 and attributable to the State agency and relevant fund on no
 12 less than an annual basis. The Director may require reports
 13 from State agencies as deemed necessary to perform this
 14 reconciliation.

15 (d-5) Notwithstanding any other provision of State law to
 16 the contrary, on or after July 1, 2005 and until June 30, 2006,
 17 in addition to any other transfers that may be provided for by
 18 law, at the direction of and upon notification of the Director
 19 of Central Management Services, the State Comptroller shall
 20 direct and the State Treasurer shall transfer amounts into the
 21 Workers' Compensation Revolving Fund from the designated funds
 22 not exceeding the following totals:

| | | |
|----|---|--------------|
| 23 | Mental Health Fund | \$17,694,000 |
| 24 | Statistical Services Revolving Fund | \$1,252,600 |
| 25 | Department of Corrections Reimbursement | |
| 26 | and Education Fund | \$1,198,600 |
| 27 | Communications Revolving Fund | \$535,400 |
| 28 | Child Support Administrative Fund | \$441,900 |
| 29 | Health Insurance Reserve Fund | \$238,900 |
| 30 | Fire Prevention Fund | \$234,100 |
| 31 | Park and Conservation Fund | \$142,000 |
| 32 | Motor Fuel Tax Fund | \$132,800 |
| 33 | Illinois Workers' Compensation | |
| 34 | Commission Operations Fund | \$123,900 |

| | | |
|----|--|--------------|
| 1 | State Boating Act Fund | \$112,300 |
| 2 | Public Utility Fund | \$106,500 |
| 3 | State Lottery Fund | \$101,300 |
| 4 | Traffic and Criminal Conviction | |
| 5 | Surcharge Fund | \$88,500 |
| 6 | State Surplus Property Revolving Fund | \$82,700 |
| 7 | Natural Areas Acquisition Fund | \$65,600 |
| 8 | Securities Audit and Enforcement Fund | \$65,200 |
| 9 | Agricultural Premium Fund | \$63,400 |
| 10 | Capital Development Fund | \$57,500 |
| 11 | State Gaming Fund | \$54,300 |
| 12 | Underground Storage Tank Fund | \$53,700 |
| 13 | Illinois State Medical Disciplinary Fund | \$53,000 |
| 14 | Personal Property Tax Replacement Fund | \$53,000 |
| 15 | General Professions Dedicated Fund | \$51,900 |
| 16 | Total | \$23,003,100 |

17 (d-10) Notwithstanding any other provision of State law to
18 the contrary and in addition to any other transfers that may be
19 provided for by law, on the first day of each calendar quarter
20 of the fiscal year beginning July 1, 2005, or as soon as may be
21 practical thereafter, the State Comptroller shall direct and
22 the State Treasurer shall transfer from each designated fund
23 into the Workers' Compensation Revolving Fund amounts equal to
24 one-fourth of each of the following totals:

| | | |
|----|----------------------------|--------------|
| 25 | General Revenue Fund | \$34,000,000 |
| 26 | Road Fund | \$25,987,000 |
| 27 | Total | \$59,987,000 |

28 (d-12) Notwithstanding any other provision of State law to
29 the contrary and in addition to any other transfers that may be
30 provided for by law, on the effective date of this amendatory
31 Act of the 94th General Assembly, or as soon as may be
32 practical thereafter, the State Comptroller shall direct and
33 the State Treasurer shall transfer from each designated fund
34 into the Workers' Compensation Revolving Fund the following

1 amounts:

| | | |
|---|-----------------------------------|----------------------|
| 2 | <u>General Revenue Fund</u> | <u>\$10,000,000</u> |
| 3 | <u>Road Fund</u> | <u>\$5,000,000</u> |
| 4 | <u>Total</u> | <u>\$15,000,000.</u> |

5 (d-15) Notwithstanding any other provision of State law to
6 the contrary and in addition to any other transfers that may be
7 provided for by law, on July 1, 2006, or as soon as may be
8 practical thereafter, the State Comptroller shall direct and
9 the State Treasurer shall transfer from each designated fund
10 into the Workers' Compensation Revolving Fund the following
11 amounts:

| | | |
|----|-----------------------------------|---------------------|
| 12 | <u>General Revenue Fund</u> | <u>\$44,028,200</u> |
| 13 | <u>Road Fund</u> | <u>\$28,084,000</u> |
| 14 | <u>Total</u> | <u>\$72,112,200</u> |

15 (d-20) Notwithstanding any other provision of State law to
16 the contrary, on or after July 1, 2006 and until June 30, 2007,
17 in addition to any other transfers that may be provided for by
18 law, at the direction of and upon notification of the Director
19 of Central Management Services, the State Comptroller shall
20 direct and the State Treasurer shall transfer amounts into the
21 Workers' Compensation Revolving Fund from the designated funds
22 not exceeding the following totals:

| | | |
|----|--|---------------------|
| 23 | <u>Mental Health Fund</u> | <u>\$19,121,800</u> |
| 24 | <u>Statistical Services Revolving Fund</u> | <u>\$1,353,700</u> |
| 25 | <u>Department of Corrections Reimbursement</u> | |
| 26 | <u>and Education Fund</u> | <u>\$1,295,300</u> |
| 27 | <u>Communications Revolving Fund</u> | <u>\$578,600</u> |
| 28 | <u>Child Support Administrative Fund</u> | <u>\$477,600</u> |
| 29 | <u>Health Insurance Reserve Fund</u> | <u>\$258,200</u> |
| 30 | <u>Fire Prevention Fund</u> | <u>\$253,000</u> |
| 31 | <u>Park and Conservation Fund</u> | <u>\$153,500</u> |
| 32 | <u>Motor Fuel Tax Fund</u> | <u>\$143,500</u> |
| 33 | <u>Illinois Workers' Compensation</u> | |
| 34 | <u>Commission Operations Fund</u> | <u>\$133,900</u> |

| | | |
|----|--|---------------------|
| 1 | <u>State Boating Act Fund</u> | <u>\$121,400</u> |
| 2 | <u>Public Utility Fund</u> | <u>\$115,100</u> |
| 3 | <u>State Lottery Fund</u> | <u>\$109,500</u> |
| 4 | <u>Traffic and Criminal Conviction Surcharge Fund</u> .. | <u>\$95,700</u> |
| 5 | <u>State Surplus Property Revolving Fund</u> | <u>\$89,400</u> |
| 6 | <u>Natural Areas Acquisition Fund</u> | <u>\$70,800</u> |
| 7 | <u>Securities Audit and Enforcement Fund</u> | <u>\$70,400</u> |
| 8 | <u>Agricultural Premium Fund</u> | <u>\$68,500</u> |
| 9 | <u>State Gaming Fund</u> | <u>\$58,600</u> |
| 10 | <u>Underground Storage Tank Fund</u> | <u>\$58,000</u> |
| 11 | <u>Illinois State Medical Disciplinary Fund</u> | <u>\$57,200</u> |
| 12 | <u>Personal Property Tax Replacement Fund</u> | <u>\$57,200</u> |
| 13 | <u>General Professions Dedicated Fund</u> | <u>\$56,100</u> |
| 14 | <u>Total</u> | <u>\$24,797,000</u> |

15 (e) The term "workers' compensation services" means
 16 services, claims expenses, and related administrative costs
 17 incurred in performing the duties under Sections 405-105 and
 18 405-411 of the Department of Central Management Services Law of
 19 the Civil Administrative Code of Illinois.

20 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

21 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

22 Sec. 8.3. Money in the Road Fund shall, if and when the
 23 State of Illinois incurs any bonded indebtedness for the
 24 construction of permanent highways, be set aside and used for
 25 the purpose of paying and discharging annually the principal
 26 and interest on that bonded indebtedness then due and payable,
 27 and for no other purpose. The surplus, if any, in the Road Fund
 28 after the payment of principal and interest on that bonded
 29 indebtedness then annually due shall be used as follows:

30 first -- to pay the cost of administration of Chapters
 31 2 through 10 of the Illinois Vehicle Code, except the cost
 32 of administration of Articles I and II of Chapter 3 of that
 33 Code; and

1 secondly -- for expenses of the Department of
2 Transportation for construction, reconstruction,
3 improvement, repair, maintenance, operation, and
4 administration of highways in accordance with the
5 provisions of laws relating thereto, or for any purpose
6 related or incident to and connected therewith, including
7 the separation of grades of those highways with railroads
8 and with highways and including the payment of awards made
9 by the Illinois Workers' Compensation Commission under the
10 terms of the Workers' Compensation Act or Workers'
11 Occupational Diseases Act for injury or death of an
12 employee of the Division of Highways in the Department of
13 Transportation; or for the acquisition of land and the
14 erection of buildings for highway purposes, including the
15 acquisition of highway right-of-way or for investigations
16 to determine the reasonably anticipated future highway
17 needs; or for making of surveys, plans, specifications and
18 estimates for and in the construction and maintenance of
19 flight strips and of highways necessary to provide access
20 to military and naval reservations, to defense industries
21 and defense-industry sites, and to the sources of raw
22 materials and for replacing existing highways and highway
23 connections shut off from general public use at military
24 and naval reservations and defense-industry sites, or for
25 the purchase of right-of-way, except that the State shall
26 be reimbursed in full for any expense incurred in building
27 the flight strips; or for the operating and maintaining of
28 highway garages; or for patrolling and policing the public
29 highways and conserving the peace; or for the operating
30 expenses of the Department relating to the administration
31 of public transportation programs; or for any of those
32 purposes or any other purpose that may be provided by law.

33 Appropriations for any of those purposes are payable from
34 the Road Fund. Appropriations may also be made from the Road

1 Fund for the administrative expenses of any State agency that
2 are related to motor vehicles or arise from the use of motor
3 vehicles.

4 Beginning with fiscal year 1980 and thereafter, no Road
5 Fund monies shall be appropriated to the following Departments
6 or agencies of State government for administration, grants, or
7 operations; but this limitation is not a restriction upon
8 appropriating for those purposes any Road Fund monies that are
9 eligible for federal reimbursement;

- 10 1. Department of Public Health;
- 11 2. Department of Transportation, only with respect to
12 subsidies for one-half fare Student Transportation and
13 Reduced Fare for Elderly;
- 14 3. Department of Central Management Services, except
15 for expenditures incurred for group insurance premiums of
16 appropriate personnel;
- 17 4. Judicial Systems and Agencies.

18 Beginning with fiscal year 1981 and thereafter, no Road
19 Fund monies shall be appropriated to the following Departments
20 or agencies of State government for administration, grants, or
21 operations; but this limitation is not a restriction upon
22 appropriating for those purposes any Road Fund monies that are
23 eligible for federal reimbursement:

- 24 1. Department of State Police, except for expenditures
25 with respect to the Division of Operations;
- 26 2. Department of Transportation, only with respect to
27 Intercity Rail Subsidies and Rail Freight Services.

28 Beginning with fiscal year 1982 and thereafter, no Road
29 Fund monies shall be appropriated to the following Departments
30 or agencies of State government for administration, grants, or
31 operations; but this limitation is not a restriction upon
32 appropriating for those purposes any Road Fund monies that are
33 eligible for federal reimbursement: Department of Central
34 Management Services, except for awards made by the Illinois

1 Workers' Compensation Commission under the terms of the
2 Workers' Compensation Act or Workers' Occupational Diseases
3 Act for injury or death of an employee of the Division of
4 Highways in the Department of Transportation.

5 Beginning with fiscal year 1984 and thereafter, no Road
6 Fund monies shall be appropriated to the following Departments
7 or agencies of State government for administration, grants, or
8 operations; but this limitation is not a restriction upon
9 appropriating for those purposes any Road Fund monies that are
10 eligible for federal reimbursement:

- 11 1. Department of State Police, except not more than 40%
12 of the funds appropriated for the Division of Operations;
- 13 2. State Officers.

14 Beginning with fiscal year 1984 and thereafter, no Road
15 Fund monies shall be appropriated to any Department or agency
16 of State government for administration, grants, or operations
17 except as provided hereafter; but this limitation is not a
18 restriction upon appropriating for those purposes any Road Fund
19 monies that are eligible for federal reimbursement. It shall
20 not be lawful to circumvent the above appropriation limitations
21 by governmental reorganization or other methods.
22 Appropriations shall be made from the Road Fund only in
23 accordance with the provisions of this Section.

24 Money in the Road Fund shall, if and when the State of
25 Illinois incurs any bonded indebtedness for the construction of
26 permanent highways, be set aside and used for the purpose of
27 paying and discharging during each fiscal year the principal
28 and interest on that bonded indebtedness as it becomes due and
29 payable as provided in the Transportation Bond Act, and for no
30 other purpose. The surplus, if any, in the Road Fund after the
31 payment of principal and interest on that bonded indebtedness
32 then annually due shall be used as follows:

- 33 first -- to pay the cost of administration of Chapters
34 2 through 10 of the Illinois Vehicle Code; and

1 secondly -- no Road Fund monies derived from fees,
2 excises, or license taxes relating to registration,
3 operation and use of vehicles on public highways or to
4 fuels used for the propulsion of those vehicles, shall be
5 appropriated or expended other than for costs of
6 administering the laws imposing those fees, excises, and
7 license taxes, statutory refunds and adjustments allowed
8 thereunder, administrative costs of the Department of
9 Transportation, including, but not limited to, the
10 operating expenses of the Department relating to the
11 administration of public transportation programs, payment
12 of debts and liabilities incurred in construction and
13 reconstruction of public highways and bridges, acquisition
14 of rights-of-way for and the cost of construction,
15 reconstruction, maintenance, repair, and operation of
16 public highways and bridges under the direction and
17 supervision of the State, political subdivision, or
18 municipality collecting those monies, and the costs for
19 patrolling and policing the public highways (by State,
20 political subdivision, or municipality collecting that
21 money) for enforcement of traffic laws. The separation of
22 grades of such highways with railroads and costs associated
23 with protection of at-grade highway and railroad crossing
24 shall also be permissible.

25 Appropriations for any of such purposes are payable from
26 the Road Fund or the Grade Crossing Protection Fund as provided
27 in Section 8 of the Motor Fuel Tax Law.

28 Except as provided in this paragraph, beginning with fiscal
29 year 1991 and thereafter, no Road Fund monies shall be
30 appropriated to the Department of State Police for the purposes
31 of this Section in excess of its total fiscal year 1990 Road
32 Fund appropriations for those purposes unless otherwise
33 provided in Section 5g of this Act. For fiscal years 2003,
34 2004, 2005, ~~and~~ 2006, and 2007 only, no Road Fund monies shall

1 be appropriated to the Department of State Police for the
 2 purposes of this Section in excess of \$97,310,000. It shall not
 3 be lawful to circumvent this limitation on appropriations by
 4 governmental reorganization or other methods unless otherwise
 5 provided in Section 5g of this Act.

6 In fiscal year 1994, no Road Fund monies shall be
 7 appropriated to the Secretary of State for the purposes of this
 8 Section in excess of the total fiscal year 1991 Road Fund
 9 appropriations to the Secretary of State for those purposes,
 10 plus \$9,800,000. It shall not be lawful to circumvent this
 11 limitation on appropriations by governmental reorganization or
 12 other method.

13 Beginning with fiscal year 1995 and thereafter, no Road
 14 Fund monies shall be appropriated to the Secretary of State for
 15 the purposes of this Section in excess of the total fiscal year
 16 1994 Road Fund appropriations to the Secretary of State for
 17 those purposes. It shall not be lawful to circumvent this
 18 limitation on appropriations by governmental reorganization or
 19 other methods.

20 Beginning with fiscal year 2000, total Road Fund
 21 appropriations to the Secretary of State for the purposes of
 22 this Section shall not exceed the amounts specified for the
 23 following fiscal years:

| | | |
|----|---|-----------------------|
| 24 | Fiscal Year 2000 | \$80,500,000; |
| 25 | Fiscal Year 2001 | \$80,500,000; |
| 26 | Fiscal Year 2002 | \$80,500,000; |
| 27 | Fiscal Year 2003 | \$130,500,000; |
| 28 | Fiscal Year 2004 | \$130,500,000; |
| 29 | Fiscal Year 2005 | \$130,500,000; |
| 30 | Fiscal Year 2006 | \$130,500,000; |
| 31 | <u>Fiscal Year 2007</u> | <u>\$130,500,000;</u> |
| 32 | Fiscal Year <u>2008</u> 2007 and | |
| 33 | each year thereafter | \$30,500,000. |

34 It shall not be lawful to circumvent this limitation on

1 appropriations by governmental reorganization or other
2 methods.

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

7 Nothing in this Section prohibits transfers from the Road
8 Fund to the State Construction Account Fund under Section 5e of
9 this Act; nor to the General Revenue Fund, as authorized by
10 this amendatory Act of the 93rd General Assembly.

11 The additional amounts authorized for expenditure in this
12 Section by Public Acts 92-0600, 93-0025, ~~and~~ 93-0839, and 94-91
13 shall be repaid to the Road Fund from the General Revenue Fund
14 in the next succeeding fiscal year that the General Revenue
15 Fund has a positive budgetary balance, as determined by
16 generally accepted accounting principles applicable to
17 government.

18 The additional amounts authorized for expenditure by the
19 Secretary of State and the Department of State Police in this
20 Section by this amendatory Act of the 94th General Assembly ~~and~~
21 ~~the 93rd General Assembly~~ shall be repaid to the Road Fund from
22 the General Revenue Fund in the next succeeding fiscal year
23 that the General Revenue Fund has a positive budgetary balance,
24 as determined by generally accepted accounting principles
25 applicable to government.

26 (Source: P.A. 93-25, eff. 6-20-03; 93-721, eff. 1-1-05; 93-839,
27 eff. 7-30-04; 94-91, eff. 7-1-05.)

28 (30 ILCS 105/8.16c)

29 Sec. 8.16c. Appropriations related to efficiency
30 initiatives. Appropriations for processing contracted
31 assistance, the purchase of commodities and equipment, the
32 retention of staff, and all other expenses incident to
33 efficiency initiatives authorized by Section 405-292 of the

1 Department of Central Management Services Law of the Civil
 2 Administrative Code of Illinois are payable from the Efficiency
 3 Initiatives Revolving Fund. Facilities Management Revolving
 4 Fund billings issued to the Department of Central Management
 5 Services, as authorized by Section 6z-65, are also payable from
 6 the Efficiency Initiatives Revolving Fund. Until there are
 7 sufficient funds in the Efficiency Initiatives Revolving Fund
 8 to carry out the purposes of this amendatory Act of the 93rd
 9 General Assembly, the State agencies subject to Section 405-292
 10 of the Department of Central Management Services Law of the
 11 Civil Administrative Code of Illinois shall, on written
 12 approval of the Director of Central Management Services, pay
 13 the costs associated with the efficiency initiative authorized
 14 by that Section from current appropriations as if those
 15 expenses were duly incurred by the respective agencies.

16 (Source: P.A. 93-25, eff. 6-20-03.)

17 (30 ILCS 105/8.43)

18 Sec. 8.43. Special fund transfers.

19 (a) In order to maintain the integrity of special funds and
 20 improve stability in the General Revenue Fund, the following
 21 transfers are authorized from the designated funds into the
 22 General Revenue Fund:

| | | |
|----|--|--------------|
| 23 | SECRETARY OF STATE SPECIAL LICENSE | |
| 24 | PLATE FUND | \$856,000 |
| 25 | SECURITIES INVESTORS EDUCATION FUND | \$3,271,000 |
| 26 | SECURITIES AUDIT & ENFORCEMENT FUND | \$17,014,000 |
| 27 | DEPARTMENT OF BUSINESS SERVICES SPECIAL | |
| 28 | OPERATIONS FUND | \$524,000 |
| 29 | SECRETARY OF STATE SPECIAL SERVICES FUND | \$600,000 |
| 30 | SECRETARY OF STATE DUI ADMINISTRATION FUND | \$582,000 |
| 31 | FOOD & DRUG SAFETY FUND | \$817,000 |
| 32 | TRANSPORTATION REGULATORY FUND | \$2,379,000 |
| 33 | FINANCIAL INSTITUTION FUND | \$2,003,000 |

| | | |
|----|--|--------------|
| 1 | GENERAL PROFESSIONS DEDICATED FUND | \$497,000 |
| 2 | DRIVERS EDUCATION FUND | \$2,967,000 |
| 3 | STATE BOATING ACT FUND | \$1,072,000 |
| 4 | AGRICULTURAL PREMIUM FUND | \$7,777,000 |
| 5 | PUBLIC UTILITY FUND | \$8,202,000 |
| 6 | RADIATION PROTECTION FUND | \$750,000 |
| 7 | SOLID WASTE MANAGEMENT FUND | \$10,084,000 |
| 8 | SUBTITLE D MANAGEMENT FUND | \$3,006,000 |
| 9 | PLUGGING AND RESTORATION FUND | \$1,255,000 |
| 10 | REGISTERED CERTIFIED PUBLIC ACCOUNTANTS | |
| 11 | ADMINISTRATION AND DISCIPLINARY FUND | \$819,000 |
| 12 | WEIGHTS AND MEASURES FUND | \$1,800,000 |
| 13 | SOLID WASTE MANAGEMENT REVOLVING LOAN FUND | \$647,000 |
| 14 | RESPONSE CONTRACTORS INDEMNIFICATION FUND | \$107,000 |
| 15 | CAPITAL DEVELOPMENT BOARD REVOLVING LOAN FUND .. | \$1,229,000 |
| 16 | PROFESSIONS INDIRECT COST FUND | \$39,000 |
| 17 | ILLINOIS HEALTH FACILITIES PLANNING FUND | \$2,351,000 |
| 18 | OPTOMETRIC LICENSING AND DISCIPLINARY | |
| 19 | BOARD FUND | \$1,121,000 |
| 20 | STATE RAIL FREIGHT LOAN REPAYMENT FUND | \$3,500,000 |
| 21 | ILLINOIS TAX INCREMENT FUND | \$1,500,000 |
| 22 | USED TIRE MANAGEMENT FUND | \$3,278,000 |
| 23 | AUDIT EXPENSE FUND | \$1,237,000 |
| 24 | INSURANCE PREMIUM TAX REFUND FUND | \$2,500,000 |
| 25 | CORPORATE FRANCHISE TAX REFUND FUND | \$1,650,000 |
| 26 | TAX COMPLIANCE AND ADMINISTRATION FUND | \$9,513,000 |
| 27 | APPRAISAL ADMINISTRATION FUND | \$1,107,000 |
| 28 | STATE ASSET FORFEITURE FUND | \$1,500,000 |
| 29 | FEDERAL ASSET FORFEITURE FUND | \$3,943,000 |
| 30 | DEPARTMENT OF CORRECTIONS REIMBURSEMENT | |
| 31 | AND EDUCATION FUND | \$14,500,000 |
| 32 | LEADS MAINTENANCE FUND | \$2,000,000 |
| 33 | STATE OFFENDER DNA IDENTIFICATION SYSTEM FUND | \$250,000 |
| 34 | WORKFORCE, TECHNOLOGY, AND ECONOMIC | |

| | | | |
|----|---|---------------------|------------------------|
| 1 | DEVELOPMENT FUND | <u>\$267,819.60</u> | \$1,500,000 |
| 2 | RENEWABLE ENERGY RESOURCES TRUST FUND | | \$9,510,000 |
| 3 | ENERGY EFFICIENCY TRUST FUND | | \$3,040,000 |
| 4 | CONSERVATION 2000 FUND | | \$7,439,000 |
| 5 | HORSE RACING FUND | | \$2,500,000 |
| 6 | STATE POLICE WIRELESS SERVICE EMERGENCY FUND | | \$500,000 |
| 7 | WHISTLEBLOWER REWARD AND PROTECTION FUND | | \$750,000 |
| 8 | TOBACCO SETTLEMENT RECOVERY FUND | | \$19,300,000 |
| 9 | PRESIDENTIAL LIBRARY AND MUSEUM FUND | | \$500,000 |
| 10 | MEDICAL SPECIAL PURPOSES TRUST FUND | | \$967,000 |
| 11 | DRAM SHOP FUND | | \$1,517,000 |
| 12 | DESIGN PROFESSIONALS ADMINISTRATION AND | | |
| 13 | INVESTIGATION FUND | | \$1,172,000 |
| 14 | ILLINOIS FORESTRY DEVELOPMENT FUND | | \$1,257,000 |
| 15 | STATE POLICE SERVICES FUND | | \$250,000 |
| 16 | METABOLIC SCREENING AND TREATMENT FUND | | \$3,435,000 |
| 17 | INSURANCE PRODUCER ADMINISTRATION FUND | | \$12,727,000 |
| 18 | LOW-LEVEL RADIOACTIVE WASTE FACILITY | | |
| 19 | DEVELOPMENT AND OPERATION FUND | | \$2,202,000 |
| 20 | LOW-LEVEL RADIOACTIVE WASTE FACILITY CLOSURE, | | |
| 21 | POST-CLOSURE CARE AND COMPENSATION FUND | | \$6,000,000 |
| 22 | ENVIRONMENTAL PROTECTION PERMIT AND | | |
| 23 | INSPECTION FUND | | \$874,000 |
| 24 | PARK AND CONSERVATION FUND | | \$1,000,000 |
| 25 | PUBLIC INFRASTRUCTURE CONSTRUCTION LOAN | | |
| 26 | REVOLVING FUND | | \$1,822,000 |
| 27 | LOBBYIST REGISTRATION ADMINISTRATION FUND | | \$327,000 |
| 28 | DIVISION OF CORPORATIONS REGISTERED | | |
| 29 | LIMITED LIABILITY PARTNERSHIP FUND | | \$356,000 |
| 30 | WORKING CAPITAL REVOLVING FUND | | |
| 31 | (30 ILCS 105/6) | | \$12,000,000 |

32 All of these transfers shall be made on the effective date
33 of this amendatory Act of the 93rd General Assembly, or as soon
34 thereafter as practical. These transfers shall be made

1 notwithstanding any other provision of State law to the
2 contrary.

3 (b) On and after the effective date of this amendatory Act
4 of the 93rd General Assembly through June 30, 2005, when any of
5 the funds listed in subsection (a) have insufficient cash from
6 which the State Comptroller may make expenditures properly
7 supported by appropriations from the fund, then the State
8 Treasurer and State Comptroller shall transfer from the General
9 Revenue Fund to the fund only such amount as is immediately
10 necessary to satisfy outstanding expenditure obligations on a
11 timely basis, subject to the provisions of the State Prompt
12 Payment Act. Any amounts transferred from the General Revenue
13 Fund to a fund pursuant to this subsection (b) from time to
14 time shall be re-transferred by the State Comptroller and the
15 State Treasurer from the receiving fund into the General
16 Revenue Fund as soon as and to the extent that deposits are
17 made into or receipts are collected by the receiving fund. In
18 all events, the full amounts of all transfers from the General
19 Revenue Fund to receiving funds shall be re-transferred to the
20 General Revenue Fund no later than June 30, 2005.

21 (c) The sum of \$57,700,000 shall be transferred, pursuant
22 to appropriation, from the State Pensions Fund to the
23 designated retirement systems (as defined in Section 8.12 of
24 the State Finance Act) on the effective date of this amendatory
25 Act of the 93rd General Assembly, or as soon thereafter as
26 practical. On April 16, 2005, or as soon thereafter as
27 practical, there shall be transferred, pursuant to
28 appropriation, from the State Pensions Fund to the designated
29 retirement systems (as defined in Section 8.12 of the State
30 Finance Act) the lesser of (i) an amount equal to the balance
31 in the State Pensions Fund on April 16, 2005, minus an amount
32 equal to 75% of the total amount of fiscal year 2005
33 appropriations from the State Pensions Fund that were
34 appropriated to the State Treasurer for administration of the

1 Uniform Disposition of Unclaimed Property Act or (ii)
 2 \$35,000,000. These transfers are intended to be all or part of
 3 the transfer required under Section 8.12 of the State Finance
 4 Act for fiscal year 2005.

5 (d) The sum of \$49,775,000 shall be transferred from the
 6 School Technology Revolving Loan Fund to the Common School Fund
 7 on the effective date of this amendatory Act of the 93rd
 8 General Assembly, or as soon thereafter as practical,
 9 notwithstanding any other provision of State law to the
 10 contrary.

11 (e) The sum of \$80,000,000 shall be transferred from the
 12 General Revenue Fund to the State Pensions Fund on the
 13 effective date of this amendatory Act of the 93rd General
 14 Assembly, or as soon thereafter as practical.

15 (Source: P.A. 93-839, eff. 7-30-04.)

16 (30 ILCS 105/8.44)

17 Sec. 8.44. Special fund transfers.

18 (a) In order to maintain the integrity of special funds and
 19 improve stability in the General Revenue Fund, the following
 20 transfers are authorized from the designated funds into the
 21 General Revenue Fund:

| | | |
|----|---|-------------|
| 22 | Aeronautics Fund | \$2,186 |
| 23 | Aggregate Operations Regulatory Fund | \$32,750 |
| 24 | Agrichemical Incident Response Trust Fund..... | \$419,830 |
| 25 | Agricultural Master Fund | \$17,827 |
| 26 | Air Transportation Revolving Fund..... | \$181,478 |
| 27 | Airport Land Loan Revolving Fund | \$1,669,970 |
| 28 | Alternate Fuels Fund | \$1,056,833 |
| 29 | Alternative Compliance Market Account Fund | \$53,120 |
| 30 | Appraisal Administration Fund..... | \$250,000 |
| 31 | Armory Rental Fund | \$111,538 |
| 32 | Assisted Living and Shared Housing Regulatory Fund .. | \$24,493 |
| 33 | Bank and Trust Company Fund..... | \$3,800,000 |

| | | |
|----|--|--------------|
| 1 | Capital Development Board Revolving Fund | \$453,054 |
| 2 | Care Provider Fund for Persons | |
| 3 | with a Developmental Disability..... | \$2,378,270 |
| 4 | Charter Schools Revolving Loan Fund..... | \$650,721 |
| 5 | Child Support Administrative Fund..... | \$1,117,266 |
| 6 | Coal Mining Regulatory Fund..... | \$127,583 |
| 7 | Communications Revolving Fund..... | \$12,999,839 |
| 8 | Community Health Center Care Fund..... | \$104,480 |
| 9 | Community Water Supply Laboratory Fund | \$716,232 |
| 10 | Continuing Legal Education Trust Fund..... | \$23,419 |
| 11 | Corporate Franchise Tax Refund Fund..... | \$500,000 |
| 12 | Court of Claims Administration and Grant Fund..... | \$24,949 |
| 13 | Criminal Justice Information Projects Fund | \$18,212 |
| 14 | DCFS Special Purposes Trust Fund | \$77,835 |
| 15 | Death Certificate Surcharge Fund | \$1,134,341 |
| 16 | Department of Business Services | |
| 17 | Special Operations Fund..... | \$2,000,000 |
| 18 | Department of Children and Family Services | |
| 19 | Training Fund..... | \$1,408,106 |
| 20 | Department of Corrections | |
| 21 | Reimbursement and Education Fund | \$2,208,323 |
| 22 | Department of Insurance State Trust Fund | \$18,009 |
| 23 | Department of Labor Special State Trust Fund | \$359,895 |
| 24 | Department on Aging State Projects Fund..... | \$10,059 |
| 25 | Design Professionals Administration | |
| 26 | and Investigation Fund | \$51,701 |
| 27 | DHS Recoveries Trust Fund..... | \$1,591,834 |
| 28 | DHS State Projects Fund..... | \$89,917 |
| 29 | Division of Corporations | |
| 30 | Registered Limited Liability Partnership Fund..... | \$150,000 |
| 31 | DNR Special Projects Fund..... | \$301,649 |
| 32 | Dram Shop Fund | \$110,554 |
| 33 | Drivers Education Fund | \$30,152 |
| 34 | Drug Rebate Fund | \$17,315,821 |

| | | |
|----|---|-------------|
| 1 | Drug Traffic Prevention Fund | \$22,123 |
| 2 | Drug Treatment Fund..... | \$160,030 |
| 3 | Drunk and Drugged Driving Prevention Fund..... | \$51,220 |
| 4 | Drycleaner Environmental Response Trust Fund | \$1,137,971 |
| 5 | DuQuoin State Fair Harness Racing Trust Fund | \$3,368 |
| 6 | Early Intervention Services Revolving Fund | \$1,044,935 |
| 7 | Economic Research and Information Fund | \$49,005 |
| 8 | Educational Labor Relations Board | |
| 9 | Fair Share Trust Fund..... | \$40,933 |
| 10 | Efficiency Initiatives Revolving Fund..... | \$6,178,298 |
| 11 | Emergency Planning and Training Fund | \$28,845 |
| 12 | Emergency Public Health Fund | \$139,997 |
| 13 | Emergency Response Reimbursement Fund..... | \$15,873 |
| 14 | EMS Assistance Fund..... | \$40,923 |
| 15 | Energy Assistance Contribution Fund..... | \$89,692 |
| 16 | Energy Efficiency Trust Fund | \$1,300,938 |
| 17 | Environmental Laboratory Certification Fund..... | \$62,039 |
| 18 | Environmental Protection Permit and Inspection Fund.. | \$180,571 |
| 19 | Environmental Protection Trust Fund..... | \$2,228,031 |
| 20 | EPA Court Trust Fund | \$338,646 |
| 21 | EPA Special State Projects Trust Fund..... | \$284,263 |
| 22 | Explosives Regulatory Fund | \$23,125 |
| 23 | Facilities Management Revolving Fund | \$4,803,971 |
| 24 | Facility Licensing Fund..... | \$22,958 |
| 25 | Family Care Fund | \$22,585 |
| 26 | Federal Asset Forfeiture Fund..... | \$1,871 |
| 27 | Feed Control Fund..... | \$478,234 |
| 28 | Fertilizer Control Fund..... | \$207,398 |
| 29 | Financial Institution Fund | \$2,448,690 |
| 30 | Firearm Owner's Notification Fund..... | \$3,960 |
| 31 | Food and Drug Safety Fund..... | \$421,401 |
| 32 | General Professions Dedicated Fund | \$3,975,808 |
| 33 | Good Samaritan Energy Trust Fund | \$7,191 |
| 34 | Governor's Grant Fund..... | \$1,592 |

| | | |
|----|---|-------------|
| 1 | Group Workers' Compensation Pool Insolvency Fund | \$136,547 |
| 2 | Guardianship and Advocacy Fund | \$27,289 |
| 3 | Hazardous Waste Occupational Licensing Fund..... | \$14,939 |
| 4 | Hazardous Waste Research Fund..... | \$125,209 |
| 5 | Health Facility Plan Review Fund | \$165,972 |
| 6 | Hearing Instrument Dispenser | |
| 7 | Examining and Disciplinary Fund..... | \$102,842 |
| 8 | Home Inspector Administration Fund | \$244,503 |
| 9 | IEMA State Projects Fund | \$13 |
| 10 | Illinois Beach Marina Fund | \$177,801 |
| 11 | Illinois Capital Revolving Loan Fund | \$4,024,106 |
| 12 | Illinois Clean Water Fund..... | \$1,835,796 |
| 13 | Illinois Community College Board | |
| 14 | Contracts and Grants Fund..... | \$9 |
| 15 | Illinois Department of Agriculture | |
| 16 | Laboratory Services Revolving Fund | \$174,795 |
| 17 | Illinois Equity Fund | \$119,193 |
| 18 | Illinois Executive Mansion Trust Fund..... | \$56,154 |
| 19 | Illinois Forestry Development Fund | \$1,389,096 |
| 20 | Illinois Future Teacher Corps Scholarship Fund | \$4,836 |
| 21 | Illinois Gaming Law Enforcement Fund | \$650,646 |
| 22 | Illinois Habitat Endowment Trust Fund..... | \$3,641,262 |
| 23 | Illinois Health Facilities Planning Fund | \$23,066 |
| 24 | Illinois Historic Sites Fund | \$134,366 |
| 25 | Illinois National Guard Armory Construction Fund | \$31,469 |
| 26 | Illinois Rural Rehabilitation Fund | \$8,190 |
| 27 | Illinois School Asbestos Abatement Fund..... | \$183,191 |
| 28 | Illinois State Fair Fund | \$50,176 |
| 29 | Illinois State Podiatric Disciplinary Fund | \$317,239 |
| 30 | Illinois Student Assistance Commission | |
| 31 | Contracts and Grants Fund..... | \$5,589 |
| 32 | Illinois Tourism Tax Fund..... | \$647,749 |
| 33 | Illinois Underground Utility Facilities | |
| 34 | Damage Prevention Fund | \$2,175 |

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|----|---|-------------|
| 1 | Illinois Veterans' Rehabilitation Fund | \$218,940 |
| 2 | Industrial Hygiene Regulatory and Enforcement Fund | \$3,564 |
| 3 | Innovations in Long-Term Care | |
| 4 | Quality Demonstration Grants Fund..... | \$565,494 |
| 5 | Insurance Financial Regulation Fund..... | \$800,000 |
| 6 | ISAC Accounts Receivable Fund..... | \$26,374 |
| 7 | ISBE GED Testing Fund..... | \$146,196 |
| 8 | ISBE Teacher Certificate Institute Fund..... | \$122,117 |
| 9 | J.J. Wolf Memorial for Conservation Investigation Fund | \$8,137 |
| 10 | Kaskaskia Commons Permanent Fund | \$79,813 |
| 11 | Land Reclamation Fund..... | \$30,582 |
| 12 | Large Business Attraction Fund | \$340,777 |
| 13 | Lawyers' Assistance Program Fund | \$198,207 |
| 14 | LEADS Maintenance Fund | \$76,981 |
| 15 | Lieutenant Governor's Grant Fund | \$188 |
| 16 | Livestock Management Facilities Fund | \$47,800 |
| 17 | Local Initiative Fund..... | \$1,940,646 |
| 18 | Local Tourism Fund | \$132,876 |
| 19 | Long Term Care Monitor/Receiver Fund | \$427,850 |
| 20 | Monetary Award Program Reserve Fund..... | \$879,700 |
| 21 | McCormick Place Expansion Project Fund | \$0 |
| 22 | Medicaid Buy-In Program Revolving Fund | \$318,894 |
| 23 | Medicaid Fraud and Abuse Prevention Fund | \$60,306 |
| 24 | Medical Special Purposes Trust Fund..... | \$930,668 |
| 25 | Military Affairs Trust Fund..... | \$68,468 |
| 26 | Motor Carrier Safety Inspection Fund | \$147,477 |
| 27 | Motor Fuel and Petroleum Standards Fund..... | \$19,673 |
| 28 | Motor Vehicle Review Board Fund..... | \$250,000 |
| 29 | Motor Vehicle Theft Prevention Trust Fund..... | \$1,415,361 |
| 30 | Narcotics Profit Forfeiture Fund | \$39,379 |
| 31 | Natural Heritage Endowment Trust Fund..... | \$557,264 |
| 32 | Natural Heritage Fund..... | \$3,336 |
| 33 | Natural Resources Information Fund | \$64,596 |
| 34 | Natural Resources Restoration Trust Fund | \$63,002 |

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|----|---|-------------|
| 1 | Off-Highway Vehicle Trails Fund..... | \$244,815 |
| 2 | Oil Spill Response Fund..... | \$167,547 |
| 3 | Paper and Printing Revolving Fund..... | \$48,476 |
| 4 | Park and Conservation Fund | \$3,050,154 |
| 5 | Pawnbroker Regulation Fund | \$94,131 |
| 6 | Pesticide Control Fund | \$420,223 |
| 7 | Petroleum Resources Revolving Fund | \$85,540 |
| 8 | Police Training Board Services Fund..... | \$1,540 |
| 9 | Pollution Control Board Fund | \$23,004 |
| 10 | Pollution Control Board Trust Fund | \$410,651 |
| 11 | Post Transplant Maintenance and Retention Fund | \$75,100 |
| 12 | Presidential Library and Museum Operating Fund | \$727,250 |
| 13 | Professional Regulation Evidence Fund..... | \$2,817 |
| 14 | Professional Services Fund | \$46,222 |
| 15 | Provider Inquiry Trust Fund..... | \$207,098 |
| 16 | Public Aid Recoveries Trust Fund | \$7,610,631 |
| 17 | Public Health Laboratory Services Revolving Fund | \$92,276 |
| 18 | Public Health Special State Projects Fund..... | \$816,202 |
| 19 | Public Health Water Permit Fund..... | \$17,624 |
| 20 | Public Infrastructure Construction | |
| 21 | Loan Revolving Fund..... | \$63,802 |
| 22 | Public Pension Regulation Fund | \$222,433 |
| 23 | Racing Board Fingerprint License Fund..... | \$16,835 |
| 24 | Radiation Protection Fund..... | \$212,010 |
| 25 | Real Estate License Administration Fund..... | \$1,500,000 |
| 26 | Regulatory Evaluation and Basic Enforcement Fund | \$64,221 |
| 27 | Regulatory Fund..... | \$55,246 |
| 28 | Renewable Energy Resources Trust Fund..... | \$14,033 |
| 29 | Response Contractors Indemnification Fund..... | \$126 |
| 30 | Rural/Downstate Health Access Fund | \$4,644 |
| 31 | Savings and Residential Finance Regulatory Fund.... | \$5,200,000 |
| 32 | School District Emergency Financial Assistance Fund | \$2,130,848 |
| 33 | School Technology Revolving Loan Fund..... | \$19,158 |
| 34 | Second Injury Fund | \$151,493 |

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|----|---|-------------|
| 1 | Secretary of State Interagency Grant Fund..... | \$40,900 |
| 2 | Secretary of State Special License Plate Fund..... | \$520,200 |
| 3 | Secretary of State Special Services Fund | \$2,500,000 |
| 4 | Securities Audit and Enforcement Fund..... | \$3,400,000 |
| 5 | Securities Investors Education Fund..... | \$100,000 |
| 6 | Self-Insurers Administration Fund..... | \$286,964 |
| 7 | Sex Offender Registration Fund | \$7,647 |
| 8 | Sexual Assault Services Fund | \$12,210 |
| 9 | Small Business Environmental Assistance Fund | \$13,686 |
| 10 | Snowmobile Trail Establishment Fund..... | \$3,124 |
| 11 | Solid Waste Management Fund..... | \$6,587,173 |
| 12 | Sports Facilities Tax Trust Fund | \$1,112,590 |
| 13 | State Appellate Defender Special State Projects Fund | \$23,820 |
| 14 | State Asset Forfeiture Fund..... | \$71,988 |
| 15 | State Boating Act Fund | \$401,824 |
| 16 | State College and University Trust Fund..... | \$139,439 |
| 17 | State Crime Laboratory Fund..... | \$44,965 |
| 18 | State Fair Promotional Activities Fund | \$8,734 |
| 19 | State Garage Revolving Fund..... | \$639,662 |
| 20 | State Offender DNA Identification System Fund..... | \$81,740 |
| 21 | State Off-Set Claims Fund..... | \$1,487,926 |
| 22 | State Parks Fund | \$1,045,889 |
| 23 | State Police Motor Vehicle Theft Prevention Fund | \$164,843 |
| 24 | State Police Vehicle Fund..... | \$22,899 |
| 25 | State Police Whistleblower Reward and Protection Fund | \$199,699 |
| 26 | State Rail Freight Loan Repayment Fund | \$1,147,727 |
| 27 | State Surplus Property Revolving Fund..... | \$388,284 |
| 28 | State Whistleblower Reward and Protection Fund | \$1,592 |
| 29 | State's Attorneys Appellate Prosecutor's County Fund | \$70,101 |
| 30 | Statewide Grand Jury Prosecution Fund..... | \$7,645 |
| 31 | Statistical Services Revolving Fund..... | \$4,847,783 |
| 32 | Subtitle D Management Fund | \$169,744 |
| 33 | Tanning Facility Permit Fund | \$64,571 |
| 34 | Tax Compliance and Administration Fund | \$429,377 |

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|----|---|-------------|
| 1 | Tax Recovery Fund..... | \$113,591 |
| 2 | Teacher Certificate Fee Revolving Fund | \$982,399 |
| 3 | Toxic Pollution Prevention Fund..... | \$28,534 |
| 4 | Underground Resources Conservation Enforcement Fund.. | \$294,251 |
| 5 | University Grant Fund..... | \$23,881 |
| 6 | Used Tire Management Fund..... | \$1,918,500 |
| 7 | Watershed Park Fund..... | \$19,786 |
| 8 | Weights and Measures Fund..... | \$1,078,121 |
| 9 | Workers' Compensation Benefit Trust Fund | \$266,574 |
| 10 | Workers' Compensation Revolving Fund | \$520,285 |
| 11 | Working Capital Revolving Fund | \$1,404,868 |
| 12 | Youth Alcoholism and Substance Abuse Prevention Fund | \$29,995 |
| 13 | Youth Drug Abuse Prevention Fund | \$4,091 |

14 All of these transfers shall be made in equal quarterly
15 installments with the first made on the effective date of this
16 amendatory Act of the 94th General Assembly, or as soon
17 thereafter as practical, and with the remaining transfers to be
18 made on October 1, January 1, and April 1, or as soon
19 thereafter as practical. These transfers shall be made
20 notwithstanding any other provision of State law to the
21 contrary.

22 The Governor may direct the State Comptroller and the State
23 Treasurer to reverse the transfers previously authorized by
24 statute to the General Revenue Fund and retransfer from the
25 General Revenue Fund, if applicable, all or a portion of the
26 transfers made pursuant to this subsection (a) to the following
27 funds:

- 28 (1) the Drycleaner Environmental Response Trust Fund;
- 29 (2) the Educational Labor Relations Board Fair Share
30 Trust Fund;
- 31 (3) the Environmental Protection Trust Fund;
- 32 (4) the Facilities Management Revolving Fund;
- 33 (5) the Illinois Forestry Development Fund;
- 34 (6) the Illinois Habitat Endowment Trust Fund;

1 (7) the Innovations in Long-Term Care Quality
2 Demonstration Grants Fund;

3 (8) the Kaskaskia Commons Permanent Fund;

4 (9) the Land Reclamation Fund;

5 (10) the Lawyers' Assistance Program Fund;

6 (11) the Local Initiative Fund;

7 (12) the Petroleum Resources Revolving Fund;

8 (13) the Sports Facilities Tax Trust Fund;

9 (14) the State Garage Revolving Fund;

10 (15) the State Off-Set Claims Fund; and

11 (16) the DCFS Special Purposes Trust Fund.

12 (b) On and after the effective date of this amendatory Act
13 of the 94th General Assembly through June 30, 2006, when any of
14 the funds listed in subsection (a) have insufficient cash from
15 which the State Comptroller may make expenditures properly
16 supported by appropriations from the fund, then the State
17 Treasurer and State Comptroller shall transfer from the General
18 Revenue Fund to the fund only such amount as is immediately
19 necessary to satisfy outstanding expenditure obligations on a
20 timely basis, subject to the provisions of the State Prompt
21 Payment Act. All or a portion of the ~~Any~~ amounts transferred
22 from the General Revenue Fund to a fund pursuant to this
23 subsection (b) from time to time may ~~shall~~ be re-transferred by
24 the State Comptroller and the State Treasurer from the
25 receiving fund into the General Revenue Fund as soon as and to
26 the extent that deposits are made into or receipts are
27 collected by the receiving fund. ~~In all events, the full~~
28 ~~amounts of all transfers from the General Revenue Fund to~~
29 ~~receiving funds shall be re-transferred to the General Revenue~~
30 ~~Fund no later than June 30, 2006.~~

31 (c) Notwithstanding any other provision of law, on July 1,
32 2005, or as soon thereafter as may be practical, the State
33 Comptroller and the State Treasurer shall transfer \$5,000,000
34 from the Communications Revolving Fund to the Hospital Basic

1 Services Prevention Fund.

2 (Source: P.A. 94-91, eff. 7-1-05.)

3 (30 ILCS 105/8.45 new)

4 Sec. 8.45. Special fund transfers.

5 (a) In order to maintain the integrity of special funds and
6 improve stability in the General Revenue Fund, the following
7 transfers are authorized from the designated funds into the
8 General Revenue Fund:

| | | |
|----|--|--------------------|
| 9 | <u>Food and Drug Safety Fund</u> | <u>\$421,000</u> |
| 10 | <u>Grade Crossing Prevention Fund</u> | <u>\$4,000,000</u> |
| 11 | <u>General Professions Dedicated Fund</u> | <u>\$5,000,000</u> |
| 12 | <u>Economic Research and Information Fund</u> | <u>\$25,000</u> |
| 13 | <u>Illinois Department of Agriculture</u> | |
| 14 | <u>Laboratory Services Revolving Fund</u> | <u>\$100,000</u> |
| 15 | <u>Drivers Education Fund</u> | <u>\$900,000</u> |
| 16 | <u>State Parks Fund</u> | <u>\$1,046,000</u> |
| 17 | <u>Illinois State Pharmacy Disciplinary Fund</u> | <u>\$3,000,000</u> |
| 18 | <u>Public Utility Fund</u> | <u>\$440,000</u> |
| 19 | <u>Solid Waste Management Fund</u> | <u>\$200,000</u> |
| 20 | <u>Illinois Gaming Law Enforcement Fund</u> | <u>\$652,000</u> |
| 21 | <u>Subtitle D Management Fund</u> | <u>\$300,000</u> |
| 22 | <u>Community Health Center Care Fund</u> | <u>\$100,000</u> |
| 23 | <u>School District Emergency Financial</u> | |
| 24 | <u>Assistance Fund</u> | <u>\$1,325,000</u> |
| 25 | <u>Explosives Regulatory Fund</u> | <u>\$23,000</u> |
| 26 | <u>Aggregate Operations Regulatory Fund</u> | <u>\$33,000</u> |
| 27 | <u>Coal Mining Regulatory Fund</u> | <u>\$50,000</u> |
| 28 | <u>Registered Certified Public Accountants'</u> | |
| 29 | <u>Administration and Disciplinary Fund</u> | <u>\$1,000,000</u> |
| 30 | <u>Agrichemical Incident Response Trust Fund</u> | <u>\$200,000</u> |
| 31 | <u>Motor Vehicle Theft Prevention Trust Fund</u> | <u>\$500,000</u> |
| 32 | <u>Weights and Measures Fund</u> | <u>\$600,000</u> |
| 33 | <u>Division of Corporations Registered Limited</u> | |

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|----|--|---------------------|
| 1 | <u>Liability Partnership Fund</u> | <u>\$555,000</u> |
| 2 | <u>Local Government Health Insurance</u> | |
| 3 | <u>Reserve Fund</u> | <u>\$1,000,000</u> |
| 4 | <u>IPTIP Administrative Trust Fund</u> | <u>\$700,000</u> |
| 5 | <u>Professions Indirect Cost Fund</u> | <u>\$500,000</u> |
| 6 | <u>State Police DUI Fund</u> | <u>\$150,000</u> |
| 7 | <u>Asbestos Abatement Fund</u> | <u>\$500,000</u> |
| 8 | <u>Savings and Residential Finance</u> | |
| 9 | <u>Regulatory Fund</u> | <u>\$6,000,000</u> |
| 10 | <u>Fair and Exposition Fund</u> | <u>\$200,000</u> |
| 11 | <u>State Police Vehicle Fund</u> | <u>\$144,000</u> |
| 12 | <u>Department of Labor Special</u> | |
| 13 | <u>State Trust Fund</u> | <u>\$162,000</u> |
| 14 | <u>Nursing Dedicated and Professional Fund</u> | <u>\$3,000,000</u> |
| 15 | <u>Underground Resources Conservation</u> | |
| 16 | <u>Enforcement Fund</u> | <u>\$100,000</u> |
| 17 | <u>Mandatory Arbitration Fund</u> | <u>\$906,000</u> |
| 18 | <u>Income Tax Refund Fund</u> | <u>\$44,000,000</u> |
| 19 | <u>Long Term Care Monitor/Receiver Fund</u> | <u>\$300,000</u> |
| 20 | <u>Community Water Supply Laboratory Fund</u> | <u>\$200,000</u> |
| 21 | <u>Used Tire Management Fund</u> | <u>\$1,000,000</u> |
| 22 | <u>Natural Areas Acquisition Fund</u> | <u>\$5,000,000</u> |
| 23 | <u>State Garage Revolving Fund</u> | <u>\$691,300</u> |
| 24 | <u>Statistical Services Revolving Fund</u> | <u>\$231,600</u> |
| 25 | <u>Paper and Printing Revolving Fund</u> | <u>\$9,900</u> |
| 26 | <u>Air Transportation Revolving Fund</u> | <u>\$100,000</u> |
| 27 | <u>Tax Recovery Fund</u> | <u>\$150,000</u> |
| 28 | <u>Communications Revolving Fund</u> | <u>\$1,076,800</u> |
| 29 | <u>Facilities Management Revolving Fund</u> | <u>\$111,900</u> |
| 30 | <u>Professional Services Fund</u> | <u>\$1,064,800</u> |
| 31 | <u>Treasurer's Rental Fee Fund</u> | <u>\$100,000</u> |
| 32 | <u>Workers' Compensation Revolving Fund</u> | <u>\$530,800</u> |
| 33 | <u>Audit Expense Fund</u> | <u>\$1,800,000</u> |
| 34 | <u>Securities Audit and Enforcement Fund</u> | <u>\$695,000</u> |

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|----|--|---------------------|
| 1 | <u>Department of Business Services</u> | |
| 2 | <u>Special Operations Fund</u> | <u>\$7,650,000</u> |
| 3 | <u>Innovations in Long-Term Care Quality</u> | |
| 4 | <u>Demonstration Grants Fund</u> | <u>\$300,000</u> |
| 5 | <u>State Treasurer's Bank Services Trust Fund</u> | <u>\$5,000,000</u> |
| 6 | <u>Corporate Franchise Tax Refund Fund</u> | <u>\$1,400,000</u> |
| 7 | <u>Tax Compliance and Administration Fund</u> | <u>\$429,400</u> |
| 8 | <u>Appraisal Administration Fund</u> | <u>\$1,000,000</u> |
| 9 | <u>Trauma Center Fund</u> | <u>\$5,000,000</u> |
| 10 | <u>Public Aid Recoveries Trust Fund</u> | <u>\$8,611,000</u> |
| 11 | <u>State Asset Forfeiture Fund</u> | <u>\$250,000</u> |
| 12 | <u>Health Facility Plan Review Fund</u> | <u>\$166,000</u> |
| 13 | <u>LEADS Maintenance Fund</u> | <u>\$77,000</u> |
| 14 | <u>Illinois Historic Sites Fund</u> | <u>\$134,400</u> |
| 15 | <u>Public Pension Regulation Fund</u> | <u>\$50,000</u> |
| 16 | <u>Pawnbroker Regulation Fund</u> | <u>\$100,000</u> |
| 17 | <u>Charter Schools Revolving Loan Fund</u> | <u>\$1,200,000</u> |
| 18 | <u>Attorney General Whistleblower</u> | |
| 19 | <u>Reward and Protection Fund</u> | <u>\$1,000,000</u> |
| 20 | <u>Wireless Carrier Reimbursement Fund</u> | <u>\$8,000,000</u> |
| 21 | <u>International Tourism Fund</u> | <u>\$3,000,000</u> |
| 22 | <u>Real Estate Recovery Fund</u> | <u>\$200,000</u> |
| 23 | <u>Death Certificate Surcharge Fund</u> | <u>\$1,000,000</u> |
| 24 | <u>Auction Recovery Fund</u> | <u>\$50,000</u> |
| 25 | <u>Motor Carrier Safety Inspection Fund</u> | <u>\$150,000</u> |
| 26 | <u>State Police Whistleblower Reward</u> | |
| 27 | <u>and Protection Fund</u> | <u>\$750,000</u> |
| 28 | <u>Post Transplant Maintenance and Retention Fund</u> .. | <u>\$75,000</u> |
| 29 | <u>Tobacco Settlement Recovery Fund</u> | <u>\$19,900,000</u> |
| 30 | <u>Medicaid Buy-In Program Revolving Fund</u> | <u>\$319,000</u> |
| 31 | <u>Home Inspector Administration Fund</u> | <u>\$200,000</u> |
| 32 | <u>Tourism Promotion Fund</u> | <u>\$4,000,000</u> |
| 33 | <u>Lawyers' Assistance Program Fund</u> | <u>\$67,200</u> |
| 34 | <u>Presidential Library and Museum</u> | |

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|----|--|----------------------|
| 1 | <u>Operating Fund</u> | <u>\$750,000</u> |
| 2 | <u>Dram Shop Fund</u> | <u>\$112,000</u> |
| 3 | <u>Illinois State Dental Disciplinary Fund</u> | <u>\$250,000</u> |
| 4 | <u>Real Estate License Administration Fund</u> | <u>\$5,000,000</u> |
| 5 | <u>Traffic and Criminal Conviction Surcharge Fund ..</u> | <u>\$250,000</u> |
| 6 | <u>Design Professionals Administration</u> | |
| 7 | <u>and Investigation Fund</u> | <u>\$100,000</u> |
| 8 | <u>State Surplus Property Revolving Fund</u> | <u>\$6,300</u> |
| 9 | <u>State Police Services Fund</u> | <u>\$200,000</u> |
| 10 | <u>Health Insurance Reserve Fund</u> | <u>\$21,000,000</u> |
| 11 | <u>DHS Recoveries Trust Fund</u> | <u>\$3,591,800</u> |
| 12 | <u>Insurance Producer Administration Fund</u> | <u>\$2,000,000</u> |
| 13 | <u>State Treasurer Court Ordered Escrow Fund</u> | <u>\$250,000</u> |
| 14 | <u>Environmental Protection Permit and</u> | |
| 15 | <u>Inspection Fund</u> | <u>\$181,000</u> |
| 16 | <u>Illinois State Podiatric Disciplinary Fund</u> | <u>\$250,000</u> |
| 17 | <u>Illinois Beach Marina Fund</u> | <u>\$100,000</u> |
| 18 | <u>International and Promotional Fund</u> | <u>\$70,000</u> |
| 19 | <u>Insurance Financial Regulation Fund</u> | <u>\$5,000,000</u> |
| 20 | <u>TOTAL</u> | <u>\$200,084,200</u> |

21 All of these transfers shall be made in equal quarterly
 22 installments with the first made on July 1, 2006, or as soon
 23 thereafter as practical, and with the remaining transfers to be
 24 made on October 1, January 1, and April 1, or as soon
 25 thereafter as practical. These transfers shall be made
 26 notwithstanding any other provision of State law to the
 27 contrary.

28 (b) On and after the effective date of this amendatory Act
 29 of the 94th General Assembly through June 30, 2007, when any of
 30 the funds listed in subsection (a) have insufficient cash from
 31 which the State Comptroller may make expenditures properly
 32 supported by appropriations from the fund, then the State
 33 Treasurer and State Comptroller shall transfer from the General
 34 Revenue Fund to the fund only such amount as is immediately

1 necessary to satisfy outstanding expenditure obligations on a
 2 timely basis, subject to the provisions of the State Prompt
 3 Payment Act. All or a portion of the amounts transferred from
 4 the General Revenue Fund to a fund pursuant to this subsection
 5 (b) from time to time may be re-transferred by the State
 6 Comptroller and the State Treasurer from the receiving fund
 7 into the General Revenue Fund as soon as and to the extent that
 8 deposits are made into or receipts are collected by the
 9 receiving fund.

10 (30 ILCS 105/8.55)

11 Sec. 8.55. Interfund transfers. On or after July 1, 2004
 12 and until June 30, 2005 ~~2006~~, in addition to any other
 13 transfers that may be provided for by law, at the direction of
 14 and upon notification from the Director of Healthcare and
 15 Family Services (formerly Director of Public Aid), the State
 16 Comptroller shall direct and the State Treasurer shall transfer
 17 amounts into the General Revenue Fund from the designated funds
 18 not exceeding the following totals:

19 Hospital Provider Fund \$36,000,000
 20 Health and Human Services Medicaid Trust Fund \$124,000,000.

21 Transfers of moneys under this Section may not exceed a
 22 total of \$80,000,000 in any State fiscal year.

23 (Source: P.A. 93-841, eff. 7-30-04; revised 12-15-05.)

24 (30 ILCS 105/8g)

25 Sec. 8g. Fund transfers.

26 (a) In addition to any other transfers that may be provided
 27 for by law, as soon as may be practical after the effective
 28 date of this amendatory Act of the 91st General Assembly, the
 29 State Comptroller shall direct and the State Treasurer shall
 30 transfer the sum of \$10,000,000 from the General Revenue Fund
 31 to the Motor Vehicle License Plate Fund created by Senate Bill
 32 1028 of the 91st General Assembly.

1 (b) In addition to any other transfers that may be provided
2 for by law, as soon as may be practical after the effective
3 date of this amendatory Act of the 91st General Assembly, the
4 State Comptroller shall direct and the State Treasurer shall
5 transfer the sum of \$25,000,000 from the General Revenue Fund
6 to the Fund for Illinois' Future created by Senate Bill 1066 of
7 the 91st General Assembly.

8 (c) In addition to any other transfers that may be provided
9 for by law, on August 30 of each fiscal year's license period,
10 the Illinois Liquor Control Commission shall direct and the
11 State Comptroller and State Treasurer shall transfer from the
12 General Revenue Fund to the Youth Alcoholism and Substance
13 Abuse Prevention Fund an amount equal to the number of retail
14 liquor licenses issued for that fiscal year multiplied by \$50.

15 (d) The payments to programs required under subsection (d)
16 of Section 28.1 of the Horse Racing Act of 1975 shall be made,
17 pursuant to appropriation, from the special funds referred to
18 in the statutes cited in that subsection, rather than directly
19 from the General Revenue Fund.

20 Beginning January 1, 2000, on the first day of each month,
21 or as soon as may be practical thereafter, the State
22 Comptroller shall direct and the State Treasurer shall transfer
23 from the General Revenue Fund to each of the special funds from
24 which payments are to be made under Section 28.1(d) of the
25 Horse Racing Act of 1975 an amount equal to 1/12 of the annual
26 amount required for those payments from that special fund,
27 which annual amount shall not exceed the annual amount for
28 those payments from that special fund for the calendar year
29 1998. The special funds to which transfers shall be made under
30 this subsection (d) include, but are not necessarily limited
31 to, the Agricultural Premium Fund; the Metropolitan Exposition
32 Auditorium and Office Building Fund; the Fair and Exposition
33 Fund; the Standardbred Breeders Fund; the Thoroughbred
34 Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

1 (e) In addition to any other transfers that may be provided
2 for by law, as soon as may be practical after the effective
3 date of this amendatory Act of the 91st General Assembly, but
4 in no event later than June 30, 2000, the State Comptroller
5 shall direct and the State Treasurer shall transfer the sum of
6 \$15,000,000 from the General Revenue Fund to the Fund for
7 Illinois' Future.

8 (f) In addition to any other transfers that may be provided
9 for by law, as soon as may be practical after the effective
10 date of this amendatory Act of the 91st General Assembly, but
11 in no event later than June 30, 2000, the State Comptroller
12 shall direct and the State Treasurer shall transfer the sum of
13 \$70,000,000 from the General Revenue Fund to the Long-Term Care
14 Provider Fund.

15 (f-1) In fiscal year 2002, in addition to any other
16 transfers that may be provided for by law, at the direction of
17 and upon notification from the Governor, the State Comptroller
18 shall direct and the State Treasurer shall transfer amounts not
19 exceeding a total of \$160,000,000 from the General Revenue Fund
20 to the Long-Term Care Provider Fund.

21 (g) In addition to any other transfers that may be provided
22 for by law, on July 1, 2001, or as soon thereafter as may be
23 practical, the State Comptroller shall direct and the State
24 Treasurer shall transfer the sum of \$1,200,000 from the General
25 Revenue Fund to the Violence Prevention Fund.

26 (h) In each of fiscal years 2002 through 2004, but not
27 thereafter, in addition to any other transfers that may be
28 provided for by law, the State Comptroller shall direct and the
29 State Treasurer shall transfer \$5,000,000 from the General
30 Revenue Fund to the Tourism Promotion Fund.

31 (i) On or after July 1, 2001 and until May 1, 2002, in
32 addition to any other transfers that may be provided for by
33 law, at the direction of and upon notification from the
34 Governor, the State Comptroller shall direct and the State

1 Treasurer shall transfer amounts not exceeding a total of
 2 \$80,000,000 from the General Revenue Fund to the Tobacco
 3 Settlement Recovery Fund. Any amounts so transferred shall be
 4 re-transferred by the State Comptroller and the State Treasurer
 5 from the Tobacco Settlement Recovery Fund to the General
 6 Revenue Fund at the direction of and upon notification from the
 7 Governor, but in any event on or before June 30, 2002.

8 (i-1) On or after July 1, 2002 and until May 1, 2003, in
 9 addition to any other transfers that may be provided for by
 10 law, at the direction of and upon notification from the
 11 Governor, the State Comptroller shall direct and the State
 12 Treasurer shall transfer amounts not exceeding a total of
 13 \$80,000,000 from the General Revenue Fund to the Tobacco
 14 Settlement Recovery Fund. Any amounts so transferred shall be
 15 re-transferred by the State Comptroller and the State Treasurer
 16 from the Tobacco Settlement Recovery Fund to the General
 17 Revenue Fund at the direction of and upon notification from the
 18 Governor, but in any event on or before June 30, 2003.

19 (j) On or after July 1, 2001 and no later than June 30,
 20 2002, in addition to any other transfers that may be provided
 21 for by law, at the direction of and upon notification from the
 22 Governor, the State Comptroller shall direct and the State
 23 Treasurer shall transfer amounts not to exceed the following
 24 sums into the Statistical Services Revolving Fund:

| | | |
|----|---|-------------|
| 25 | From the General Revenue Fund | \$8,450,000 |
| 26 | From the Public Utility Fund | 1,700,000 |
| 27 | From the Transportation Regulatory Fund | 2,650,000 |
| 28 | From the Title III Social Security and | |
| 29 | Employment Fund | 3,700,000 |
| 30 | From the Professions Indirect Cost Fund | 4,050,000 |
| 31 | From the Underground Storage Tank Fund | 550,000 |
| 32 | From the Agricultural Premium Fund | 750,000 |
| 33 | From the State Pensions Fund | 200,000 |
| 34 | From the Road Fund | 2,000,000 |

| | | |
|----|--|-----------|
| 1 | From the Health Facilities | |
| 2 | Planning Fund | 1,000,000 |
| 3 | From the Savings and Residential Finance | |
| 4 | Regulatory Fund | 130,800 |
| 5 | From the Appraisal Administration Fund | 28,600 |
| 6 | From the Pawnbroker Regulation Fund | 3,600 |
| 7 | From the Auction Regulation | |
| 8 | Administration Fund | 35,800 |
| 9 | From the Bank and Trust Company Fund..... | 634,800 |
| 10 | From the Real Estate License | |
| 11 | Administration Fund | 313,600 |

12 (k) In addition to any other transfers that may be provided
13 for by law, as soon as may be practical after the effective
14 date of this amendatory Act of the 92nd General Assembly, the
15 State Comptroller shall direct and the State Treasurer shall
16 transfer the sum of \$2,000,000 from the General Revenue Fund to
17 the Teachers Health Insurance Security Fund.

18 (k-1) In addition to any other transfers that may be
19 provided for by law, on July 1, 2002, or as soon as may be
20 practical thereafter, the State Comptroller shall direct and
21 the State Treasurer shall transfer the sum of \$2,000,000 from
22 the General Revenue Fund to the Teachers Health Insurance
23 Security Fund.

24 (k-2) In addition to any other transfers that may be
25 provided for by law, on July 1, 2003, or as soon as may be
26 practical thereafter, the State Comptroller shall direct and
27 the State Treasurer shall transfer the sum of \$2,000,000 from
28 the General Revenue Fund to the Teachers Health Insurance
29 Security Fund.

30 (k-3) On or after July 1, 2002 and no later than June 30,
31 2003, in addition to any other transfers that may be provided
32 for by law, at the direction of and upon notification from the
33 Governor, the State Comptroller shall direct and the State
34 Treasurer shall transfer amounts not to exceed the following

1 sums into the Statistical Services Revolving Fund:

| | | |
|----|---|------------|
| 2 | Appraisal Administration Fund | \$150,000 |
| 3 | General Revenue Fund | 10,440,000 |
| 4 | Savings and Residential Finance | |
| 5 | Regulatory Fund | 200,000 |
| 6 | State Pensions Fund | 100,000 |
| 7 | Bank and Trust Company Fund | 100,000 |
| 8 | Professions Indirect Cost Fund | 3,400,000 |
| 9 | Public Utility Fund | 2,081,200 |
| 10 | Real Estate License Administration Fund | 150,000 |
| 11 | Title III Social Security and | |
| 12 | Employment Fund | 1,000,000 |
| 13 | Transportation Regulatory Fund | 3,052,100 |
| 14 | Underground Storage Tank Fund | 50,000 |

15 (l) In addition to any other transfers that may be provided
 16 for by law, on July 1, 2002, or as soon as may be practical
 17 thereafter, the State Comptroller shall direct and the State
 18 Treasurer shall transfer the sum of \$3,000,000 from the General
 19 Revenue Fund to the Presidential Library and Museum Operating
 20 Fund.

21 (m) In addition to any other transfers that may be provided
 22 for by law, on July 1, 2002 and on the effective date of this
 23 amendatory Act of the 93rd General Assembly, or as soon
 24 thereafter as may be practical, the State Comptroller shall
 25 direct and the State Treasurer shall transfer the sum of
 26 \$1,200,000 from the General Revenue Fund to the Violence
 27 Prevention Fund.

28 (n) In addition to any other transfers that may be provided
 29 for by law, on July 1, 2003, or as soon thereafter as may be
 30 practical, the State Comptroller shall direct and the State
 31 Treasurer shall transfer the sum of \$6,800,000 from the General
 32 Revenue Fund to the DHS Recoveries Trust Fund.

33 (o) On or after July 1, 2003, and no later than June 30,
 34 2004, in addition to any other transfers that may be provided

1 for by law, at the direction of and upon notification from the
2 Governor, the State Comptroller shall direct and the State
3 Treasurer shall transfer amounts not to exceed the following
4 sums into the Vehicle Inspection Fund:

5 From the Underground Storage Tank Fund \$35,000,000.

6 (p) On or after July 1, 2003 and until May 1, 2004, in
7 addition to any other transfers that may be provided for by
8 law, at the direction of and upon notification from the
9 Governor, the State Comptroller shall direct and the State
10 Treasurer shall transfer amounts not exceeding a total of
11 \$80,000,000 from the General Revenue Fund to the Tobacco
12 Settlement Recovery Fund. Any amounts so transferred shall be
13 re-transferred from the Tobacco Settlement Recovery Fund to the
14 General Revenue Fund at the direction of and upon notification
15 from the Governor, but in any event on or before June 30, 2004.

16 (q) In addition to any other transfers that may be provided
17 for by law, on July 1, 2003, or as soon as may be practical
18 thereafter, the State Comptroller shall direct and the State
19 Treasurer shall transfer the sum of \$5,000,000 from the General
20 Revenue Fund to the Illinois Military Family Relief Fund.

21 (r) In addition to any other transfers that may be provided
22 for by law, on July 1, 2003, or as soon as may be practical
23 thereafter, the State Comptroller shall direct and the State
24 Treasurer shall transfer the sum of \$1,922,000 from the General
25 Revenue Fund to the Presidential Library and Museum Operating
26 Fund.

27 (s) In addition to any other transfers that may be provided
28 for by law, on or after July 1, 2003, the State Comptroller
29 shall direct and the State Treasurer shall transfer the sum of
30 \$4,800,000 from the Statewide Economic Development Fund to the
31 General Revenue Fund.

32 (t) In addition to any other transfers that may be provided
33 for by law, on or after July 1, 2003, the State Comptroller
34 shall direct and the State Treasurer shall transfer the sum of

1 \$50,000,000 from the General Revenue Fund to the Budget
2 Stabilization Fund.

3 (u) On or after July 1, 2004 and until May 1, 2005, in
4 addition to any other transfers that may be provided for by
5 law, at the direction of and upon notification from the
6 Governor, the State Comptroller shall direct and the State
7 Treasurer shall transfer amounts not exceeding a total of
8 \$80,000,000 from the General Revenue Fund to the Tobacco
9 Settlement Recovery Fund. Any amounts so transferred shall be
10 retransferred by the State Comptroller and the State Treasurer
11 from the Tobacco Settlement Recovery Fund to the General
12 Revenue Fund at the direction of and upon notification from the
13 Governor, but in any event on or before June 30, 2005.

14 (v) In addition to any other transfers that may be provided
15 for by law, on July 1, 2004, or as soon thereafter as may be
16 practical, the State Comptroller shall direct and the State
17 Treasurer shall transfer the sum of \$1,200,000 from the General
18 Revenue Fund to the Violence Prevention Fund.

19 (w) In addition to any other transfers that may be provided
20 for by law, on July 1, 2004, or as soon thereafter as may be
21 practical, the State Comptroller shall direct and the State
22 Treasurer shall transfer the sum of \$6,445,000 from the General
23 Revenue Fund to the Presidential Library and Museum Operating
24 Fund.

25 (x) In addition to any other transfers that may be provided
26 for by law, on January 15, 2005, or as soon thereafter as may
27 be practical, the State Comptroller shall direct and the State
28 Treasurer shall transfer to the General Revenue Fund the
29 following sums:

30 From the State Crime Laboratory Fund, \$200,000;

31 From the State Police Wireless Service Emergency Fund,
32 \$200,000;

33 From the State Offender DNA Identification System
34 Fund, \$800,000; and

1 From the State Police Whistleblower Reward and
2 Protection Fund, \$500,000.

3 (y) Notwithstanding any other provision of law to the
4 contrary, in addition to any other transfers that may be
5 provided for by law on June 30, 2005, or as soon as may be
6 practical thereafter, the State Comptroller shall direct and
7 the State Treasurer shall transfer the remaining balance from
8 the designated funds into the General Revenue Fund and any
9 future deposits that would otherwise be made into these funds
10 must instead be made into the General Revenue Fund:

- 11 (1) the Keep Illinois Beautiful Fund;
- 12 (2) the Metropolitan Fair and Exposition Authority
13 Reconstruction Fund;
- 14 (3) the New Technology Recovery Fund;
- 15 (4) the Illinois Rural Bond Bank Trust Fund;
- 16 (5) the ISBE School Bus Driver Permit Fund;
- 17 (6) the Solid Waste Management Revolving Loan Fund;
- 18 (7) the State Postsecondary Review Program Fund;
- 19 (8) the Tourism Attraction Development Matching Grant
20 Fund;
- 21 (9) the Patent and Copyright Fund;
- 22 (10) the Credit Enhancement Development Fund;
- 23 (11) the Community Mental Health and Developmental
24 Disabilities Services Provider Participation Fee Trust
25 Fund;
- 26 (12) the Nursing Home Grant Assistance Fund;
- 27 (13) the By-product Material Safety Fund;
- 28 (14) the Illinois Student Assistance Commission Higher
29 EdNet Fund;
- 30 (15) the DORS State Project Fund;
- 31 (16) the School Technology Revolving Fund;
- 32 (17) the Energy Assistance Contribution Fund;
- 33 (18) the Illinois Building Commission Revolving Fund;
- 34 (19) the Illinois Aquaculture Development Fund;

- 1 (20) the Homelessness Prevention Fund;
- 2 (21) the DCFS Refugee Assistance Fund;
- 3 (22) the Illinois Century Network Special Purposes
- 4 Fund; and
- 5 (23) the Build Illinois Purposes Fund.

6 (z) In addition to any other transfers that may be provided

7 for by law, on July 1, 2005, or as soon as may be practical

8 thereafter, the State Comptroller shall direct and the State

9 Treasurer shall transfer the sum of \$1,200,000 from the General

10 Revenue Fund to the Violence Prevention Fund.

11 (aa) In addition to any other transfers that may be

12 provided for by law, on July 1, 2005, or as soon as may be

13 practical thereafter, the State Comptroller shall direct and

14 the State Treasurer shall transfer the sum of \$9,000,000 from

15 the General Revenue Fund to the Presidential Library and Museum

16 Operating Fund.

17 (bb) In addition to any other transfers that may be

18 provided for by law, on July 1, 2005, or as soon as may be

19 practical thereafter, the State Comptroller shall direct and

20 the State Treasurer shall transfer the sum of \$6,803,600 from

21 the General Revenue Fund to the Securities Audit and

22 Enforcement Fund.

23 (cc) In addition to any other transfers that may be

24 provided for by law, on or after July 1, 2005 and until May 1,

25 2006, at the direction of and upon notification from the

26 Governor, the State Comptroller shall direct and the State

27 Treasurer shall transfer amounts not exceeding a total of

28 \$80,000,000 from the General Revenue Fund to the Tobacco

29 Settlement Recovery Fund. Any amounts so transferred shall be

30 re-transferred by the State Comptroller and the State Treasurer

31 from the Tobacco Settlement Recovery Fund to the General

32 Revenue Fund at the direction of and upon notification from the

33 Governor, but in any event on or before June 30, 2006.

34 (dd) ~~(y)~~ In addition to any other transfers that may be

1 provided for by law, on April 1, 2005, or as soon thereafter as
2 may be practical, at the direction of the Director of Public
3 Aid (now Director of Healthcare and Family Services), the State
4 Comptroller shall direct and the State Treasurer shall transfer
5 from the Public Aid Recoveries Trust Fund amounts not to exceed
6 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

7 (ee) Notwithstanding any other provision of law, on July 1,
8 2006, or as soon thereafter as practical, the State Comptroller
9 shall direct and the State Treasurer shall transfer the
10 remaining balance from the Illinois Civic Center Bond Fund to
11 the Illinois Civic Center Bond Retirement and Interest Fund.

12 (ff) In addition to any other transfers that may be
13 provided for by law, on and after July 1, 2006 and until June
14 30, 2007, at the direction of and upon notification from the
15 Director of the Governor's Office of Management and Budget, the
16 State Comptroller shall direct and the State Treasurer shall
17 transfer amounts not exceeding a total of \$1,900,000 from the
18 General Revenue Fund to the Illinois Capital Revolving Loan
19 Fund.

20 (gg) In addition to any other transfers that may be
21 provided for by law, on and after July 1, 2006 and until May 1,
22 2007, at the direction of and upon notification from the
23 Governor, the State Comptroller shall direct and the State
24 Treasurer shall transfer amounts not exceeding a total of
25 \$80,000,000 from the General Revenue Fund to the Tobacco
26 Settlement Recovery Fund. Any amounts so transferred shall be
27 retransferred by the State Comptroller and the State Treasurer
28 from the Tobacco Settlement Recovery Fund to the General
29 Revenue Fund at the direction of and upon notification from the
30 Governor, but in any event on or before June 30, 2007.

31 (hh) In addition to any other transfers that may be
32 provided for by law, on and after July 1, 2006 and until June
33 30, 2007, at the direction of and upon notification from the
34 Governor, the State Comptroller shall direct and the State

1 Treasurer shall transfer amounts from the Illinois Affordable
2 Housing Trust Fund to the designated funds not exceeding the
3 following amounts:

- 4 DCFS Children's Services Fund \$2,200,000
- 5 Department of Corrections Reimbursement
- 6 and Education Fund \$1,500,000
- 7 Supplemental Low-Income Energy
- 8 Assistance Fund \$75,000

9 (ii) In addition to any other transfers that may be
10 provided for by law, on or before August 31, 2006, the Governor
11 and the State Comptroller may agree to transfer the surplus
12 cash balance from the General Revenue Fund to the Budget
13 Stabilization Fund and the Pension Stabilization Fund in equal
14 proportions. The determination of the amount of the surplus
15 cash balance shall be made by the Governor, with the
16 concurrence of the State Comptroller, after taking into account
17 the June 30, 2006 balances in the general funds and the actual
18 or estimated spending from the general funds during the lapse
19 period. Notwithstanding the foregoing, the maximum amount that
20 may be transferred under this subsection (ii) is \$50,000,000.

21 (jj) In addition to any other transfers that may be
22 provided for by law, on July 1, 2006, or as soon thereafter as
23 practical, the State Comptroller shall direct and the State
24 Treasurer shall transfer the sum of \$8,250,000 from the General
25 Revenue Fund to the Presidential Library and Museum Operating
26 Fund.

27 (kk) In addition to any other transfers that may be
28 provided for by law, on July 1, 2006, or as soon thereafter as
29 practical, the State Comptroller shall direct and the State
30 Treasurer shall transfer the sum of \$1,400,000 from the General
31 Revenue Fund to the Violence Prevention Fund.

32 (ll) In addition to any other transfers that may be
33 provided for by law, on the first day of each calendar quarter
34 of the fiscal year beginning July 1, 2006, or as soon

1 thereafter as practical, the State Comptroller shall direct and
2 the State Treasurer shall transfer from the General Revenue
3 Fund amounts equal to one-fourth of \$20,000,000 to the
4 Renewable Energy Resources Trust Fund.

5 (mm) In addition to any other transfers that may be
6 provided for by law, on July 1, 2006, or as soon thereafter as
7 practical, the State Comptroller shall direct and the State
8 Treasurer shall transfer the sum of \$1,320,000 from the General
9 Revenue Fund to the I-FLY Fund.

10 (nn) In addition to any other transfers that may be
11 provided for by law, on July 1, 2006, or as soon thereafter as
12 practical, the State Comptroller shall direct and the State
13 Treasurer shall transfer the sum of \$3,000,000 from the General
14 Revenue Fund to the African-American HIV/AIDS Response Fund.

15 (oo) In addition to any other transfers that may be
16 provided for by law, on and after July 1, 2006 and until June
17 30, 2007, at the direction of and upon notification from the
18 Governor, the State Comptroller shall direct and the State
19 Treasurer shall transfer amounts identified as net receipts
20 from the sale of all or part of the Illinois Student Assistance
21 Commission loan portfolio from the Student Loan Operating Fund
22 to the General Revenue Fund. The maximum amount that may be
23 transferred pursuant to this Section is \$38,800,000. In
24 addition, no transfer may be made pursuant to this Section that
25 would have the effect of reducing the available balance in the
26 Student Loan Operating Fund to an amount less than the amount
27 remaining unexpended and unreserved from the total
28 appropriations from the Fund estimated to be expended for the
29 fiscal year. The State Treasurer and Comptroller shall transfer
30 the amounts designated under this Section as soon as may be
31 practical after receiving the direction to transfer from the
32 Governor.

33 (Source: P.A. 93-32, eff. 6-20-03; 93-648, eff. 1-8-04; 93-839,
34 eff. 7-30-04; 93-1067, eff. 1-15-05; 94-58, eff. 6-17-05;

1 94-91, eff. 7-1-05; revised 12-15-05.)

2 (30 ILCS 105/8h)

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

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

1 Radioactive Waste Facility Development and Operation Fund, or
2 the Hospital Basic Services Preservation Fund, or to any funds
3 to which subsection (f) of Section 20-40 of the Nursing and
4 Advanced Practice Nursing Act applies. No transfers may be made
5 under this Section from the Pet Population Control Fund.
6 Notwithstanding any other provision of this Section, for fiscal
7 year 2004, the total transfer under this Section from the Road
8 Fund or the State Construction Account Fund shall not exceed
9 the lesser of (i) 5% of the revenues to be deposited into the
10 fund during that fiscal year or (ii) 25% of the beginning
11 balance in the fund. For fiscal year 2005 through fiscal year
12 2007, no amounts may be transferred under this Section from the
13 Road Fund, the State Construction Account Fund, the Criminal
14 Justice Information Systems Trust Fund, the Wireless Service
15 Emergency Fund, or the Mandatory Arbitration Fund.

16 In determining the available balance in a fund, the
17 Governor may include receipts, transfers into the fund, and
18 other resources anticipated to be available in the fund in that
19 fiscal year.

20 The State Treasurer and Comptroller shall transfer the
21 amounts designated under this Section as soon as may be
22 practicable after receiving the direction to transfer from the
23 Governor.

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

30 (c) This Section does not apply to the Demutualization
31 Trust Fund established under the Uniform Disposition of
32 Unclaimed Property Act.

33 (d) ~~(e)~~ This Section does not apply to moneys set aside in
34 the Illinois State Podiatric Disciplinary Fund for podiatric

1 scholarships and residency programs under the Podiatric
2 Scholarship and Residency Act.

3 (e) Subsection (a) does not apply to, and no transfer may
4 be made under this Section from, the Pension Stabilization
5 Fund.

6 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
7 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
8 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
9 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
10 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
11 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
12 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; revised 1-23-06.)

13 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

14 Sec. 13.2. Transfers among line item appropriations.

15 (a) Transfers among line item appropriations from the same
16 treasury fund for the objects specified in this Section may be
17 made in the manner provided in this Section when the balance
18 remaining in one or more such line item appropriations is
19 insufficient for the purpose for which the appropriation was
20 made.

21 (a-1) No transfers may be made from one agency to another
22 agency, nor may transfers be made from one institution of
23 higher education to another institution of higher education.

24 (a-2) Except as otherwise provided in this Section,
25 transfers may be made only among the objects of expenditure
26 enumerated in this Section, except that no funds may be
27 transferred from any appropriation for personal services, from
28 any appropriation for State contributions to the State
29 Employees' Retirement System, from any separate appropriation
30 for employee retirement contributions paid by the employer, nor
31 from any appropriation for State contribution for employee
32 group insurance. During State fiscal year 2005, an agency may
33 transfer amounts among its appropriations within the same

1 treasury fund for personal services, employee retirement
2 contributions paid by employer, and State Contributions to
3 retirement systems; notwithstanding and in addition to the
4 transfers authorized in subsection (c) of this Section, the
5 fiscal year 2005 transfers authorized in this sentence may be
6 made in an amount not to exceed 2% of the aggregate amount
7 appropriated to an agency within the same treasury fund. During
8 State fiscal year 2007, the Departments of Children and Family
9 Services, Corrections, Human Services, and Juvenile Justice
10 may transfer amounts among their respective appropriations
11 within the same treasury fund for personal services, employee
12 retirement contributions paid by employer, and State
13 contributions to retirement systems. Notwithstanding, and in
14 addition to, the transfers authorized in subsection (c) of this
15 Section, these transfers may be made in an amount not to exceed
16 2% of the aggregate amount appropriated to an agency within the
17 same treasury fund.

18 (a-3) Further, if an agency receives a separate
19 appropriation for employee retirement contributions paid by
20 the employer, any transfer by that agency into an appropriation
21 for personal services must be accompanied by a corresponding
22 transfer into the appropriation for employee retirement
23 contributions paid by the employer, in an amount sufficient to
24 meet the employer share of the employee contributions required
25 to be remitted to the retirement system.

26 (b) In addition to the general transfer authority provided
27 under subsection (c), the following agencies have the specific
28 transfer authority granted in this subsection:

29 The ~~Illinois~~ Department of Healthcare and Family Services
30 ~~Public Aid~~ is authorized to make transfers representing savings
31 attributable to not increasing grants due to the births of
32 additional children from line items for payments of cash grants
33 to line items for payments for employment and social services
34 for the purposes outlined in subsection (f) of Section 4-2 of

1 the Illinois Public Aid Code.

2 The Department of Children and Family Services is
3 authorized to make transfers not exceeding 2% of the aggregate
4 amount appropriated to it within the same treasury fund for the
5 following line items among these same line items: Foster Home
6 and Specialized Foster Care and Prevention, Institutions and
7 Group Homes and Prevention, and Purchase of Adoption and
8 Guardianship Services.

9 The Department on Aging is authorized to make transfers not
10 exceeding 2% of the aggregate amount appropriated to it within
11 the same treasury fund for the following Community Care Program
12 line items among these same line items: Homemaker and Senior
13 Companion Services, Alternative Senior Services, Case
14 Coordination Units, and Adult Day Care Services.

15 The State Treasurer is authorized to make transfers among
16 line item appropriations from the Capital Litigation Trust
17 Fund, with respect to costs incurred in fiscal years 2002 and
18 2003 only, when the balance remaining in one or more such line
19 item appropriations is insufficient for the purpose for which
20 the appropriation was made, provided that no such transfer may
21 be made unless the amount transferred is no longer required for
22 the purpose for which that appropriation was made.

23 (c) The sum of such transfers for an agency in a fiscal
24 year shall not exceed 2% of the aggregate amount appropriated
25 to it within the same treasury fund for the following objects:
26 Personal Services; Extra Help; Student and Inmate
27 Compensation; State Contributions to Retirement Systems; State
28 Contributions to Social Security; State Contribution for
29 Employee Group Insurance; Contractual Services; Travel;
30 Commodities; Printing; Equipment; Electronic Data Processing;
31 Operation of Automotive Equipment; Telecommunications
32 Services; Travel and Allowance for Committed, Paroled and
33 Discharged Prisoners; Library Books; Federal Matching Grants
34 for Student Loans; Refunds; Workers' Compensation,

1 Occupational Disease, and Tort Claims; and, in appropriations
2 to institutions of higher education, Awards and Grants.
3 Notwithstanding the above, any amounts appropriated for
4 payment of workers' compensation claims to an agency to which
5 the authority to evaluate, administer and pay such claims has
6 been delegated by the Department of Central Management Services
7 may be transferred to any other expenditure object where such
8 amounts exceed the amount necessary for the payment of such
9 claims.

10 (c-1) Special provisions for State fiscal year 2003.
11 Notwithstanding any other provision of this Section to the
12 contrary, for State fiscal year 2003 only, transfers among line
13 item appropriations to an agency from the same treasury fund
14 may be made provided that the sum of such transfers for an
15 agency in State fiscal year 2003 shall not exceed 3% of the
16 aggregate amount appropriated to that State agency for State
17 fiscal year 2003 for the following objects: personal services,
18 except that no transfer may be approved which reduces the
19 aggregate appropriations for personal services within an
20 agency; extra help; student and inmate compensation; State
21 contributions to retirement systems; State contributions to
22 social security; State contributions for employee group
23 insurance; contractual services; travel; commodities;
24 printing; equipment; electronic data processing; operation of
25 automotive equipment; telecommunications services; travel and
26 allowance for committed, paroled, and discharged prisoners;
27 library books; federal matching grants for student loans;
28 refunds; workers' compensation, occupational disease, and tort
29 claims; and, in appropriations to institutions of higher
30 education, awards and grants.

31 (c-2) Special provisions for State fiscal year 2005.
32 Notwithstanding subsections (a), (a-2), and (c), for State
33 fiscal year 2005 only, transfers may be made among any line
34 item appropriations from the same or any other treasury fund

1 for any objects or purposes, without limitation, when the
2 balance remaining in one or more such line item appropriations
3 is insufficient for the purpose for which the appropriation was
4 made, provided that the sum of those transfers by a State
5 agency shall not exceed 4% of the aggregate amount appropriated
6 to that State agency for fiscal year 2005.

7 (d) Transfers among appropriations made to agencies of the
8 Legislative and Judicial departments and to the
9 constitutionally elected officers in the Executive branch
10 require the approval of the officer authorized in Section 10 of
11 this Act to approve and certify vouchers. Transfers among
12 appropriations made to the University of Illinois, Southern
13 Illinois University, Chicago State University, Eastern
14 Illinois University, Governors State University, Illinois
15 State University, Northeastern Illinois University, Northern
16 Illinois University, Western Illinois University, the Illinois
17 Mathematics and Science Academy and the Board of Higher
18 Education require the approval of the Board of Higher Education
19 and the Governor. Transfers among appropriations to all other
20 agencies require the approval of the Governor.

21 The officer responsible for approval shall certify that the
22 transfer is necessary to carry out the programs and purposes
23 for which the appropriations were made by the General Assembly
24 and shall transmit to the State Comptroller a certified copy of
25 the approval which shall set forth the specific amounts
26 transferred so that the Comptroller may change his records
27 accordingly. The Comptroller shall furnish the Governor with
28 information copies of all transfers approved for agencies of
29 the Legislative and Judicial departments and transfers
30 approved by the constitutionally elected officials of the
31 Executive branch other than the Governor, showing the amounts
32 transferred and indicating the dates such changes were entered
33 on the Comptroller's records.

34 (Source: P.A. 92-600, eff. 6-28-02; 92-885, eff. 1-13-03;

1 93-680, eff. 7-1-04; 93-839, eff. 7-30-04; revised 12-15-05.)

2 (30 ILCS 105/5.344 rep.)

3 Section 5-45. The State Finance Act is amended by repealing
4 Section 5.344 on September 1, 2006.

5 Section 5-46. The Budget Stabilization Act is amended by
6 changing Sections 10 and 15 and adding Sections 20 and 25 as
7 follows:

8 (30 ILCS 122/10)

9 Sec. 10. Budget limitations.

10 (a) In addition to Section 50-5 of the State Budget Law of
11 the Civil Administrative Code of Illinois, the General
12 Assembly's appropriations and transfers or diversions as
13 required by law from general funds shall not exceed 99% ~~99.5%~~
14 of the estimated general funds revenues for the fiscal year
15 when revenue estimates of the State's general funds revenues
16 exceed the prior fiscal year's estimated general funds revenues
17 by more than 4%.

18 (b) The General Assembly's appropriations and transfers or
19 diversions as required by law from general funds shall not
20 exceed 98% ~~99%~~ of the estimated general funds revenues for the
21 fiscal year when revenue estimates of the State's general funds
22 revenues exceed the prior fiscal year's estimated general funds
23 revenues by more than 4% for 2 or more consecutive fiscal
24 years.

25 (c) For the purpose of this Act, "estimated general funds
26 revenues" include, for each budget year, all taxes, fees, and
27 other revenues expected to be deposited into the State's
28 general funds, including recurring transfers from other State
29 funds into the general funds.

30 Year-over-year comparisons used to determine the
31 percentage growth factor of estimated general funds revenues

1 shall exclude the sum of the following: (i) expected revenues
2 resulting from new taxes or fees or from tax or fee increases
3 during the first year of the change, (ii) expected revenues
4 resulting from one-time receipts or non-recurring transfers
5 in, (iii) expected proceeds resulting from borrowing, and (iv)
6 increases in federal grants that must be completely
7 appropriated based on the terms of the grants.

8 (Source: P.A. 93-660, eff. 7-1-04.)

9 (30 ILCS 122/15)

10 Sec. 15. Transfers to Budget Stabilization Fund. In
11 furtherance of the State's objective for the Budget
12 Stabilization Fund to have resources representing 5% of the
13 State's annual general funds revenues:

14 (a) For each fiscal year when the General Assembly's
15 appropriations and transfers or diversions as required by law
16 from general funds do not exceed 99% ~~99.5%~~ of the estimated
17 general funds revenues pursuant to subsection (a) of Section
18 10, the Comptroller shall transfer from the General Revenue
19 Fund as provided by this Section a total amount equal to 0.5%
20 ~~.5%~~ of the estimated general funds revenues to the Budget
21 Stabilization Fund.

22 (b) For each fiscal year when the General Assembly's
23 appropriations and transfers or diversions as required by law
24 from general funds do not exceed 98% ~~99%~~ of the estimated
25 general funds revenues pursuant to subsection (b) of Section
26 10, the Comptroller shall transfer from the General Revenue
27 Fund as provided by this Section a total amount equal to 1% of
28 the estimated general funds revenues to the Budget
29 Stabilization Fund.

30 (c) The Comptroller shall transfer 1/12 of the total amount
31 to be transferred each fiscal year under this Section into the
32 Budget Stabilization Fund on the first day of each month of
33 that fiscal year or as soon thereafter as possible. The balance

1 of the Budget Stabilization Fund shall not exceed 5% of the
2 total of general funds revenues estimated for that fiscal year
3 except as provided by subsection (d) of this Section.

4 (d) If the balance of the Budget Stabilization Fund exceeds
5 5% of the total general funds revenues estimated for that
6 fiscal year, the additional transfers are not required unless
7 there are outstanding liabilities under Section 25 of the State
8 Finance Act from prior fiscal years. If there are such
9 outstanding Section 25 liabilities, then the Comptroller shall
10 continue to transfer 1/12 of the total amount identified for
11 transfer to the Budget Stabilization Fund on the first day of
12 each month of that fiscal year or as soon thereafter as
13 possible to be reserved for those Section 25 liabilities.
14 Nothing in this Act prohibits the General Assembly from
15 appropriating additional moneys into the Budget Stabilization
16 Fund.

17 (e) On or before August 31 of each fiscal year, the amount
18 determined to be transferred to the Budget Stabilization Fund
19 shall be reconciled to actual general funds revenues for that
20 fiscal year. The final transfer for each fiscal year shall be
21 adjusted so that the total amount transferred under this
22 Section is equal to the percentage specified in subsection (a)
23 or (b) of this Section ~~10 of this Act~~, as applicable, based on
24 actual general funds revenues calculated consistently with
25 subsection (c) of Section 10 of this Act for each fiscal year.

26 (f) For the fiscal year beginning July 1, 2006 and for each
27 fiscal year thereafter, the budget proposal to the General
28 Assembly shall identify liabilities incurred in a prior fiscal
29 year under Section 25 of the State Finance Act and the budget
30 proposal shall provide funding as allowable pursuant to
31 subsection (d) of this Section, if applicable.

32 (Source: P.A. 93-660, eff. 7-1-04.)

1 Sec. 20. Pension Stabilization Fund.

2 (a) The Pension Stabilization Fund is hereby created as a
3 special fund in the State treasury. Moneys in the fund shall be
4 used for the sole purpose of making payments to the designated
5 retirement systems as provided in Section 25.

6 (b) For each fiscal year when the General Assembly's
7 appropriations and transfers or diversions as required by law
8 from general funds do not exceed 99% of the estimated general
9 funds revenues pursuant to subsection (a) of Section 10, the
10 Comptroller shall transfer from the General Revenue Fund as
11 provided by this Section a total amount equal to 0.5% of the
12 estimated general funds revenues to the Pension Stabilization
13 Fund.

14 (c) For each fiscal year when the General Assembly's
15 appropriations and transfers or diversions as required by law
16 from general funds do not exceed 98% of the estimated general
17 funds revenues pursuant to subsection (b) of Section 10, the
18 Comptroller shall transfer from the General Revenue Fund as
19 provided by this Section a total amount equal to 1.0% of the
20 estimated general funds revenues to the Pension Stabilization
21 Fund.

22 (d) The Comptroller shall transfer 1/12 of the total amount
23 to be transferred each fiscal year under this Section into the
24 Pension Stabilization Fund on the first day of each month of
25 that fiscal year or as soon thereafter as possible; except that
26 the final transfer of the fiscal year shall be made as soon as
27 practical after the August 31 following the end of the fiscal
28 year.

29 Before the final transfer for a fiscal year is made, the
30 Comptroller shall reconcile the estimated general funds
31 revenues used in calculating the other transfers under this
32 Section for that fiscal year with the actual general funds
33 revenues for that fiscal year. The final transfer for the
34 fiscal year shall be adjusted so that the total amount

1 transferred under this Section for that fiscal year is equal to
2 the percentage specified in subsection (b) or (c) of this
3 Section, whichever is applicable, of the actual general funds
4 revenues for that fiscal year. The actual general funds
5 revenues for the fiscal year shall be calculated in a manner
6 consistent with subsection (c) of Section 10 of this Act.

7 (30 ILCS 122/25 new)

8 Sec. 25. Transfers from the Pension Stabilization Fund.

9 (a) As used in this Section, "designated retirement
10 systems" means:

11 (1) the State Employees' Retirement System of
12 Illinois;

13 (2) the Teachers' Retirement System of the State of
14 Illinois;

15 (3) the State Universities Retirement System;

16 (4) the Judges Retirement System of Illinois; and

17 (5) the General Assembly Retirement System.

18 (b) As soon as may be practical after any money is
19 deposited into the Pension Stabilization Fund, the State
20 Comptroller shall apportion the deposited amount among the
21 designated retirement systems and the State Comptroller and
22 State Treasurer shall pay the apportioned amounts to the
23 designated retirement systems. The amount deposited shall be
24 apportioned among the designated retirement systems in the same
25 proportion as their respective portions of the total actuarial
26 reserve deficiency of the designated retirement systems, as
27 most recently determined by the Governor's Office of Management
28 and Budget. Amounts received by a designated retirement system
29 under this Section shall be used for funding the unfunded
30 liabilities of the retirement system. Payments under this
31 Section are authorized by the continuing appropriation under
32 Section 1.7 of the State Pension Funds Continuing Appropriation
33 Act.

1 (c) At the request of the State Comptroller, the Governor's
2 Office of Management and Budget shall determine the individual
3 and total actuarial reserve deficiencies of the designated
4 retirement systems. For this purpose, the Governor's Office of
5 Management and Budget shall consider the latest available audit
6 and actuarial reports of each of the retirement systems and the
7 relevant reports and statistics of the Public Pension Division
8 of the Department of Financial and Professional Regulation.

9 (d) Payments to the designated retirement systems under
10 this Section shall be in addition to, and not in lieu of, any
11 State contributions required under Section 2-124, 14-131,
12 15-155, 16-158, or 18-131 of the Illinois Pension Code.

13 Section 5-55. The Illinois Income Tax Act is amended by
14 changing Section 901 as follows:

15 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

16 Sec. 901. Collection Authority.

17 (a) In general.

18 The Department shall collect the taxes imposed by this Act.
19 The Department shall collect certified past due child support
20 amounts under Section 2505-650 of the Department of Revenue Law
21 (20 ILCS 2505/2505-650). Except as provided in subsections (c)
22 and (e) of this Section, money collected pursuant to
23 subsections (a) and (b) of Section 201 of this Act shall be
24 paid into the General Revenue Fund in the State treasury; money
25 collected pursuant to subsections (c) and (d) of Section 201 of
26 this Act shall be paid into the Personal Property Tax
27 Replacement Fund, a special fund in the State Treasury; and
28 money collected under Section 2505-650 of the Department of
29 Revenue Law (20 ILCS 2505/2505-650) shall be paid into the
30 Child Support Enforcement Trust Fund, a special fund outside
31 the State Treasury, or to the State Disbursement Unit
32 established under Section 10-26 of the Illinois Public Aid

1 Code, as directed by the Department of Healthcare and Family
2 Services ~~Public Aid~~.

3 (b) Local Governmental Distributive Fund.

4 Beginning August 1, 1969, and continuing through June 30,
5 1994, the Treasurer shall transfer each month from the General
6 Revenue Fund to a special fund in the State treasury, to be
7 known as the "Local Government Distributive Fund", an amount
8 equal to 1/12 of the net revenue realized from the tax imposed
9 by subsections (a) and (b) of Section 201 of this Act during
10 the preceding month. Beginning July 1, 1994, and continuing
11 through June 30, 1995, the Treasurer shall transfer each month
12 from the General Revenue Fund to the Local Government
13 Distributive Fund an amount equal to 1/11 of the net revenue
14 realized from the tax imposed by subsections (a) and (b) of
15 Section 201 of this Act during the preceding month. Beginning
16 July 1, 1995, the Treasurer shall transfer each month from the
17 General Revenue Fund to the Local Government Distributive Fund
18 an amount equal to the net of (i) 1/10 of the net revenue
19 realized from the tax imposed by subsections (a) and (b) of
20 Section 201 of the Illinois Income Tax Act during the preceding
21 month (ii) minus, beginning July 1, 2003 and ending June 30,
22 2004, \$6,666,666, and beginning July 1, 2004, zero. Net revenue
23 realized for a month shall be defined as the revenue from the
24 tax imposed by subsections (a) and (b) of Section 201 of this
25 Act which is deposited in the General Revenue Fund, the
26 Educational Assistance Fund and the Income Tax Surcharge Local
27 Government Distributive Fund during the month minus the amount
28 paid out of the General Revenue Fund in State warrants during
29 that same month as refunds to taxpayers for overpayment of
30 liability under the tax imposed by subsections (a) and (b) of
31 Section 201 of this Act.

32 (c) Deposits Into Income Tax Refund Fund.

33 (1) Beginning on January 1, 1989 and thereafter, the
34 Department shall deposit a percentage of the amounts

1 collected pursuant to subsections (a) and (b) (1), (2), and
2 (3), of Section 201 of this Act into a fund in the State
3 treasury known as the Income Tax Refund Fund. The
4 Department shall deposit 6% of such amounts during the
5 period beginning January 1, 1989 and ending on June 30,
6 1989. Beginning with State fiscal year 1990 and for each
7 fiscal year thereafter, the percentage deposited into the
8 Income Tax Refund Fund during a fiscal year shall be the
9 Annual Percentage. For fiscal years 1999 through 2001, the
10 Annual Percentage shall be 7.1%. For fiscal year 2003, the
11 Annual Percentage shall be 8%. For fiscal year 2004, the
12 Annual Percentage shall be 11.7%. Upon the effective date
13 of this amendatory Act of the 93rd General Assembly, the
14 Annual Percentage shall be 10% for fiscal year 2005. For
15 fiscal year 2006, the Annual Percentage shall be 9.75%. For
16 fiscal year 2007, the Annual Percentage shall be 9.75%. For
17 all other fiscal years, the Annual Percentage shall be
18 calculated as a fraction, the numerator of which shall be
19 the amount of refunds approved for payment by the
20 Department during the preceding fiscal year as a result of
21 overpayment of tax liability under subsections (a) and
22 (b) (1), (2), and (3) of Section 201 of this Act plus the
23 amount of such refunds remaining approved but unpaid at the
24 end of the preceding fiscal year, minus the amounts
25 transferred into the Income Tax Refund Fund from the
26 Tobacco Settlement Recovery Fund, and the denominator of
27 which shall be the amounts which will be collected pursuant
28 to subsections (a) and (b) (1), (2), and (3) of Section 201
29 of this Act during the preceding fiscal year; except that
30 in State fiscal year 2002, the Annual Percentage shall in
31 no event exceed 7.6%. The Director of Revenue shall certify
32 the Annual Percentage to the Comptroller on the last
33 business day of the fiscal year immediately preceding the
34 fiscal year for which it is to be effective.

1 (2) Beginning on January 1, 1989 and thereafter, the
2 Department shall deposit a percentage of the amounts
3 collected pursuant to subsections (a) and (b) (6), (7), and
4 (8), (c) and (d) of Section 201 of this Act into a fund in
5 the State treasury known as the Income Tax Refund Fund. The
6 Department shall deposit 18% of such amounts during the
7 period beginning January 1, 1989 and ending on June 30,
8 1989. Beginning with State fiscal year 1990 and for each
9 fiscal year thereafter, the percentage deposited into the
10 Income Tax Refund Fund during a fiscal year shall be the
11 Annual Percentage. For fiscal years 1999, 2000, and 2001,
12 the Annual Percentage shall be 19%. For fiscal year 2003,
13 the Annual Percentage shall be 27%. For fiscal year 2004,
14 the Annual Percentage shall be 32%. Upon the effective date
15 of this amendatory Act of the 93rd General Assembly, the
16 Annual Percentage shall be 24% for fiscal year 2005. For
17 fiscal year 2006, the Annual Percentage shall be 20%. For
18 fiscal year 2007, the Annual Percentage shall be 17.5%. For
19 all other fiscal years, the Annual Percentage shall be
20 calculated as a fraction, the numerator of which shall be
21 the amount of refunds approved for payment by the
22 Department during the preceding fiscal year as a result of
23 overpayment of tax liability under subsections (a) and
24 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
25 Act plus the amount of such refunds remaining approved but
26 unpaid at the end of the preceding fiscal year, and the
27 denominator of which shall be the amounts which will be
28 collected pursuant to subsections (a) and (b) (6), (7), and
29 (8), (c) and (d) of Section 201 of this Act during the
30 preceding fiscal year; except that in State fiscal year
31 2002, the Annual Percentage shall in no event exceed 23%.
32 The Director of Revenue shall certify the Annual Percentage
33 to the Comptroller on the last business day of the fiscal
34 year immediately preceding the fiscal year for which it is

1 to be effective.

2 (3) The Comptroller shall order transferred and the
3 Treasurer shall transfer from the Tobacco Settlement
4 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000
5 in January, 2001, (ii) \$35,000,000 in January, 2002, and
6 (iii) \$35,000,000 in January, 2003.

7 (d) Expenditures from Income Tax Refund Fund.

8 (1) Beginning January 1, 1989, money in the Income Tax
9 Refund Fund shall be expended exclusively for the purpose
10 of paying refunds resulting from overpayment of tax
11 liability under Section 201 of this Act, for paying rebates
12 under Section 208.1 in the event that the amounts in the
13 Homeowners' Tax Relief Fund are insufficient for that
14 purpose, and for making transfers pursuant to this
15 subsection (d).

16 (2) The Director shall order payment of refunds
17 resulting from overpayment of tax liability under Section
18 201 of this Act from the Income Tax Refund Fund only to the
19 extent that amounts collected pursuant to Section 201 of
20 this Act and transfers pursuant to this subsection (d) and
21 item (3) of subsection (c) have been deposited and retained
22 in the Fund.

23 (3) As soon as possible after the end of each fiscal
24 year, the Director shall order transferred and the State
25 Treasurer and State Comptroller shall transfer from the
26 Income Tax Refund Fund to the Personal Property Tax
27 Replacement Fund an amount, certified by the Director to
28 the Comptroller, equal to the excess of the amount
29 collected pursuant to subsections (c) and (d) of Section
30 201 of this Act deposited into the Income Tax Refund Fund
31 during the fiscal year over the amount of refunds resulting
32 from overpayment of tax liability under subsections (c) and
33 (d) of Section 201 of this Act paid from the Income Tax
34 Refund Fund during the fiscal year.

1 (4) As soon as possible after the end of each fiscal
2 year, the Director shall order transferred and the State
3 Treasurer and State Comptroller shall transfer from the
4 Personal Property Tax Replacement Fund to the Income Tax
5 Refund Fund an amount, certified by the Director to the
6 Comptroller, equal to the excess of the amount of refunds
7 resulting from overpayment of tax liability under
8 subsections (c) and (d) of Section 201 of this Act paid
9 from the Income Tax Refund Fund during the fiscal year over
10 the amount collected pursuant to subsections (c) and (d) of
11 Section 201 of this Act deposited into the Income Tax
12 Refund Fund during the fiscal year.

13 (4.5) As soon as possible after the end of fiscal year
14 1999 and of each fiscal year thereafter, the Director shall
15 order transferred and the State Treasurer and State
16 Comptroller shall transfer from the Income Tax Refund Fund
17 to the General Revenue Fund any surplus remaining in the
18 Income Tax Refund Fund as of the end of such fiscal year;
19 excluding for fiscal years 2000, 2001, and 2002 amounts
20 attributable to transfers under item (3) of subsection (c)
21 less refunds resulting from the earned income tax credit.

22 (5) This Act shall constitute an irrevocable and
23 continuing appropriation from the Income Tax Refund Fund
24 for the purpose of paying refunds upon the order of the
25 Director in accordance with the provisions of this Section.

26 (e) Deposits into the Education Assistance Fund and the
27 Income Tax Surcharge Local Government Distributive Fund.

28 On July 1, 1991, and thereafter, of the amounts collected
29 pursuant to subsections (a) and (b) of Section 201 of this Act,
30 minus deposits into the Income Tax Refund Fund, the Department
31 shall deposit 7.3% into the Education Assistance Fund in the
32 State Treasury. Beginning July 1, 1991, and continuing through
33 January 31, 1993, of the amounts collected pursuant to
34 subsections (a) and (b) of Section 201 of the Illinois Income

1 Tax Act, minus deposits into the Income Tax Refund Fund, the
2 Department shall deposit 3.0% into the Income Tax Surcharge
3 Local Government Distributive Fund in the State Treasury.
4 Beginning February 1, 1993 and continuing through June 30,
5 1993, of the amounts collected pursuant to subsections (a) and
6 (b) of Section 201 of the Illinois Income Tax Act, minus
7 deposits into the Income Tax Refund Fund, the Department shall
8 deposit 4.4% into the Income Tax Surcharge Local Government
9 Distributive Fund in the State Treasury. Beginning July 1,
10 1993, and continuing through June 30, 1994, of the amounts
11 collected under subsections (a) and (b) of Section 201 of this
12 Act, minus deposits into the Income Tax Refund Fund, the
13 Department shall deposit 1.475% into the Income Tax Surcharge
14 Local Government Distributive Fund in the State Treasury.

15 (Source: P.A. 93-32, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91,
16 eff. 7-1-05; revised 12-15-05.)

17 Section 5-60. The Cigarette Tax Act is amended by changing
18 Section 2 as follows:

19 (35 ILCS 130/2) (from Ch. 120, par. 453.2)

20 Sec. 2. Tax imposed; rate; collection, payment, and
21 distribution; discount.

22 (a) A tax is imposed upon any person engaged in business as
23 a retailer of cigarettes in this State at the rate of 5 1/2
24 mills per cigarette sold, or otherwise disposed of in the
25 course of such business in this State. In addition to any other
26 tax imposed by this Act, a tax is imposed upon any person
27 engaged in business as a retailer of cigarettes in this State
28 at a rate of 1/2 mill per cigarette sold or otherwise disposed
29 of in the course of such business in this State on and after
30 January 1, 1947, and shall be paid into the Metropolitan Fair
31 and Exposition Authority Reconstruction Fund or as otherwise
32 provided in Section 29. On and after December 1, 1985, in

1 addition to any other tax imposed by this Act, a tax is imposed
2 upon any person engaged in business as a retailer of cigarettes
3 in this State at a rate of 4 mills per cigarette sold or
4 otherwise disposed of in the course of such business in this
5 State. Of the additional tax imposed by this amendatory Act of
6 1985, \$9,000,000 of the moneys received by the Department of
7 Revenue pursuant to this Act shall be paid each month into the
8 Common School Fund. On and after the effective date of this
9 amendatory Act of 1989, in addition to any other tax imposed by
10 this Act, a tax is imposed upon any person engaged in business
11 as a retailer of cigarettes at the rate of 5 mills per
12 cigarette sold or otherwise disposed of in the course of such
13 business in this State. On and after the effective date of this
14 amendatory Act of 1993, in addition to any other tax imposed by
15 this Act, a tax is imposed upon any person engaged in business
16 as a retailer of cigarettes at the rate of 7 mills per
17 cigarette sold or otherwise disposed of in the course of such
18 business in this State. On and after December 15, 1997, in
19 addition to any other tax imposed by this Act, a tax is imposed
20 upon any person engaged in business as a retailer of cigarettes
21 at the rate of 7 mills per cigarette sold or otherwise disposed
22 of in the course of such business of this State. All of the
23 moneys received by the Department of Revenue pursuant to this
24 Act and the Cigarette Use Tax Act from the additional taxes
25 imposed by this amendatory Act of 1997, shall be paid each
26 month into the Common School Fund. On and after July 1, 2002,
27 in addition to any other tax imposed by this Act, a tax is
28 imposed upon any person engaged in business as a retailer of
29 cigarettes at the rate of 20.0 mills per cigarette sold or
30 otherwise disposed of in the course of such business in this
31 State. The payment of such taxes shall be evidenced by a stamp
32 affixed to each original package of cigarettes, or an
33 authorized substitute for such stamp imprinted on each original
34 package of such cigarettes underneath the sealed transparent

1 outside wrapper of such original package, as hereinafter
2 provided. However, such taxes are not imposed upon any activity
3 in such business in interstate commerce or otherwise, which
4 activity may not under the Constitution and statutes of the
5 United States be made the subject of taxation by this State.

6 Beginning on the effective date of this amendatory Act of
7 the 92nd General Assembly and through June 30, 2006, all of the
8 moneys received by the Department of Revenue pursuant to this
9 Act and the Cigarette Use Tax Act, other than the moneys that
10 are dedicated to the Common School Fund, shall be distributed
11 each month as follows: first, there shall be paid into the
12 General Revenue Fund an amount which, when added to the amount
13 paid into the Common School Fund for that month, equals
14 \$33,300,000, except that in the month of August of 2004, this
15 amount shall equal \$83,300,000; then, from the moneys
16 remaining, if any amounts required to be paid into the General
17 Revenue Fund in previous months remain unpaid, those amounts
18 shall be paid into the General Revenue Fund; then, beginning on
19 April 1, 2003, from the moneys remaining, \$5,000,000 per month
20 shall be paid into the School Infrastructure Fund; then, if any
21 amounts required to be paid into the School Infrastructure Fund
22 in previous months remain unpaid, those amounts shall be paid
23 into the School Infrastructure Fund; then the moneys remaining,
24 if any, shall be paid into the Long-Term Care Provider Fund. To
25 the extent that more than \$25,000,000 has been paid into the
26 General Revenue Fund and Common School Fund per month for the
27 period of July 1, 1993 through the effective date of this
28 amendatory Act of 1994 from combined receipts of the Cigarette
29 Tax Act and the Cigarette Use Tax Act, notwithstanding the
30 distribution provided in this Section, the Department of
31 Revenue is hereby directed to adjust the distribution provided
32 in this Section to increase the next monthly payments to the
33 Long Term Care Provider Fund by the amount paid to the General
34 Revenue Fund and Common School Fund in excess of \$25,000,000

1 per month and to decrease the next monthly payments to the
2 General Revenue Fund and Common School Fund by that same excess
3 amount.

4 Beginning on July 1, 2006, all of the moneys received by
5 the Department of Revenue pursuant to this Act and the
6 Cigarette Use Tax Act, other than the moneys that are dedicated
7 to the Common School Fund, shall be distributed each month as
8 follows: first, there shall be paid into the General Revenue
9 Fund an amount that, when added to the amount paid into the
10 Common School Fund for that month, equals \$29,200,000; then,
11 from the moneys remaining, if any amounts required to be paid
12 into the General Revenue Fund in previous months remain unpaid,
13 those amounts shall be paid into the General Revenue Fund; then
14 from the moneys remaining, \$5,000,000 per month shall be paid
15 into the School Infrastructure Fund; then, if any amounts
16 required to be paid into the School Infrastructure Fund in
17 previous months remain unpaid, those amounts shall be paid into
18 the School Infrastructure Fund; then the moneys remaining, if
19 any, shall be paid into the Long-Term Care Provider Fund.

20 When any tax imposed herein terminates or has terminated,
21 distributors who have bought stamps while such tax was in
22 effect and who therefore paid such tax, but who can show, to
23 the Department's satisfaction, that they sold the cigarettes to
24 which they affixed such stamps after such tax had terminated
25 and did not recover the tax or its equivalent from purchasers,
26 shall be allowed by the Department to take credit for such
27 absorbed tax against subsequent tax stamp purchases from the
28 Department by such distributor.

29 The impact of the tax levied by this Act is imposed upon
30 the retailer and shall be prepaid or pre-collected by the
31 distributor for the purpose of convenience and facility only,
32 and the amount of the tax shall be added to the price of the
33 cigarettes sold by such distributor. Collection of the tax
34 shall be evidenced by a stamp or stamps affixed to each

1 original package of cigarettes, as hereinafter provided.

2 Each distributor shall collect the tax from the retailer at
3 or before the time of the sale, shall affix the stamps as
4 hereinafter required, and shall remit the tax collected from
5 retailers to the Department, as hereinafter provided. Any
6 distributor who fails to properly collect and pay the tax
7 imposed by this Act shall be liable for the tax. Any
8 distributor having cigarettes to which stamps have been affixed
9 in his possession for sale on the effective date of this
10 amendatory Act of 1989 shall not be required to pay the
11 additional tax imposed by this amendatory Act of 1989 on such
12 stamped cigarettes. Any distributor having cigarettes to which
13 stamps have been affixed in his or her possession for sale at
14 12:01 a.m. on the effective date of this amendatory Act of
15 1993, is required to pay the additional tax imposed by this
16 amendatory Act of 1993 on such stamped cigarettes. This
17 payment, less the discount provided in subsection (b), shall be
18 due when the distributor first makes a purchase of cigarette
19 tax stamps after the effective date of this amendatory Act of
20 1993, or on the first due date of a return under this Act after
21 the effective date of this amendatory Act of 1993, whichever
22 occurs first. Any distributor having cigarettes to which stamps
23 have been affixed in his possession for sale on December 15,
24 1997 shall not be required to pay the additional tax imposed by
25 this amendatory Act of 1997 on such stamped cigarettes.

26 Any distributor having cigarettes to which stamps have been
27 affixed in his or her possession for sale on July 1, 2002 shall
28 not be required to pay the additional tax imposed by this
29 amendatory Act of the 92nd General Assembly on those stamped
30 cigarettes.

31 The amount of the Cigarette Tax imposed by this Act shall
32 be separately stated, apart from the price of the goods, by
33 both distributors and retailers, in all advertisements, bills
34 and sales invoices.

1 (b) The distributor shall be required to collect the taxes
2 provided under paragraph (a) hereof, and, to cover the costs of
3 such collection, shall be allowed a discount during any year
4 commencing July 1st and ending the following June 30th in
5 accordance with the schedule set out hereinbelow, which
6 discount shall be allowed at the time of purchase of the stamps
7 when purchase is required by this Act, or at the time when the
8 tax is remitted to the Department without the purchase of
9 stamps from the Department when that method of paying the tax
10 is required or authorized by this Act. Prior to December 1,
11 1985, a discount equal to $1\frac{2}{3}\%$ of the amount of the tax up to
12 and including the first \$700,000 paid hereunder by such
13 distributor to the Department during any such year; $1\frac{1}{3}\%$ of
14 the next \$700,000 of tax or any part thereof, paid hereunder by
15 such distributor to the Department during any such year; 1% of
16 the next \$700,000 of tax, or any part thereof, paid hereunder
17 by such distributor to the Department during any such year, and
18 $\frac{2}{3}$ of 1% of the amount of any additional tax paid hereunder by
19 such distributor to the Department during any such year shall
20 apply. On and after December 1, 1985, a discount equal to 1.75%
21 of the amount of the tax payable under this Act up to and
22 including the first \$3,000,000 paid hereunder by such
23 distributor to the Department during any such year and 1.5% of
24 the amount of any additional tax paid hereunder by such
25 distributor to the Department during any such year shall apply.

26 Two or more distributors that use a common means of
27 affixing revenue tax stamps or that are owned or controlled by
28 the same interests shall be treated as a single distributor for
29 the purpose of computing the discount.

30 (c) The taxes herein imposed are in addition to all other
31 occupation or privilege taxes imposed by the State of Illinois,
32 or by any political subdivision thereof, or by any municipal
33 corporation.

34 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

1 Section 5-65. The Motor Fuel Tax Law is amended by changing
2 Section 8 as follows:

3 (35 ILCS 505/8) (from Ch. 120, par. 424)

4 Sec. 8. Except as provided in Section 8a, subdivision
5 (h) (1) of Section 12a, Section 13a.6, and items 13, 14, 15, and
6 16 of Section 15, all money received by the Department under
7 this Act, including payments made to the Department by member
8 jurisdictions participating in the International Fuel Tax
9 Agreement, shall be deposited in a special fund in the State
10 treasury, to be known as the "Motor Fuel Tax Fund", and shall
11 be used as follows:

12 (a) 2 1/2 cents per gallon of the tax collected on special
13 fuel under paragraph (b) of Section 2 and Section 13a of this
14 Act shall be transferred to the State Construction Account Fund
15 in the State Treasury;

16 (b) \$420,000 shall be transferred each month to the State
17 Boating Act Fund to be used by the Department of Natural
18 Resources for the purposes specified in Article X of the Boat
19 Registration and Safety Act;

20 (c) \$2,250,000 shall be transferred each month to the Grade
21 Crossing Protection Fund to be used as follows: not less than
22 \$6,000,000 each fiscal year shall be used for the construction
23 or reconstruction of rail highway grade separation structures;
24 \$2,250,000 in fiscal year 2004 and each fiscal year thereafter
25 shall be transferred to the Transportation Regulatory Fund and
26 shall be accounted for as part of the rail carrier portion of
27 such funds and shall be used to pay the cost of administration
28 of the Illinois Commerce Commission's railroad safety program
29 in connection with its duties under subsection (3) of Section
30 18c-7401 of the Illinois Vehicle Code, with the remainder to be
31 used by the Department of Transportation upon order of the
32 Illinois Commerce Commission, to pay that part of the cost

1 apportioned by such Commission to the State to cover the
2 interest of the public in the use of highways, roads, streets,
3 or pedestrian walkways in the county highway system, township
4 and district road system, or municipal street system as defined
5 in the Illinois Highway Code, as the same may from time to time
6 be amended, for separation of grades, for installation,
7 construction or reconstruction of crossing protection or
8 reconstruction, alteration, relocation including construction
9 or improvement of any existing highway necessary for access to
10 property or improvement of any grade crossing including the
11 necessary highway approaches thereto of any railroad across the
12 highway or public road, or for the installation, construction,
13 reconstruction, or maintenance of a pedestrian walkway over or
14 under a railroad right-of-way, as provided for in and in
15 accordance with Section 18c-7401 of the Illinois Vehicle Code.
16 The Commission shall not order more than \$2,000,000 per year in
17 Grade Crossing Protection Fund moneys for pedestrian walkways.
18 In entering orders for projects for which payments from the
19 Grade Crossing Protection Fund will be made, the Commission
20 shall account for expenditures authorized by the orders on a
21 cash rather than an accrual basis. For purposes of this
22 requirement an "accrual basis" assumes that the total cost of
23 the project is expended in the fiscal year in which the order
24 is entered, while a "cash basis" allocates the cost of the
25 project among fiscal years as expenditures are actually made.
26 To meet the requirements of this subsection, the Illinois
27 Commerce Commission shall develop annual and 5-year project
28 plans of rail crossing capital improvements that will be paid
29 for with moneys from the Grade Crossing Protection Fund. The
30 annual project plan shall identify projects for the succeeding
31 fiscal year and the 5-year project plan shall identify projects
32 for the 5 directly succeeding fiscal years. The Commission
33 shall submit the annual and 5-year project plans for this Fund
34 to the Governor, the President of the Senate, the Senate

1 Minority Leader, the Speaker of the House of Representatives,
2 and the Minority Leader of the House of Representatives on the
3 first Wednesday in April of each year;

4 (d) of the amount remaining after allocations provided for
5 in subsections (a), (b) and (c), a sufficient amount shall be
6 reserved to pay all of the following:

7 (1) the costs of the Department of Revenue in
8 administering this Act;

9 (2) the costs of the Department of Transportation in
10 performing its duties imposed by the Illinois Highway Code
11 for supervising the use of motor fuel tax funds apportioned
12 to municipalities, counties and road districts;

13 (3) refunds provided for in Section 13 of this Act and
14 under the terms of the International Fuel Tax Agreement
15 referenced in Section 14a;

16 (4) from October 1, 1985 until June 30, 1994, the
17 administration of the Vehicle Emissions Inspection Law,
18 which amount shall be certified monthly by the
19 Environmental Protection Agency to the State Comptroller
20 and shall promptly be transferred by the State Comptroller
21 and Treasurer from the Motor Fuel Tax Fund to the Vehicle
22 Inspection Fund, and for the period July 1, 1994 through
23 June 30, 2000, one-twelfth of \$25,000,000 each month, for
24 the period July 1, 2000 through June 30, 2003, one-twelfth
25 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,
26 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each
27 July 1 and October 1, or as soon thereafter as may be
28 practical, during the period July 1, 2004 through June 30,
29 2008 ~~2006~~, for the administration of the Vehicle Emissions
30 Inspection Law of 1995, to be transferred by the State
31 Comptroller and Treasurer from the Motor Fuel Tax Fund into
32 the Vehicle Inspection Fund;

33 (5) amounts ordered paid by the Court of Claims; and

34 (6) payment of motor fuel use taxes due to member

1 jurisdictions under the terms of the International Fuel Tax
2 Agreement. The Department shall certify these amounts to
3 the Comptroller by the 15th day of each month; the
4 Comptroller shall cause orders to be drawn for such
5 amounts, and the Treasurer shall administer those amounts
6 on or before the last day of each month;

7 (e) after allocations for the purposes set forth in
8 subsections (a), (b), (c) and (d), the remaining amount shall
9 be apportioned as follows:

10 (1) Until January 1, 2000, 58.4%, and beginning January
11 1, 2000, 45.6% shall be deposited as follows:

12 (A) 37% into the State Construction Account Fund,
13 and

14 (B) 63% into the Road Fund, \$1,250,000 of which
15 shall be reserved each month for the Department of
16 Transportation to be used in accordance with the
17 provisions of Sections 6-901 through 6-906 of the
18 Illinois Highway Code;

19 (2) Until January 1, 2000, 41.6%, and beginning January
20 1, 2000, 54.4% shall be transferred to the Department of
21 Transportation to be distributed as follows:

22 (A) 49.10% to the municipalities of the State,

23 (B) 16.74% to the counties of the State having
24 1,000,000 or more inhabitants,

25 (C) 18.27% to the counties of the State having less
26 than 1,000,000 inhabitants,

27 (D) 15.89% to the road districts of the State.

28 As soon as may be after the first day of each month the
29 Department of Transportation shall allot to each municipality
30 its share of the amount apportioned to the several
31 municipalities which shall be in proportion to the population
32 of such municipalities as determined by the last preceding
33 municipal census if conducted by the Federal Government or
34 Federal census. If territory is annexed to any municipality

1 subsequent to the time of the last preceding census the
2 corporate authorities of such municipality may cause a census
3 to be taken of such annexed territory and the population so
4 ascertained for such territory shall be added to the population
5 of the municipality as determined by the last preceding census
6 for the purpose of determining the allotment for that
7 municipality. If the population of any municipality was not
8 determined by the last Federal census preceding any
9 apportionment, the apportionment to such municipality shall be
10 in accordance with any census taken by such municipality. Any
11 municipal census used in accordance with this Section shall be
12 certified to the Department of Transportation by the clerk of
13 such municipality, and the accuracy thereof shall be subject to
14 approval of the Department which may make such corrections as
15 it ascertains to be necessary.

16 As soon as may be after the first day of each month the
17 Department of Transportation shall allot to each county its
18 share of the amount apportioned to the several counties of the
19 State as herein provided. Each allotment to the several
20 counties having less than 1,000,000 inhabitants shall be in
21 proportion to the amount of motor vehicle license fees received
22 from the residents of such counties, respectively, during the
23 preceding calendar year. The Secretary of State shall, on or
24 before April 15 of each year, transmit to the Department of
25 Transportation a full and complete report showing the amount of
26 motor vehicle license fees received from the residents of each
27 county, respectively, during the preceding calendar year. The
28 Department of Transportation shall, each month, use for
29 allotment purposes the last such report received from the
30 Secretary of State.

31 As soon as may be after the first day of each month, the
32 Department of Transportation shall allot to the several
33 counties their share of the amount apportioned for the use of
34 road districts. The allotment shall be apportioned among the

1 several counties in the State in the proportion which the total
2 mileage of township or district roads in the respective
3 counties bears to the total mileage of all township and
4 district roads in the State. Funds allotted to the respective
5 counties for the use of road districts therein shall be
6 allocated to the several road districts in the county in the
7 proportion which the total mileage of such township or district
8 roads in the respective road districts bears to the total
9 mileage of all such township or district roads in the county.
10 After July 1 of any year, no allocation shall be made for any
11 road district unless it levied a tax for road and bridge
12 purposes in an amount which will require the extension of such
13 tax against the taxable property in any such road district at a
14 rate of not less than either .08% of the value thereof, based
15 upon the assessment for the year immediately prior to the year
16 in which such tax was levied and as equalized by the Department
17 of Revenue or, in DuPage County, an amount equal to or greater
18 than \$12,000 per mile of road under the jurisdiction of the
19 road district, whichever is less. If any road district has
20 levied a special tax for road purposes pursuant to Sections
21 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such
22 tax was levied in an amount which would require extension at a
23 rate of not less than .08% of the value of the taxable property
24 thereof, as equalized or assessed by the Department of Revenue,
25 or, in DuPage County, an amount equal to or greater than
26 \$12,000 per mile of road under the jurisdiction of the road
27 district, whichever is less, such levy shall, however, be
28 deemed a proper compliance with this Section and shall qualify
29 such road district for an allotment under this Section. If a
30 township has transferred to the road and bridge fund money
31 which, when added to the amount of any tax levy of the road
32 district would be the equivalent of a tax levy requiring
33 extension at a rate of at least .08%, or, in DuPage County, an
34 amount equal to or greater than \$12,000 per mile of road under

1 the jurisdiction of the road district, whichever is less, such
2 transfer, together with any such tax levy, shall be deemed a
3 proper compliance with this Section and shall qualify the road
4 district for an allotment under this Section.

5 In counties in which a property tax extension limitation is
6 imposed under the Property Tax Extension Limitation Law, road
7 districts may retain their entitlement to a motor fuel tax
8 allotment if, at the time the property tax extension limitation
9 was imposed, the road district was levying a road and bridge
10 tax at a rate sufficient to entitle it to a motor fuel tax
11 allotment and continues to levy the maximum allowable amount
12 after the imposition of the property tax extension limitation.
13 Any road district may in all circumstances retain its
14 entitlement to a motor fuel tax allotment if it levied a road
15 and bridge tax in an amount that will require the extension of
16 the tax against the taxable property in the road district at a
17 rate of not less than 0.08% of the assessed value of the
18 property, based upon the assessment for the year immediately
19 preceding the year in which the tax was levied and as equalized
20 by the Department of Revenue or, in DuPage County, an amount
21 equal to or greater than \$12,000 per mile of road under the
22 jurisdiction of the road district, whichever is less.

23 As used in this Section the term "road district" means any
24 road district, including a county unit road district, provided
25 for by the Illinois Highway Code; and the term "township or
26 district road" means any road in the township and district road
27 system as defined in the Illinois Highway Code. For the
28 purposes of this Section, "road district" also includes park
29 districts, forest preserve districts and conservation
30 districts organized under Illinois law and "township or
31 district road" also includes such roads as are maintained by
32 park districts, forest preserve districts and conservation
33 districts. The Department of Transportation shall determine
34 the mileage of all township and district roads for the purposes

1 of making allotments and allocations of motor fuel tax funds
2 for use in road districts.

3 Payment of motor fuel tax moneys to municipalities and
4 counties shall be made as soon as possible after the allotment
5 is made. The treasurer of the municipality or county may invest
6 these funds until their use is required and the interest earned
7 by these investments shall be limited to the same uses as the
8 principal funds.

9 (Source: P.A. 92-16, eff. 6-28-01; 92-30, eff. 7-1-01; 93-32,
10 eff. 6-20-03; 93-839, eff. 7-30-04.)

11 Section 5-70. The Illinois Pension Code is amended by
12 changing Sections 2-124, 14-108.6, 14-131, 15-155, 16-158, and
13 18-131 as follows:

14 (40 ILCS 5/2-124) (from Ch. 108 1/2, par. 2-124)

15 Sec. 2-124. Contributions by State.

16 (a) The State shall make contributions to the System by
17 appropriations of amounts which, together with the
18 contributions of participants, interest earned on investments,
19 and other income will meet the cost of maintaining and
20 administering the System on a 90% funded basis in accordance
21 with actuarial recommendations.

22 (b) The Board shall determine the amount of State
23 contributions required for each fiscal year on the basis of the
24 actuarial tables and other assumptions adopted by the Board and
25 the prescribed rate of interest, using the formula in
26 subsection (c).

27 (c) For State fiscal years 2011 through 2045, the minimum
28 contribution to the System to be made by the State for each
29 fiscal year shall be an amount determined by the System to be
30 sufficient to bring the total assets of the System up to 90% of
31 the total actuarial liabilities of the System by the end of
32 State fiscal year 2045. In making these determinations, the

1 required State contribution shall be calculated each year as a
2 level percentage of payroll over the years remaining to and
3 including fiscal year 2045 and shall be determined under the
4 projected unit credit actuarial cost method.

5 For State fiscal years 1996 through 2005, the State
6 contribution to the System, as a percentage of the applicable
7 employee payroll, shall be increased in equal annual increments
8 so that by State fiscal year 2011, the State is contributing at
9 the rate required under this Section.

10 Notwithstanding any other provision of this Article, the
11 total required State contribution for State fiscal year 2006 is
12 \$4,157,000.

13 Notwithstanding any other provision of this Article, the
14 total required State contribution for State fiscal year 2007 is
15 \$5,220,300.

16 For each of State fiscal years 2008 through 2010, the State
17 contribution to the System, as a percentage of the applicable
18 employee payroll, shall be increased in equal annual increments
19 from the required State contribution for State fiscal year
20 2007, so that by State fiscal year 2011, the State is
21 contributing at the rate otherwise required under this Section.

22 Beginning in State fiscal year 2046, the minimum State
23 contribution for each fiscal year shall be the amount needed to
24 maintain the total assets of the System at 90% of the total
25 actuarial liabilities of the System.

26 Amounts received by the System pursuant to Section 25 of
27 the Budget Stabilization Act in any fiscal year do not reduce
28 and do not constitute payment of any portion of the minimum
29 State contribution required under this Article in that fiscal
30 year. Such amounts shall not reduce, and shall not be included
31 in the calculation of, the required State contributions under
32 this Article in any future year until the System has reached a
33 funding ratio of at least 90%. A reference in this Article to
34 the "required State contribution" or any substantially similar

1 term does not include or apply to any amounts payable to the
2 System under Section 25 of the Budget Stabilization Act.

3 Notwithstanding any other provision of this Section, the
4 required State contribution for State fiscal year 2005 and for
5 fiscal year 2008 and each fiscal year thereafter, as calculated
6 under this Section and certified under Section 2-134, shall not
7 exceed an amount equal to (i) the amount of the required State
8 contribution that would have been calculated under this Section
9 for that fiscal year if the System had not received any
10 payments under subsection (d) of Section 7.2 of the General
11 Obligation Bond Act, minus (ii) the portion of the State's
12 total debt service payments for that fiscal year on the bonds
13 issued for the purposes of that Section 7.2, as determined and
14 certified by the Comptroller, that is the same as the System's
15 portion of the total moneys distributed under subsection (d) of
16 Section 7.2 of the General Obligation Bond Act. In determining
17 this maximum for State fiscal years 2008 through 2010, however,
18 the amount referred to in item (i) shall be increased, as a
19 percentage of the applicable employee payroll, in equal
20 increments calculated from the sum of the required State
21 contribution for State fiscal year 2007 plus the applicable
22 portion of the State's total debt service payments for fiscal
23 year 2007 on the bonds issued for the purposes of Section 7.2
24 of the General Obligation Bond Act, so that, by State fiscal
25 year 2011, the State is contributing at the rate otherwise
26 required under this Section.

27 (Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

28 (40 ILCS 5/14-108.6)

29 Sec. 14-108.6. Alternative retirement cancellation
30 payment.

31 (a) To be eligible for the alternative retirement
32 cancellation payment provided in this Section, a person must:

33 (1) be a member of this System who, as of June 1, 2006

1 ~~July 1, 2005~~, was (i) in active payroll status as an
2 employee in a position listed in subsection (b) of this
3 Section and continuously employed in a position listed in
4 subsection (b) on and after January 1, 2006 ~~2005~~ and (ii)
5 an active contributor to this System with respect to that
6 employment;

7 (2) have not previously received any retirement
8 annuity under this Article;

9 (3) in the case of persons employed in a position title
10 listed under paragraph (1) of subsection (b), be among the
11 first 500 persons to file with the Board on or before
12 August 31, 2006 ~~September 30, 2005~~ a written application
13 requesting the alternative retirement cancellation payment
14 provided in this Section;

15 (4) in the case of persons employed in a position title
16 listed under paragraph (2) of subsection (b), have received
17 written authorization from the director or other head of
18 his or her department and filed that authorization with the
19 system on or before August 1, 2006 ~~September 1, 2005~~;

20 (5) if there is a QILDRO in effect against the person,
21 file with the Board the written consent of all alternate
22 payees under the QILDRO to the election of an alternative
23 retirement cancellation payment under this Section; and

24 (6) terminate employment under this Article within one
25 month after approval of the person's application
26 requesting the alternative retirement cancellation
27 payment, but in no event later than September 30, 2006
28 ~~October 31, 2005~~.

29 (b)(1) Position titles eligible for the alternative
30 retirement cancellation payment provided in this Section are:

31 911 Analyst III; Brickmason; Account Clerk I and II;
32 Budget Analyst I and II; Account Technician I and II;
33 Budget Operations Director; Accountant; Budget Principal;
34 Accountant Advanced; Building Services Worker; Accountant

1 Supervisor; Building/Grounds Laborer; Accounting Fiscal
2 Administrative Career Trainee; Building/Grounds Lead 1 and
3 2; Accounts Payable Processing Analyst; Building/Grounds
4 Maintenance Worker; Accounts Payable Specialist;
5 Building/Grounds Supervisor; Accounts Processing Analyst;
6 Bureau Chief; Actuarial Assistant; Business Administrative
7 Specialist; Administrative and Technology Director;
8 Business Analyst I through IV; Administrative Assistant I
9 through III; Business Manager; Administrative Clerk;
10 Buyer; Administrative Coordinator; Buyer Assistant;
11 Administrator; Capital Budget Analyst I and II;
12 Administrator of Capital Programs; Capital Budget
13 Director; Administrator of Construction Administration;
14 Capital Programs Analyst I and II; Administrator of
15 Contract Administration; Capital Programs Technician;
16 Administrator of Fair Employment Practices; Carpenter;
17 Administrator of Fiscal; Carpenter Foreman; Administrator
18 of Information Management; Cartographer I through III;
19 Administrator of Information Systems; Chief - Police;
20 Administrator of Personnel; Chief Veterans Technician;
21 Administrator of Professional Services; Circuit
22 Provisioning Specialist; Administrator of Public Affairs;
23 Civil Engineer IV ± through IX; Administrator of
24 Quality-Based Selection; Civil Engineer Trainee;
25 Administrator of Strategic Planning and Training; Clerical
26 Trainee; Appeals & Orders Coordinator; Communications
27 Director; Appraisal Specialist 1 through 3; Community
28 Planner 3; Assignment Coordinator; Commander; Assistant
29 Art-in-Architecture Coordinator; Compliance Specialist;
30 Assistant Chief - Police; Conservation Education
31 Representative; Assistant Internal Auditor; Conservation
32 Grant Administrator 1 through 3; Assistant Manager;
33 Construction Supervisor I and II; Assistant Personnel
34 Officer; Consumer Policy Analyst; Assistant Professor

1 Scientist; Consumer Program Coordinator; Assistant
2 Reimbursement Officer; Contract Executive; Assistant
3 Steward; Coordinator of Administrative Services; Associate
4 Director for Administrative Services; Coordinator of
5 Art-in-Architecture; Associate Museum Director;
6 Corrections Clerk I through III; Associate Professor
7 Scientist; Corrections Maintenance Supervisor; Corrections
8 Caseworker Supervisor; Corrections Food Service
9 Supervisor; Auto Parts Warehouse Specialist; Corrections
10 Maintenance Worker; Auto Parts Warehouse; Curator I
11 through III; Automotive Attendant I and II; Data Processing
12 Administrative Specialist; Automotive Mechanic; Data
13 Processing Assistant; Automotive Shop Supervisor; Data
14 Processing Operator; Baker; Data Processing Specialist;
15 Barber; Data Processing Supervisor 1 through 3;
16 Beautician; Data Processing Technician; Brickmason; Deputy
17 Chief Counsel; Director of Licensing; Desktop Technician;
18 Director of Security; Human Resources Officer; Division
19 Chief; Human Resources Representative; Division Director;
20 Human Resources Specialist; Economic Analyst I through IV;
21 Human Resources Trainee; Electrical Engineer; Human
22 Services Casework Manager; Electrical Engineer I through
23 V; Human Services Grant Coordinator 2 and 3; Electrical
24 Equipment Installer/Repairer; Iconographer; Electrical
25 Equipment Installer/Repairer Lead Worker; Industry and
26 Commercial Development Representative 1 and 2;
27 Electrician; Industry Services Consultant 1 and 2;
28 Electronics Technician; Information Services Intern;
29 Elevator Operator; Information Services Specialist I and
30 II; Endangered Species Secretary; Information Systems
31 Analyst I through III; Engineering Aide; Information
32 Systems Manager; Engineering Analyst I through IV;
33 Information Systems Planner; Engineering Manager I and II;
34 Institutional Maintenance Worker; ~~Engineering Technician I~~

1 ~~through V~~; Instrument Designer; Environmental Scientist I
2 and II; Insurance Analyst I through IV; Executive I through
3 VI; Executive Assistant; Intermittent Clerk; Executive
4 Assistant I through IV; Intermittent Laborer Maintenance;
5 Executive Secretary 1 through 3; Intern; Federal Funding
6 and Public Safety Director; Internal Auditor 1; Financial &
7 Budget Assistant; Internal Communications Officer;
8 Financial & Budget Supervisor; International Marketing
9 Representative 1; Financial Management Director; IT
10 Manager; Fiscal Executive; Janitor I and II; Fiscal
11 Officer; Junior State Veterinarian; Gas Engineer I through
12 IV; Junior Supervisor Scientist; General Counsel and
13 Regulatory Director; Laboratory Manager II; General
14 Services Administrator I; Labor Maintenance Lead Worker;
15 General Services Technician; Laborer; Geographic
16 Information Specialist 1 and 2; Laborer (Building);
17 Geologist I through IV; Laborer (Maintenance); Graphic
18 Arts Design Supervisor; Landscape Architect; Graphic Arts
19 Designer; Landscape Architect I through IV; Graphic Arts
20 Technician; Landscape Planner; Grounds Supervisor; Laundry
21 Manager I; Highway Construction Supervisor I; Legislative
22 Liaison I and II; Historical Research Editor 2; Liability
23 Claims Adjuster 1 and 2; Historical Research Specialist;
24 Librarian 1 and 2; Horse Custodian; Library Aide I through
25 III; Horse Identifier; Library Associate; Hourly
26 Assistant; Library Technical Assistant; Human Resource
27 Coordinator; Licensing Assistant; Human Resources Analyst;
28 Line Technician I through II; Human Resources Assistant;
29 Local History Service Representative; Human Resources
30 Associate; Local Housing Advisor 2 and 3; Human Resources
31 Manager; Local Revenue and Fiscal Advisor 3; Machinist;
32 Locksmith; Maintenance Equipment Operator; Operations
33 Communications Specialist Trainee; Maintenance Worker;
34 Operations Technician; Maintenance Worker Power Plant;

1 Painter; Management Information Technician; Paralegal
2 Assistant; Management Operations Analyst 1 and 2;
3 Performance Management Analyst; Management Secretary I;
4 Personnel Manager; Management Systems Specialist;
5 Photogrammetrist I through IV; Management Technician I
6 through IV; Physician; Manager; Physician Specialist
7 Operations A through D; Manpower Planner 1 through 3;
8 Planning Director; Medical Administrator III and V; Plant
9 Maintenance Engineer 1 and 2; Methods & Processes Advisor
10 1, 2 and III; Plumber; Methods & Processes Career Associate
11 1 and 2; Policy Advisor; Microfilm Operator I through III;
12 Policy Analyst I through IV; Military Administrative
13 Assistant I; Power Shovel Operator (Maintenance); Military
14 Administrative Clerk; Principal Economist; Military
15 Administrative Officer-Legal; Principal Scientist;
16 Military Administrative Specialist; Private Secretary 1
17 and 2; Military Community Relations Specialist; Private
18 Secretary I and II; Military Cooperative Agreement
19 Specialist; Procurement Representative; Military Crash,
20 Fire, Rescue I through III; Professor & Scientist; Military
21 Energy Manager; Program Manager; Military Engineer
22 Technician; Program Specialist; Military Environmental
23 Specialist I through III; Project Coordinator; Military
24 Facilities Engineer; Project Designer; Military Facilities
25 Officer I; Project Manager I through III; Military
26 Maintenance Engineer; Project Manager; Military Museum
27 Director; Project Manager/Technical Specialist I thru III;
28 Military Program Supervisor; Project Specialist I through
29 IV; Military Property Custodian II; Projects Director;
30 Military Real Property Clerk; Property & Supply Clerk I
31 through III; Motorist Assistance Specialist; Property
32 Control Officer; Museum Director; Public Administration
33 Intern; Museum Security Head I through III; Public
34 Information Coordinator; Museum Technician I through III;

1 Public Information Officer; Network Control Center
2 Specialist; Public Information Officer 2 through 4;
3 Network Control Center Technician 2; Public Service
4 Administrator; Network Engineer I through IV; Race Track
5 Maintenance 1 and 2; Office Administration Specialist;
6 Radio Technician Program Coordinator; Office Administrator
7 1 through 5; Realty Specialist I through V; Office Aide;
8 Receptionist; Office Assistant; Regional Manager; Office
9 Associate; Regulatory Accountant IV; Office Clerk;
10 Reimbursement Officer 1 and 2; Office Coordinator;
11 Representative I and II; Office Manager; Representative
12 Trainee; Office Occupations Trainee; School Construction
13 Manager; Office Specialist; Secretary I and IV; Operations
14 Communications Specialist I and II; Security Guard; Senior
15 Economic Analyst; Security Supervisor; Senior Editor;
16 Systems Developer I through IV; Senior Electrical
17 Engineer; Systems Developer Trainee; Senior Financial &
18 Budget Assistant; Systems Engineer I through IV; Senior Gas
19 Engineer; Systems Engineer Trainee; Senior Policy Analyst;
20 Tariff & Order Coordinator; Senior Programs Analyst;
21 Tariff Administrator III; Senior Project Consultant;
22 Tariff Analyst IV; Senior Project Manager; Teacher of
23 Barbering; Senior Public Information Officer; Teacher of
24 Beauty Culture; Senior Public Service Administrator;
25 Technical Advisor 2 and 3; Senior Rate Analyst; Technical
26 Advisor I through VII; Senior Technical Assistant;
27 Technical Analyst; Technical Manager VII † through IX;
28 Senior Technical Supervisor; Technical Assistant; Senior
29 Technology Specialist; Technical Manager 1; Senior
30 Transportation Industry Analyst; Technical Manager I
31 through X; Sewage Plant Operator; Technical Specialist;
32 Sign Hanger; Technical Support Specialist; Sign Hanger
33 Foreman; Technical Specialist I thru III; Sign Painter;
34 Technician Trainee; Sign Shop Foreman; Telecom Systems

1 Analyst; Silk Screen Operator; Telecom Systems Consultant;
2 Senior Administrative Assistant; Telecom Systems
3 Technician 1 and 2; Site Superintendent; Telecommunication
4 Supervisor; Software Architect; Tinsmith; Special
5 Assistant; Trades Tender; Special Assistant to the
6 Executive Director; Training Coordinator; Staff
7 Development Specialist I; Transportation Counsel; Staff
8 Development Technician II; Transportation Industry Analyst
9 III; State Police Captain; Transportation Industry
10 Customer Service; State Police Lieutenant; Transportation
11 Officer; State Police Major; Transportation Policy Analyst
12 III and IV; State Police Master Sergeant; Urban Planner I
13 through VI; Stationary Engineer; Utility Engineer I and II;
14 Stationary Engineer Assistant Chief; Veteran Secretary;
15 Stationary Engineer Chief; Veteran Technician; Stationary
16 Fireman; Water Engineer I through IV; Statistical Research
17 Specialist 1 through 3; Water Plant Operator; Statistical
18 Research Supervisor; Web and Publications Manager;
19 Statistical Research Technician; Steamfitter; Steward;
20 Steward Secretary; Storekeeper I through III; Stores
21 Clerk; Student Intern; Student Worker; Supervisor;
22 Supervisor & Assistant Scientist; Supervisor & Associate
23 Scientist; Switchboard Operator 1 through 3;
24 Administrative Assistant to the Superintendent; Assistant
25 Legal Advisor; Legal Assistant; Senior Human Resources
26 Specialist; Principal Internal Auditor; Division
27 Administrator; Division Supervisor; ~~and~~ Private Secretary
28 I through III; Actuary 1 through 3; Agriculture Marketing
29 Reporter; Apiary Inspector; App/Dry Goods Specialist I
30 through III; Appraisal Specialist Trainer; Check Issuance
31 Machine Operator; Check Issuance Machine Supervisor;
32 Corrections Leisure Activity Specialist 2 through 4;
33 Corrections Supply Supervisor I through III; Guard 1
34 through 3; Guard Supervisor; Information Tech/Com System

1 Specialist 1 and 2; Police Officer I and II; Property &
2 Supply Clerk I through III; Reproductive Services
3 Supervisor 1; Reproductive Services Tech 1 through 3;
4 Security Guard 1; Security Officer; Security Officer
5 Chief; Security Officer Lieutenant; Security Officer Sgt;
6 and Volunteer Services Coordinator 1 through III.

7 (2) In addition, any position titles with the Speaker
8 of the House of Representatives, the Minority Leader of the
9 House of Representatives, the President of the Senate, the
10 Minority Leader of the Senate, the Attorney General, the
11 Secretary of State, the Comptroller, the Treasurer, the
12 Auditor General, the Supreme Court, the Court of Claims,
13 and each legislative agency are eligible for the
14 alternative retirement cancellation payment provided in
15 this Section.

16 (c) In lieu of any retirement annuity or other benefit
17 provided under this Article, a person who qualifies for and
18 elects to receive the alternative retirement cancellation
19 payment under this Section shall be entitled to receive a
20 one-time lump sum retirement cancellation payment equal to the
21 amount of his or her contributions to the System (including any
22 employee contributions for optional service credit and
23 including any employee contributions paid by the employer or
24 credited to the employee during disability) as of the date of
25 termination, with regular interest, multiplied by 2.

26 (d) Notwithstanding any other provision of this Article, a
27 person who receives an alternative retirement cancellation
28 payment under this Section thereby forfeits the right to any
29 other retirement or disability benefit or refund under this
30 Article, and no widow's, survivor's, or death benefit deriving
31 from that person shall be payable under this Article. Upon
32 accepting an alternative retirement cancellation payment under
33 this Section, the person's creditable service and all other
34 rights in the System are terminated for all purposes, except

1 for the purpose of determining State group life and health
2 benefits for the person and his or her survivors as provided
3 under the State Employees Group Insurance Act of 1971.

4 (e) To the extent permitted by federal law, a person who
5 receives an alternative retirement cancellation payment under
6 this Section may direct the System to pay all or a portion of
7 that payment as a rollover into another retirement plan or
8 account qualified under the Internal Revenue Code of 1986, as
9 amended.

10 (f) Notwithstanding Section 14-111, a person who has
11 received an alternative retirement cancellation payment under
12 this Section and who reenters service under this Article other
13 than as a temporary employee must repay to the System the
14 amount by which that alternative retirement cancellation
15 payment exceeded the amount of his or her refundable employee
16 contributions within 60 days of resuming employment under this
17 System. For the purposes of re-establishing creditable service
18 that was terminated upon election of the alternative retirement
19 cancellation payment, the portion of the alternative
20 retirement cancellation payment representing refundable
21 employee contributions shall be deemed a refund repayable in
22 accordance with Section 14-130.

23 (g) The Commission on Government Forecasting and
24 Accountability shall determine and report to the Governor and
25 the General Assembly, on or before January 1, 2008 ~~2007~~, its
26 estimate of (1) the annual amount of payroll savings likely to
27 be realized by the State as a result of the early termination
28 of persons receiving the alternative retirement cancellation
29 payment under this Section and (2) the net annual savings or
30 cost to the State from the program of alternative retirement
31 cancellation payments under this Section.

32 The System, the Department of Central Management Services,
33 the Governor's Office of Management and Budget, and all other
34 departments shall provide to the Commission any assistance that

1 the Commission may request with respect to its report under
2 this Section. The Commission may require departments to provide
3 it with any information that it deems necessary or useful with
4 respect to its reports under this Section, including without
5 limitation information about (1) the final earnings of former
6 department employees who elected to receive alternative
7 retirement cancellation payments under this Section, (2) the
8 earnings of current department employees holding the positions
9 vacated by persons who elected to receive alternative
10 retirement cancellation payments under this Section, and (3)
11 positions vacated by persons who elected to receive alternative
12 retirement cancellation payments under this Section that have
13 not yet been refilled.

14 (Source: P.A. 94-109, eff. 7-1-05.)

15 (40 ILCS 5/14-131) (from Ch. 108 1/2, par. 14-131)

16 Sec. 14-131. Contributions by State.

17 (a) The State shall make contributions to the System by
18 appropriations of amounts which, together with other employer
19 contributions from trust, federal, and other funds, employee
20 contributions, investment income, and other income, will be
21 sufficient to meet the cost of maintaining and administering
22 the System on a 90% funded basis in accordance with actuarial
23 recommendations.

24 For the purposes of this Section and Section 14-135.08,
25 references to State contributions refer only to employer
26 contributions and do not include employee contributions that
27 are picked up or otherwise paid by the State or a department on
28 behalf of the employee.

29 (b) The Board shall determine the total amount of State
30 contributions required for each fiscal year on the basis of the
31 actuarial tables and other assumptions adopted by the Board,
32 using the formula in subsection (e).

33 The Board shall also determine a State contribution rate

1 for each fiscal year, expressed as a percentage of payroll,
2 based on the total required State contribution for that fiscal
3 year (less the amount received by the System from
4 appropriations under Section 8.12 of the State Finance Act and
5 Section 1 of the State Pension Funds Continuing Appropriation
6 Act, if any, for the fiscal year ending on the June 30
7 immediately preceding the applicable November 15 certification
8 deadline), the estimated payroll (including all forms of
9 compensation) for personal services rendered by eligible
10 employees, and the recommendations of the actuary.

11 For the purposes of this Section and Section 14.1 of the
12 State Finance Act, the term "eligible employees" includes
13 employees who participate in the System, persons who may elect
14 to participate in the System but have not so elected, persons
15 who are serving a qualifying period that is required for
16 participation, and annuitants employed by a department as
17 described in subdivision (a) (1) or (a) (2) of Section 14-111.

18 (c) Contributions shall be made by the several departments
19 for each pay period by warrants drawn by the State Comptroller
20 against their respective funds or appropriations based upon
21 vouchers stating the amount to be so contributed. These amounts
22 shall be based on the full rate certified by the Board under
23 Section 14-135.08 for that fiscal year. From the effective date
24 of this amendatory Act of the 93rd General Assembly through the
25 payment of the final payroll from fiscal year 2004
26 appropriations, the several departments shall not make
27 contributions for the remainder of fiscal year 2004 but shall
28 instead make payments as required under subsection (a-1) of
29 Section 14.1 of the State Finance Act. The several departments
30 shall resume those contributions at the commencement of fiscal
31 year 2005.

32 (d) If an employee is paid from trust funds or federal
33 funds, the department or other employer shall pay employer
34 contributions from those funds to the System at the certified

1 rate, unless the terms of the trust or the federal-State
2 agreement preclude the use of the funds for that purpose, in
3 which case the required employer contributions shall be paid by
4 the State. From the effective date of this amendatory Act of
5 the 93rd General Assembly through the payment of the final
6 payroll from fiscal year 2004 appropriations, the department or
7 other employer shall not pay contributions for the remainder of
8 fiscal year 2004 but shall instead make payments as required
9 under subsection (a-1) of Section 14.1 of the State Finance
10 Act. The department or other employer shall resume payment of
11 contributions at the commencement of fiscal year 2005.

12 (e) For State fiscal years 2011 through 2045, the minimum
13 contribution to the System to be made by the State for each
14 fiscal year shall be an amount determined by the System to be
15 sufficient to bring the total assets of the System up to 90% of
16 the total actuarial liabilities of the System by the end of
17 State fiscal year 2045. In making these determinations, the
18 required State contribution shall be calculated each year as a
19 level percentage of payroll over the years remaining to and
20 including fiscal year 2045 and shall be determined under the
21 projected unit credit actuarial cost method.

22 For State fiscal years 1996 through 2005, the State
23 contribution to the System, as a percentage of the applicable
24 employee payroll, shall be increased in equal annual increments
25 so that by State fiscal year 2011, the State is contributing at
26 the rate required under this Section; except that (i) for State
27 fiscal year 1998, for all purposes of this Code and any other
28 law of this State, the certified percentage of the applicable
29 employee payroll shall be 5.052% for employees earning eligible
30 creditable service under Section 14-110 and 6.500% for all
31 other employees, notwithstanding any contrary certification
32 made under Section 14-135.08 before the effective date of this
33 amendatory Act of 1997, and (ii) in the following specified
34 State fiscal years, the State contribution to the System shall

1 not be less than the following indicated percentages of the
2 applicable employee payroll, even if the indicated percentage
3 will produce a State contribution in excess of the amount
4 otherwise required under this subsection and subsection (a):
5 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY
6 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

7 Notwithstanding any other provision of this Article, the
8 total required State contribution to the System for State
9 fiscal year 2006 is \$203,783,900.

10 Notwithstanding any other provision of this Article, the
11 total required State contribution to the System for State
12 fiscal year 2007 is \$344,164,400.

13 For each of State fiscal years 2008 through 2010, the State
14 contribution to the System, as a percentage of the applicable
15 employee payroll, shall be increased in equal annual increments
16 from the required State contribution for State fiscal year
17 2007, so that by State fiscal year 2011, the State is
18 contributing at the rate otherwise required under this Section.

19 Beginning in State fiscal year 2046, the minimum State
20 contribution for each fiscal year shall be the amount needed to
21 maintain the total assets of the System at 90% of the total
22 actuarial liabilities of the System.

23 Amounts received by the System pursuant to Section 25 of
24 the Budget Stabilization Act in any fiscal year do not reduce
25 and do not constitute payment of any portion of the minimum
26 State contribution required under this Article in that fiscal
27 year. Such amounts shall not reduce, and shall not be included
28 in the calculation of, the required State contributions under
29 this Article in any future year until the System has reached a
30 funding ratio of at least 90%. A reference in this Article to
31 the "required State contribution" or any substantially similar
32 term does not include or apply to any amounts payable to the
33 System under Section 25 of the Budget Stabilization Act.

34 Notwithstanding any other provision of this Section, the

1 required State contribution for State fiscal year 2005 and for
2 fiscal year 2008 and each fiscal year thereafter, as calculated
3 under this Section and certified under Section 14-135.08, shall
4 not exceed an amount equal to (i) the amount of the required
5 State contribution that would have been calculated under this
6 Section for that fiscal year if the System had not received any
7 payments under subsection (d) of Section 7.2 of the General
8 Obligation Bond Act, minus (ii) the portion of the State's
9 total debt service payments for that fiscal year on the bonds
10 issued for the purposes of that Section 7.2, as determined and
11 certified by the Comptroller, that is the same as the System's
12 portion of the total moneys distributed under subsection (d) of
13 Section 7.2 of the General Obligation Bond Act. In determining
14 this maximum for State fiscal years 2008 through 2010, however,
15 the amount referred to in item (i) shall be increased, as a
16 percentage of the applicable employee payroll, in equal
17 increments calculated from the sum of the required State
18 contribution for State fiscal year 2007 plus the applicable
19 portion of the State's total debt service payments for fiscal
20 year 2007 on the bonds issued for the purposes of Section 7.2
21 of the General Obligation Bond Act, so that, by State fiscal
22 year 2011, the State is contributing at the rate otherwise
23 required under this Section.

24 (f) After the submission of all payments for eligible
25 employees from personal services line items in fiscal year 2004
26 have been made, the Comptroller shall provide to the System a
27 certification of the sum of all fiscal year 2004 expenditures
28 for personal services that would have been covered by payments
29 to the System under this Section if the provisions of this
30 amendatory Act of the 93rd General Assembly had not been
31 enacted. Upon receipt of the certification, the System shall
32 determine the amount due to the System based on the full rate
33 certified by the Board under Section 14-135.08 for fiscal year
34 2004 in order to meet the State's obligation under this

1 Section. The System shall compare this amount due to the amount
2 received by the System in fiscal year 2004 through payments
3 under this Section and under Section 6z-61 of the State Finance
4 Act. If the amount due is more than the amount received, the
5 difference shall be termed the "Fiscal Year 2004 Shortfall" for
6 purposes of this Section, and the Fiscal Year 2004 Shortfall
7 shall be satisfied under Section 1.2 of the State Pension Funds
8 Continuing Appropriation Act. If the amount due is less than
9 the amount received, the difference shall be termed the "Fiscal
10 Year 2004 Overpayment" for purposes of this Section, and the
11 Fiscal Year 2004 Overpayment shall be repaid by the System to
12 the Pension Contribution Fund as soon as practicable after the
13 certification.

14 (Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4,
15 eff. 6-1-05.)

16 (40 ILCS 5/15-155) (from Ch. 108 1/2, par. 15-155)

17 Sec. 15-155. Employer contributions.

18 (a) The State of Illinois shall make contributions by
19 appropriations of amounts which, together with the other
20 employer contributions from trust, federal, and other funds,
21 employee contributions, income from investments, and other
22 income of this System, will be sufficient to meet the cost of
23 maintaining and administering the System on a 90% funded basis
24 in accordance with actuarial recommendations.

25 The Board shall determine the amount of State contributions
26 required for each fiscal year on the basis of the actuarial
27 tables and other assumptions adopted by the Board and the
28 recommendations of the actuary, using the formula in subsection
29 (a-1).

30 (a-1) For State fiscal years 2011 through 2045, the minimum
31 contribution to the System to be made by the State for each
32 fiscal year shall be an amount determined by the System to be
33 sufficient to bring the total assets of the System up to 90% of

1 the total actuarial liabilities of the System by the end of
2 State fiscal year 2045. In making these determinations, the
3 required State contribution shall be calculated each year as a
4 level percentage of payroll over the years remaining to and
5 including fiscal year 2045 and shall be determined under the
6 projected unit credit actuarial cost method.

7 For State fiscal years 1996 through 2005, the State
8 contribution to the System, as a percentage of the applicable
9 employee payroll, shall be increased in equal annual increments
10 so that by State fiscal year 2011, the State is contributing at
11 the rate required under this Section.

12 Notwithstanding any other provision of this Article, the
13 total required State contribution for State fiscal year 2006 is
14 \$166,641,900.

15 Notwithstanding any other provision of this Article, the
16 total required State contribution for State fiscal year 2007 is
17 \$252,064,100.

18 For each of State fiscal years 2008 through 2010, the State
19 contribution to the System, as a percentage of the applicable
20 employee payroll, shall be increased in equal annual increments
21 from the required State contribution for State fiscal year
22 2007, so that by State fiscal year 2011, the State is
23 contributing at the rate otherwise required under this Section.

24 Beginning in State fiscal year 2046, the minimum State
25 contribution for each fiscal year shall be the amount needed to
26 maintain the total assets of the System at 90% of the total
27 actuarial liabilities of the System.

28 Amounts received by the System pursuant to Section 25 of
29 the Budget Stabilization Act in any fiscal year do not reduce
30 and do not constitute payment of any portion of the minimum
31 State contribution required under this Article in that fiscal
32 year. Such amounts shall not reduce, and shall not be included
33 in the calculation of, the required State contributions under
34 this Article in any future year until the System has reached a

1 funding ratio of at least 90%. A reference in this Article to
2 the "required State contribution" or any substantially similar
3 term does not include or apply to any amounts payable to the
4 System under Section 25 of the Budget Stabilization Act.

5 Notwithstanding any other provision of this Section, the
6 required State contribution for State fiscal year 2005 and for
7 fiscal year 2008 and each fiscal year thereafter, as calculated
8 under this Section and certified under Section 15-165, shall
9 not exceed an amount equal to (i) the amount of the required
10 State contribution that would have been calculated under this
11 Section for that fiscal year if the System had not received any
12 payments under subsection (d) of Section 7.2 of the General
13 Obligation Bond Act, minus (ii) the portion of the State's
14 total debt service payments for that fiscal year on the bonds
15 issued for the purposes of that Section 7.2, as determined and
16 certified by the Comptroller, that is the same as the System's
17 portion of the total moneys distributed under subsection (d) of
18 Section 7.2 of the General Obligation Bond Act. In determining
19 this maximum for State fiscal years 2008 through 2010, however,
20 the amount referred to in item (i) shall be increased, as a
21 percentage of the applicable employee payroll, in equal
22 increments calculated from the sum of the required State
23 contribution for State fiscal year 2007 plus the applicable
24 portion of the State's total debt service payments for fiscal
25 year 2007 on the bonds issued for the purposes of Section 7.2
26 of the General Obligation Bond Act, so that, by State fiscal
27 year 2011, the State is contributing at the rate otherwise
28 required under this Section.

29 (b) If an employee is paid from trust or federal funds, the
30 employer shall pay to the Board contributions from those funds
31 which are sufficient to cover the accruing normal costs on
32 behalf of the employee. However, universities having employees
33 who are compensated out of local auxiliary funds, income funds,
34 or service enterprise funds are not required to pay such

1 contributions on behalf of those employees. The local auxiliary
2 funds, income funds, and service enterprise funds of
3 universities shall not be considered trust funds for the
4 purpose of this Article, but funds of alumni associations,
5 foundations, and athletic associations which are affiliated
6 with the universities included as employers under this Article
7 and other employers which do not receive State appropriations
8 are considered to be trust funds for the purpose of this
9 Article.

10 (b-1) The City of Urbana and the City of Champaign shall
11 each make employer contributions to this System for their
12 respective firefighter employees who participate in this
13 System pursuant to subsection (h) of Section 15-107. The rate
14 of contributions to be made by those municipalities shall be
15 determined annually by the Board on the basis of the actuarial
16 assumptions adopted by the Board and the recommendations of the
17 actuary, and shall be expressed as a percentage of salary for
18 each such employee. The Board shall certify the rate to the
19 affected municipalities as soon as may be practical. The
20 employer contributions required under this subsection shall be
21 remitted by the municipality to the System at the same time and
22 in the same manner as employee contributions.

23 (c) Through State fiscal year 1995: The total employer
24 contribution shall be apportioned among the various funds of
25 the State and other employers, whether trust, federal, or other
26 funds, in accordance with actuarial procedures approved by the
27 Board. State of Illinois contributions for employers receiving
28 State appropriations for personal services shall be payable
29 from appropriations made to the employers or to the System. The
30 contributions for Class I community colleges covering earnings
31 other than those paid from trust and federal funds, shall be
32 payable solely from appropriations to the Illinois Community
33 College Board or the System for employer contributions.

34 (d) Beginning in State fiscal year 1996, the required State

1 contributions to the System shall be appropriated directly to
2 the System and shall be payable through vouchers issued in
3 accordance with subsection (c) of Section 15-165, except as
4 provided in subsection (g).

5 (e) The State Comptroller shall draw warrants payable to
6 the System upon proper certification by the System or by the
7 employer in accordance with the appropriation laws and this
8 Code.

9 (f) Normal costs under this Section means liability for
10 pensions and other benefits which accrues to the System because
11 of the credits earned for service rendered by the participants
12 during the fiscal year and expenses of administering the
13 System, but shall not include the principal of or any
14 redemption premium or interest on any bonds issued by the Board
15 or any expenses incurred or deposits required in connection
16 therewith.

17 (g) If the amount of a participant's earnings for any
18 academic year used to determine the final rate of earnings
19 exceeds the amount of his or her earnings with the same
20 employer for the previous academic year by more than 6%, the
21 participant's employer shall pay to the System, in addition to
22 all other payments required under this Section and in
23 accordance with guidelines established by the System, the
24 present value of the increase in benefits resulting from the
25 portion of the increase in earnings that is in excess of 6%.
26 This present value shall be computed by the System on the basis
27 of the actuarial assumptions and tables used in the most recent
28 actuarial valuation of the System that is available at the time
29 of the computation. The employer contributions required under
30 this subsection (g) shall be paid in the form of a lump sum
31 within 30 days after receipt of the bill after the participant
32 begins receiving benefits under this Article.

33 The provisions of this subsection (g) do not apply to
34 earnings increases paid to participants under contracts or

1 collective bargaining agreements entered into, amended, or
2 renewed before the effective date of this amendatory Act of the
3 94th General Assembly.

4 (Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

5 (40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

6 Sec. 16-158. Contributions by State and other employing
7 units.

8 (a) The State shall make contributions to the System by
9 means of appropriations from the Common School Fund and other
10 State funds of amounts which, together with other employer
11 contributions, employee contributions, investment income, and
12 other income, will be sufficient to meet the cost of
13 maintaining and administering the System on a 90% funded basis
14 in accordance with actuarial recommendations.

15 The Board shall determine the amount of State contributions
16 required for each fiscal year on the basis of the actuarial
17 tables and other assumptions adopted by the Board and the
18 recommendations of the actuary, using the formula in subsection
19 (b-3).

20 (a-1) Annually, on or before November 15, the Board shall
21 certify to the Governor the amount of the required State
22 contribution for the coming fiscal year. The certification
23 shall include a copy of the actuarial recommendations upon
24 which it is based.

25 On or before May 1, 2004, the Board shall recalculate and
26 recertify to the Governor the amount of the required State
27 contribution to the System for State fiscal year 2005, taking
28 into account the amounts appropriated to and received by the
29 System under subsection (d) of Section 7.2 of the General
30 Obligation Bond Act.

31 On or before July 1, 2005, the Board shall recalculate and
32 recertify to the Governor the amount of the required State
33 contribution to the System for State fiscal year 2006, taking

1 into account the changes in required State contributions made
2 by this amendatory Act of the 94th General Assembly.

3 (b) Through State fiscal year 1995, the State contributions
4 shall be paid to the System in accordance with Section 18-7 of
5 the School Code.

6 (b-1) Beginning in State fiscal year 1996, on the 15th day
7 of each month, or as soon thereafter as may be practicable, the
8 Board shall submit vouchers for payment of State contributions
9 to the System, in a total monthly amount of one-twelfth of the
10 required annual State contribution certified under subsection
11 (a-1). From the effective date of this amendatory Act of the
12 93rd General Assembly through June 30, 2004, the Board shall
13 not submit vouchers for the remainder of fiscal year 2004 in
14 excess of the fiscal year 2004 certified contribution amount
15 determined under this Section after taking into consideration
16 the transfer to the System under subsection (a) of Section
17 6z-61 of the State Finance Act. These vouchers shall be paid by
18 the State Comptroller and Treasurer by warrants drawn on the
19 funds appropriated to the System for that fiscal year.

20 If in any month the amount remaining unexpended from all
21 other appropriations to the System for the applicable fiscal
22 year (including the appropriations to the System under Section
23 8.12 of the State Finance Act and Section 1 of the State
24 Pension Funds Continuing Appropriation Act) is less than the
25 amount lawfully vouchered under this subsection, the
26 difference shall be paid from the Common School Fund under the
27 continuing appropriation authority provided in Section 1.1 of
28 the State Pension Funds Continuing Appropriation Act.

29 (b-2) Allocations from the Common School Fund apportioned
30 to school districts not coming under this System shall not be
31 diminished or affected by the provisions of this Article.

32 (b-3) For State fiscal years 2011 through 2045, the minimum
33 contribution to the System to be made by the State for each
34 fiscal year shall be an amount determined by the System to be

1 sufficient to bring the total assets of the System up to 90% of
2 the total actuarial liabilities of the System by the end of
3 State fiscal year 2045. In making these determinations, the
4 required State contribution shall be calculated each year as a
5 level percentage of payroll over the years remaining to and
6 including fiscal year 2045 and shall be determined under the
7 projected unit credit actuarial cost method.

8 For State fiscal years 1996 through 2005, the State
9 contribution to the System, as a percentage of the applicable
10 employee payroll, shall be increased in equal annual increments
11 so that by State fiscal year 2011, the State is contributing at
12 the rate required under this Section; except that in the
13 following specified State fiscal years, the State contribution
14 to the System shall not be less than the following indicated
15 percentages of the applicable employee payroll, even if the
16 indicated percentage will produce a State contribution in
17 excess of the amount otherwise required under this subsection
18 and subsection (a), and notwithstanding any contrary
19 certification made under subsection (a-1) before the effective
20 date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77%
21 in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY
22 2003; and 13.56% in FY 2004.

23 Notwithstanding any other provision of this Article, the
24 total required State contribution for State fiscal year 2006 is
25 \$534,627,700.

26 Notwithstanding any other provision of this Article, the
27 total required State contribution for State fiscal year 2007 is
28 \$738,014,500.

29 For each of State fiscal years 2008 through 2010, the State
30 contribution to the System, as a percentage of the applicable
31 employee payroll, shall be increased in equal annual increments
32 from the required State contribution for State fiscal year
33 2007, so that by State fiscal year 2011, the State is
34 contributing at the rate otherwise required under this Section.

1 Beginning in State fiscal year 2046, the minimum State
2 contribution for each fiscal year shall be the amount needed to
3 maintain the total assets of the System at 90% of the total
4 actuarial liabilities of the System.

5 Amounts received by the System pursuant to Section 25 of
6 the Budget Stabilization Act in any fiscal year do not reduce
7 and do not constitute payment of any portion of the minimum
8 State contribution required under this Article in that fiscal
9 year. Such amounts shall not reduce, and shall not be included
10 in the calculation of, the required State contributions under
11 this Article in any future year until the System has reached a
12 funding ratio of at least 90%. A reference in this Article to
13 the "required State contribution" or any substantially similar
14 term does not include or apply to any amounts payable to the
15 System under Section 25 of the Budget Stabilization Act.

16 Notwithstanding any other provision of this Section, the
17 required State contribution for State fiscal year 2005 and for
18 fiscal year 2008 and each fiscal year thereafter, as calculated
19 under this Section and certified under subsection (a-1), shall
20 not exceed an amount equal to (i) the amount of the required
21 State contribution that would have been calculated under this
22 Section for that fiscal year if the System had not received any
23 payments under subsection (d) of Section 7.2 of the General
24 Obligation Bond Act, minus (ii) the portion of the State's
25 total debt service payments for that fiscal year on the bonds
26 issued for the purposes of that Section 7.2, as determined and
27 certified by the Comptroller, that is the same as the System's
28 portion of the total moneys distributed under subsection (d) of
29 Section 7.2 of the General Obligation Bond Act. In determining
30 this maximum for State fiscal years 2008 through 2010, however,
31 the amount referred to in item (i) shall be increased, as a
32 percentage of the applicable employee payroll, in equal
33 increments calculated from the sum of the required State
34 contribution for State fiscal year 2007 plus the applicable

1 portion of the State's total debt service payments for fiscal
2 year 2007 on the bonds issued for the purposes of Section 7.2
3 of the General Obligation Bond Act, so that, by State fiscal
4 year 2011, the State is contributing at the rate otherwise
5 required under this Section.

6 (c) Payment of the required State contributions and of all
7 pensions, retirement annuities, death benefits, refunds, and
8 other benefits granted under or assumed by this System, and all
9 expenses in connection with the administration and operation
10 thereof, are obligations of the State.

11 If members are paid from special trust or federal funds
12 which are administered by the employing unit, whether school
13 district or other unit, the employing unit shall pay to the
14 System from such funds the full accruing retirement costs based
15 upon that service, as determined by the System. Employer
16 contributions, based on salary paid to members from federal
17 funds, may be forwarded by the distributing agency of the State
18 of Illinois to the System prior to allocation, in an amount
19 determined in accordance with guidelines established by such
20 agency and the System.

21 (d) Effective July 1, 1986, any employer of a teacher as
22 defined in paragraph (8) of Section 16-106 shall pay the
23 employer's normal cost of benefits based upon the teacher's
24 service, in addition to employee contributions, as determined
25 by the System. Such employer contributions shall be forwarded
26 monthly in accordance with guidelines established by the
27 System.

28 However, with respect to benefits granted under Section
29 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8)
30 of Section 16-106, the employer's contribution shall be 12%
31 (rather than 20%) of the member's highest annual salary rate
32 for each year of creditable service granted, and the employer
33 shall also pay the required employee contribution on behalf of
34 the teacher. For the purposes of Sections 16-133.4 and

1 16-133.5, a teacher as defined in paragraph (8) of Section
2 16-106 who is serving in that capacity while on leave of
3 absence from another employer under this Article shall not be
4 considered an employee of the employer from which the teacher
5 is on leave.

6 (e) Beginning July 1, 1998, every employer of a teacher
7 shall pay to the System an employer contribution computed as
8 follows:

9 (1) Beginning July 1, 1998 through June 30, 1999, the
10 employer contribution shall be equal to 0.3% of each
11 teacher's salary.

12 (2) Beginning July 1, 1999 and thereafter, the employer
13 contribution shall be equal to 0.58% of each teacher's
14 salary.

15 The school district or other employing unit may pay these
16 employer contributions out of any source of funding available
17 for that purpose and shall forward the contributions to the
18 System on the schedule established for the payment of member
19 contributions.

20 These employer contributions are intended to offset a
21 portion of the cost to the System of the increases in
22 retirement benefits resulting from this amendatory Act of 1998.

23 Each employer of teachers is entitled to a credit against
24 the contributions required under this subsection (e) with
25 respect to salaries paid to teachers for the period January 1,
26 2002 through June 30, 2003, equal to the amount paid by that
27 employer under subsection (a-5) of Section 6.6 of the State
28 Employees Group Insurance Act of 1971 with respect to salaries
29 paid to teachers for that period.

30 The additional 1% employee contribution required under
31 Section 16-152 by this amendatory Act of 1998 is the
32 responsibility of the teacher and not the teacher's employer,
33 unless the employer agrees, through collective bargaining or
34 otherwise, to make the contribution on behalf of the teacher.

1 If an employer is required by a contract in effect on May
2 1, 1998 between the employer and an employee organization to
3 pay, on behalf of all its full-time employees covered by this
4 Article, all mandatory employee contributions required under
5 this Article, then the employer shall be excused from paying
6 the employer contribution required under this subsection (e)
7 for the balance of the term of that contract. The employer and
8 the employee organization shall jointly certify to the System
9 the existence of the contractual requirement, in such form as
10 the System may prescribe. This exclusion shall cease upon the
11 termination, extension, or renewal of the contract at any time
12 after May 1, 1998.

13 (f) If the amount of a teacher's salary for any school year
14 used to determine final average salary exceeds the amount of
15 his or her salary with the same employer for the previous
16 school year by more than 6%, the teacher's employer shall pay
17 to the System, in addition to all other payments required under
18 this Section and in accordance with guidelines established by
19 the System, the present value of the increase in benefits
20 resulting from the portion of the increase in salary that is in
21 excess of 6%. This present value shall be computed by the
22 System on the basis of the actuarial assumptions and tables
23 used in the most recent actuarial valuation of the System that
24 is available at the time of the computation. The employer
25 contributions required under this subsection (f) shall be paid
26 in the form of a lump sum within 30 days after receipt of the
27 bill after the teacher begins receiving benefits under this
28 Article.

29 The provisions of this subsection (f) do not apply to
30 salary increases paid to teachers under contracts or collective
31 bargaining agreements entered into, amended, or renewed before
32 the effective date of this amendatory Act of the 94th General
33 Assembly.

34 (Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4,

1 eff. 6-1-05.)

2 (40 ILCS 5/18-131) (from Ch. 108 1/2, par. 18-131)

3 Sec. 18-131. Financing; employer contributions.

4 (a) The State of Illinois shall make contributions to this
5 System by appropriations of the amounts which, together with
6 the contributions of participants, net earnings on
7 investments, and other income, will meet the costs of
8 maintaining and administering this System on a 90% funded basis
9 in accordance with actuarial recommendations.

10 (b) The Board shall determine the amount of State
11 contributions required for each fiscal year on the basis of the
12 actuarial tables and other assumptions adopted by the Board and
13 the prescribed rate of interest, using the formula in
14 subsection (c).

15 (c) For State fiscal years 2011 through 2045, the minimum
16 contribution to the System to be made by the State for each
17 fiscal year shall be an amount determined by the System to be
18 sufficient to bring the total assets of the System up to 90% of
19 the total actuarial liabilities of the System by the end of
20 State fiscal year 2045. In making these determinations, the
21 required State contribution shall be calculated each year as a
22 level percentage of payroll over the years remaining to and
23 including fiscal year 2045 and shall be determined under the
24 projected unit credit actuarial cost method.

25 For State fiscal years 1996 through 2005, the State
26 contribution to the System, as a percentage of the applicable
27 employee payroll, shall be increased in equal annual increments
28 so that by State fiscal year 2011, the State is contributing at
29 the rate required under this Section.

30 Notwithstanding any other provision of this Article, the
31 total required State contribution for State fiscal year 2006 is
32 \$29,189,400.

33 Notwithstanding any other provision of this Article, the

1 total required State contribution for State fiscal year 2007 is
2 \$35,236,800.

3 For each of State fiscal years 2008 through 2010, the State
4 contribution to the System, as a percentage of the applicable
5 employee payroll, shall be increased in equal annual increments
6 from the required State contribution for State fiscal year
7 2007, so that by State fiscal year 2011, the State is
8 contributing at the rate otherwise required under this Section.

9 Beginning in State fiscal year 2046, the minimum State
10 contribution for each fiscal year shall be the amount needed to
11 maintain the total assets of the System at 90% of the total
12 actuarial liabilities of the System.

13 Amounts received by the System pursuant to Section 25 of
14 the Budget Stabilization Act in any fiscal year do not reduce
15 and do not constitute payment of any portion of the minimum
16 State contribution required under this Article in that fiscal
17 year. Such amounts shall not reduce, and shall not be included
18 in the calculation of, the required State contributions under
19 this Article in any future year until the System has reached a
20 funding ratio of at least 90%. A reference in this Article to
21 the "required State contribution" or any substantially similar
22 term does not include or apply to any amounts payable to the
23 System under Section 25 of the Budget Stabilization Act.

24 Notwithstanding any other provision of this Section, the
25 required State contribution for State fiscal year 2005 and for
26 fiscal year 2008 and each fiscal year thereafter, as calculated
27 under this Section and certified under Section 18-140, shall
28 not exceed an amount equal to (i) the amount of the required
29 State contribution that would have been calculated under this
30 Section for that fiscal year if the System had not received any
31 payments under subsection (d) of Section 7.2 of the General
32 Obligation Bond Act, minus (ii) the portion of the State's
33 total debt service payments for that fiscal year on the bonds
34 issued for the purposes of that Section 7.2, as determined and

1 certified by the Comptroller, that is the same as the System's
2 portion of the total moneys distributed under subsection (d) of
3 Section 7.2 of the General Obligation Bond Act. In determining
4 this maximum for State fiscal years 2008 through 2010, however,
5 the amount referred to in item (i) shall be increased, as a
6 percentage of the applicable employee payroll, in equal
7 increments calculated from the sum of the required State
8 contribution for State fiscal year 2007 plus the applicable
9 portion of the State's total debt service payments for fiscal
10 year 2007 on the bonds issued for the purposes of Section 7.2
11 of the General Obligation Bond Act, so that, by State fiscal
12 year 2011, the State is contributing at the rate otherwise
13 required under this Section.

14 (Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

15 Section 5-71. The State Pension Funds Continuing
16 Appropriation Act is amended by adding Section 1.7 as follows:

17 (40 ILCS 15/1.7 new)

18 Sec. 1.7. Appropriations from the Pension Stabilization
19 Fund.

20 (a) All of the moneys deposited from time to time into the
21 Pension Stabilization Fund are hereby appropriated, on a
22 continuing basis, to the State Comptroller for the purpose of
23 making distributions to the designated retirement systems as
24 provided in Section 25 of the Budget Stabilization Act.

25 (b) The appropriations made under this Section are in
26 addition to, and do not affect, the amounts subject to
27 appropriation under any other Section of this Act.

28 Section 5-72. The Regional Transportation Authority Act is
29 amended by changing Section 4.13 as follows:

30 (70 ILCS 3615/4.13) (from Ch. 111 2/3, par. 704.13)

1 Sec. 4.13. Annual Capital Improvement Plan.

2 (a) With respect to each calendar year, the Authority shall
3 prepare as part of its Five Year Program an Annual Capital
4 Improvement Plan (the "Plan") which shall describe its intended
5 development and implementation of the Strategic Capital
6 Improvement Program. The Plan shall include the following
7 information:

8 (i) a list of projects for which approval is sought
9 from the Governor, with a description of each project
10 stating at a minimum the project cost, its category, its
11 location and the entity responsible for its
12 implementation;

13 (ii) a certification by the Authority that the
14 Authority and the Service Boards have applied for all
15 grants, loans and other moneys made available by the
16 federal government or the State of Illinois during the
17 preceding federal and State fiscal years for financing its
18 capital development activities;

19 (iii) a certification that, as of September 30 of the
20 preceding calendar year or any later date, the balance of
21 all federal capital grant funds and all other funds to be
22 used as matching funds therefor which were committed to or
23 possessed by the Authority or a Service Board but which had
24 not been obligated was less than \$350,000,000, or a greater
25 amount as authorized in writing by the Governor (for
26 purposes of this subsection (a), "obligated" means
27 committed to be paid by the Authority or a Service Board
28 under a contract with a nongovernmental entity in
29 connection with the performance of a project or committed
30 under a force account plan approved by the federal
31 government);

32 (iv) a certification that the Authority has adopted a
33 balanced budget with respect to such calendar year under
34 Section 4.01 of this Act;

1 (v) a schedule of all bonds or notes previously issued
2 for Strategic Capital Improvement Projects and all debt
3 service payments to be made with respect to all such bonds
4 and the estimated additional debt service payments through
5 June 30 of the following calendar year expected to result
6 from bonds to be sold prior thereto;

7 (vi) a long-range summary of the Strategic Capital
8 Improvement Program describing the projects to be funded
9 through the Program with respect to project cost, category,
10 location, and implementing entity, and presenting a
11 financial plan including an estimated time schedule for
12 obligating funds for the performance of approved projects,
13 issuing bonds, expending bond proceeds and paying debt
14 service throughout the duration of the Program; and

15 (vii) the source of funding for each project in the
16 Plan. For any project for which full funding has not yet
17 been secured and which is not subject to a federal full
18 funding contract, the Authority must identify alternative,
19 dedicated funding sources available to complete the
20 project. The Governor may waive this requirement on a
21 project by project basis.

22 (b) The Authority shall submit the Plan with respect to any
23 calendar year to the Governor on or before January 15 of that
24 year, or as soon as possible thereafter; provided, however,
25 that the Plan shall be adopted on the affirmative votes of 9 of
26 the then Directors. The Plan may be revised or amended at any
27 time, but any revision in the projects approved shall require
28 the Governor's approval.

29 (c) The Authority shall seek approval from the Governor
30 only through the Plan or an amendment thereto. The Authority
31 shall not request approval of the Plan from the Governor in any
32 calendar year in which it is unable to make the certifications
33 required under items (ii), (iii) and (iv) of subsection (a). In
34 no event shall the Authority seek approval of the Plan from the

1 Governor for projects in an aggregate amount exceeding the
2 proceeds of ~~authorization for~~ bonds or notes for Strategic
3 Capital Improvement Projects issued under Section 4.04 of this
4 Act.

5 (d) The Governor may approve the Plan for which approval is
6 requested. The Governor's approval is limited to the amount of
7 the project cost stated in the Plan. The Governor shall not
8 approve the Plan in a calendar year if the Authority is unable
9 to make the certifications required under items (ii), (iii) and
10 (iv) of subsection (a). In no event shall the Governor approve
11 the Plan for projects in an aggregate amount exceeding the
12 proceeds of ~~authorization for~~ bonds or notes for Strategic
13 Capital Improvement Projects issued under Section 4.04 of this
14 Act.

15 (e) With respect to capital improvements, only those
16 capital improvements which are in a Plan approved by the
17 Governor shall be financed with the proceeds of bonds or notes
18 issued for Strategic Capital Improvement Projects.

19 (f) Before the Authority or a Service Board obligates any
20 funds for a project for which the Authority or Service Board
21 intends to use the proceeds of bonds or notes for Strategic
22 Capital Improvement Projects, but which project is not included
23 in an approved Plan, the Authority must notify the Governor of
24 the intended obligation. No project costs incurred prior to
25 approval of the Plan including that project may be paid from
26 the proceeds of bonds or notes for Strategic Capital
27 Improvement Projects issued under Section 4.04 of this Act.

28 (Source: P.A. 91-37, eff. 7-1-99.)

29 Section 5-73. The School Code is amended by changing
30 Section 3-12 as follows:

31 (105 ILCS 5/3-12) (from Ch. 122, par. 3-12)

32 Sec. 3-12. Institute fund.

1 (a) All certificate registration fees and a portion of
2 renewal and duplicate fees shall be kept by the regional
3 superintendent as described in Section 21-16 of this Code,
4 together with a record of the names of the persons paying them.
5 Such fees shall be deposited into the institute fund and shall
6 be used by the regional superintendent to defray expenses
7 associated with the work of the regional professional
8 development review committees established pursuant to
9 paragraph (2) of subsection (g) of Section 21-14 of this Code
10 to advise the regional superintendent, upon his or her request,
11 and to hear appeals relating to the renewal of teaching
12 certificates, in accordance with Section 21-14 of this Code; to
13 defray expenses connected with improving the technology
14 necessary for the efficient processing of certificates; to
15 defray expenses incidental to teachers' institutes, workshops
16 or meetings of a professional nature that are designed to
17 promote the professional growth of teachers or for the purpose
18 of defraying the expense of any general or special meeting of
19 teachers or school personnel of the region, which has been
20 approved by the regional superintendent.

21 (b) In addition to the use of moneys in the institute fund
22 to defray expenses under subsection (a) of this Section, the
23 State Superintendent of Education, as authorized under Section
24 2-3.105 of this Code, shall use moneys in the institute fund to
25 defray all costs associated with the administration of teaching
26 certificates within a city having a population exceeding
27 500,000.

28 (c) The regional superintendent shall on or before January
29 1 of each year publish in a newspaper of general circulation
30 published in the region or shall post in each school building
31 under his jurisdiction an accounting of (1) the balance on hand
32 in the Institute fund at the beginning of the previous year;
33 (2) all receipts within the previous year deposited in the
34 fund, with the sources from which they were derived; (3) the

1 amount distributed from the fund and the purposes for which
2 such distributions were made; and (4) the balance on hand in
3 the fund.

4 (Source: P.A. 91-102, eff. 7-12-99.)

5 Section 5-75. The Riverboat Gambling Act is amended by
6 changing Section 13 as follows:

7 (230 ILCS 10/13) (from Ch. 120, par. 2413)

8 Sec. 13. Wagering tax; rate; distribution.

9 (a) Until January 1, 1998, a tax is imposed on the adjusted
10 gross receipts received from gambling games authorized under
11 this Act at the rate of 20%.

12 (a-1) From January 1, 1998 until July 1, 2002, a privilege
13 tax is imposed on persons engaged in the business of conducting
14 riverboat gambling operations, based on the adjusted gross
15 receipts received by a licensed owner from gambling games
16 authorized under this Act at the following rates:

17 15% of annual adjusted gross receipts up to and
18 including \$25,000,000;

19 20% of annual adjusted gross receipts in excess of
20 \$25,000,000 but not exceeding \$50,000,000;

21 25% of annual adjusted gross receipts in excess of
22 \$50,000,000 but not exceeding \$75,000,000;

23 30% of annual adjusted gross receipts in excess of
24 \$75,000,000 but not exceeding \$100,000,000;

25 35% of annual adjusted gross receipts in excess of
26 \$100,000,000.

27 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
28 is imposed on persons engaged in the business of conducting
29 riverboat gambling operations, other than licensed managers
30 conducting riverboat gambling operations on behalf of the
31 State, based on the adjusted gross receipts received by a
32 licensed owner from gambling games authorized under this Act at

1 the following rates:

2 15% of annual adjusted gross receipts up to and
3 including \$25,000,000;

4 22.5% of annual adjusted gross receipts in excess of
5 \$25,000,000 but not exceeding \$50,000,000;

6 27.5% of annual adjusted gross receipts in excess of
7 \$50,000,000 but not exceeding \$75,000,000;

8 32.5% of annual adjusted gross receipts in excess of
9 \$75,000,000 but not exceeding \$100,000,000;

10 37.5% of annual adjusted gross receipts in excess of
11 \$100,000,000 but not exceeding \$150,000,000;

12 45% of annual adjusted gross receipts in excess of
13 \$150,000,000 but not exceeding \$200,000,000;

14 50% of annual adjusted gross receipts in excess of
15 \$200,000,000.

16 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
17 persons engaged in the business of conducting riverboat
18 gambling operations, other than licensed managers conducting
19 riverboat gambling operations on behalf of the State, based on
20 the adjusted gross receipts received by a licensed owner from
21 gambling games authorized under this Act at the following
22 rates:

23 15% of annual adjusted gross receipts up to and
24 including \$25,000,000;

25 27.5% of annual adjusted gross receipts in excess of
26 \$25,000,000 but not exceeding \$37,500,000;

27 32.5% of annual adjusted gross receipts in excess of
28 \$37,500,000 but not exceeding \$50,000,000;

29 37.5% of annual adjusted gross receipts in excess of
30 \$50,000,000 but not exceeding \$75,000,000;

31 45% of annual adjusted gross receipts in excess of
32 \$75,000,000 but not exceeding \$100,000,000;

33 50% of annual adjusted gross receipts in excess of
34 \$100,000,000 but not exceeding \$250,000,000;

1 70% of annual adjusted gross receipts in excess of
2 \$250,000,000.

3 An amount equal to the amount of wagering taxes collected
4 under this subsection (a-3) that are in addition to the amount
5 of wagering taxes that would have been collected if the
6 wagering tax rates under subsection (a-2) were in effect shall
7 be paid into the Common School Fund.

8 The privilege tax imposed under this subsection (a-3) shall
9 no longer be imposed beginning on the earlier of (i) July 1,
10 2005; (ii) the first date after June 20, 2003 that riverboat
11 gambling operations are conducted pursuant to a dormant
12 license; or (iii) the first day that riverboat gambling
13 operations are conducted under the authority of an owners
14 license that is in addition to the 10 owners licenses initially
15 authorized under this Act. For the purposes of this subsection
16 (a-3), the term "dormant license" means an owners license that
17 is authorized by this Act under which no riverboat gambling
18 operations are being conducted on June 20, 2003.

19 (a-4) Beginning on the first day on which the tax imposed
20 under subsection (a-3) is no longer imposed, a privilege tax is
21 imposed on persons engaged in the business of conducting
22 riverboat gambling operations, other than licensed managers
23 conducting riverboat gambling operations on behalf of the
24 State, based on the adjusted gross receipts received by a
25 licensed owner from gambling games authorized under this Act at
26 the following rates:

27 15% of annual adjusted gross receipts up to and
28 including \$25,000,000;

29 22.5% of annual adjusted gross receipts in excess of
30 \$25,000,000 but not exceeding \$50,000,000;

31 27.5% of annual adjusted gross receipts in excess of
32 \$50,000,000 but not exceeding \$75,000,000;

33 32.5% of annual adjusted gross receipts in excess of
34 \$75,000,000 but not exceeding \$100,000,000;

1 37.5% of annual adjusted gross receipts in excess of
2 \$100,000,000 but not exceeding \$150,000,000;

3 45% of annual adjusted gross receipts in excess of
4 \$150,000,000 but not exceeding \$200,000,000;

5 50% of annual adjusted gross receipts in excess of
6 \$200,000,000.

7 (a-8) Riverboat gambling operations conducted by a
8 licensed manager on behalf of the State are not subject to the
9 tax imposed under this Section.

10 (a-10) The taxes imposed by this Section shall be paid by
11 the licensed owner to the Board not later than 3:00 o'clock
12 p.m. of the day after the day when the wagers were made.

13 (a-15) If the privilege tax imposed under subsection (a-3)
14 is no longer imposed pursuant to item (i) of the last paragraph
15 of subsection (a-3), then by June 15 of each year, each owners
16 licensee, other than an owners licensee that admitted 1,000,000
17 persons or fewer in calendar year 2004, must, in addition to
18 the payment of all amounts otherwise due under this Section,
19 pay to the Board a reconciliation payment in the amount, if
20 any, by which the licensed owner's base amount ~~for the licensed~~
21 ~~owner~~ exceeds the amount of net privilege tax paid ~~under this~~
22 ~~Section~~ by the licensed owner to the Board in the then current
23 State fiscal year. A licensed owner's net privilege tax
24 obligation due for the balance of the State fiscal year shall
25 be reduced up to the total of the amount paid by the licensed
26 owner in its June 15 reconciliation payment. The obligation
27 imposed by this subsection (a-15) is binding on any person,
28 firm, corporation, or other entity that acquires an ownership
29 interest in any such owners license. The obligation imposed
30 under this subsection (a-15) terminates on the earliest of: (i)
31 July 1, 2007, (ii) the first day after the effective date of
32 this amendatory Act of the 94th General Assembly that riverboat
33 gambling operations are conducted pursuant to a dormant
34 license, (iii) the first day that riverboat gambling operations

1 are conducted under the authority of an owners license that is
2 in addition to the 10 owners licenses initially authorized
3 under this Act, or (iv) the first day that a licensee under the
4 Illinois Horse Racing Act of 1975 conducts gaming operations
5 with slot machines or other electronic gaming devices. The
6 Board must reduce the obligation imposed under this subsection
7 (a-15) by an amount the Board deems reasonable for any of the
8 following reasons: (A) an act or acts of God, (B) an act of
9 bioterrorism or terrorism or a bioterrorism or terrorism threat
10 that was investigated by a law enforcement agency, or (C) a
11 condition beyond the control of the owners licensee that does
12 not result from any act or omission by the owners licensee or
13 any of its agents and that poses a hazardous threat to the
14 health and safety of patrons. If an owners licensee pays an
15 amount in excess of its liability under this Section, the Board
16 shall apply the overpayment to future payments required under
17 this Section.

18 For purposes of this subsection (a-15):

19 "Act of God" means an incident caused by the operation of
20 an extraordinary force that cannot be foreseen, that cannot be
21 avoided by the exercise of due care, and for which no person
22 can be held liable.

23 "Base amount" means the following:

24 For a riverboat in Alton, \$31,000,000.

25 For a riverboat in East Peoria, \$43,000,000.

26 For the Empress riverboat in Joliet, \$86,000,000.

27 For a riverboat in Metropolis, \$45,000,000.

28 For the Harrah's riverboat in Joliet, \$114,000,000.

29 For a riverboat in Aurora, \$86,000,000.

30 For a riverboat in East St. Louis, \$48,500,000.

31 For a riverboat in Elgin, \$198,000,000.

32 "Dormant license" has the meaning ascribed to it in
33 subsection (a-3).

34 "Net privilege tax" means all privilege taxes paid by a

1 licensed owner to the Board under this Section, less all
2 payments made from the State Gaming Fund pursuant to subsection
3 (b) of this Section.

4 The changes made to this subsection (a-15) by this
5 amendatory Act of the 94th General Assembly are intended to
6 restate and clarify the intent of Public Act 94-673 with
7 respect to the amount of the payments required to be made under
8 this subsection by an owners licensee to the Board.

9 (b) Until January 1, 1998, 25% of the tax revenue deposited
10 in the State Gaming Fund under this Section shall be paid,
11 subject to appropriation by the General Assembly, to the unit
12 of local government which is designated as the home dock of the
13 riverboat. Beginning January 1, 1998, from the tax revenue
14 deposited in the State Gaming Fund under this Section, an
15 amount equal to 5% of adjusted gross receipts generated by a
16 riverboat shall be paid monthly, subject to appropriation by
17 the General Assembly, to the unit of local government that is
18 designated as the home dock of the riverboat. From the tax
19 revenue deposited in the State Gaming Fund pursuant to
20 riverboat gambling operations conducted by a licensed manager
21 on behalf of the State, an amount equal to 5% of adjusted gross
22 receipts generated pursuant to those riverboat gambling
23 operations shall be paid monthly, subject to appropriation by
24 the General Assembly, to the unit of local government that is
25 designated as the home dock of the riverboat upon which those
26 riverboat gambling operations are conducted.

27 (c) Appropriations, as approved by the General Assembly,
28 may be made from the State Gaming Fund to the Department of
29 Revenue and the Department of State Police for the
30 administration and enforcement of this Act, or to the
31 Department of Human Services for the administration of programs
32 to treat problem gambling.

33 (c-5) After the payments required under subsections (b) and
34 (c) have been made, an amount equal to 15% of the adjusted

1 gross receipts of (1) an owners licensee that relocates
2 pursuant to Section 11.2, (2) an owners licensee conducting
3 riverboat gambling operations pursuant to an owners license
4 that is initially issued after June 25, 1999, or (3) the first
5 riverboat gambling operations conducted by a licensed manager
6 on behalf of the State under Section 7.3, whichever comes
7 first, shall be paid from the State Gaming Fund into the Horse
8 Racing Equity Fund.

9 (c-10) Each year the General Assembly shall appropriate
10 from the General Revenue Fund to the Education Assistance Fund
11 an amount equal to the amount paid into the Horse Racing Equity
12 Fund pursuant to subsection (c-5) in the prior calendar year.

13 (c-15) After the payments required under subsections (b),
14 (c), and (c-5) have been made, an amount equal to 2% of the
15 adjusted gross receipts of (1) an owners licensee that
16 relocates pursuant to Section 11.2, (2) an owners licensee
17 conducting riverboat gambling operations pursuant to an owners
18 license that is initially issued after June 25, 1999, or (3)
19 the first riverboat gambling operations conducted by a licensed
20 manager on behalf of the State under Section 7.3, whichever
21 comes first, shall be paid, subject to appropriation from the
22 General Assembly, from the State Gaming Fund to each home rule
23 county with a population of over 3,000,000 inhabitants for the
24 purpose of enhancing the county's criminal justice system.

25 (c-20) Each year the General Assembly shall appropriate
26 from the General Revenue Fund to the Education Assistance Fund
27 an amount equal to the amount paid to each home rule county
28 with a population of over 3,000,000 inhabitants pursuant to
29 subsection (c-15) in the prior calendar year.

30 (c-25) After the payments required under subsections (b),
31 (c), (c-5) and (c-15) have been made, an amount equal to 2% of
32 the adjusted gross receipts of (1) an owners licensee that
33 relocates pursuant to Section 11.2, (2) an owners licensee
34 conducting riverboat gambling operations pursuant to an owners

1 license that is initially issued after June 25, 1999, or (3)
2 the first riverboat gambling operations conducted by a licensed
3 manager on behalf of the State under Section 7.3, whichever
4 comes first, shall be paid from the State Gaming Fund to
5 Chicago State University.

6 (d) From time to time, the Board shall transfer the
7 remainder of the funds generated by this Act into the Education
8 Assistance Fund, created by Public Act 86-0018, of the State of
9 Illinois.

10 (e) Nothing in this Act shall prohibit the unit of local
11 government designated as the home dock of the riverboat from
12 entering into agreements with other units of local government
13 in this State or in other states to share its portion of the
14 tax revenue.

15 (f) To the extent practicable, the Board shall administer
16 and collect the wagering taxes imposed by this Section in a
17 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
18 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
19 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
20 Penalty and Interest Act.

21 (Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673,
22 eff. 8-23-05.)

23 Section 5-77. The Illinois Public Aid Code is amended by
24 changing Section 5A-8 as follows:

25 (305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)

26 Sec. 5A-8. Hospital Provider Fund.

27 (a) There is created in the State Treasury the Hospital
28 Provider Fund. Interest earned by the Fund shall be credited to
29 the Fund. The Fund shall not be used to replace any moneys
30 appropriated to the Medicaid program by the General Assembly.

31 (b) The Fund is created for the purpose of receiving moneys
32 in accordance with Section 5A-6 and disbursing moneys only for

1 the following purposes, notwithstanding any other provision of
2 law:

3 (1) For making payments to hospitals as required under
4 Articles V, VI, and XIV of this Code and under the
5 Children's Health Insurance Program Act.

6 (2) For the reimbursement of moneys collected by the
7 Illinois Department from hospitals or hospital providers
8 through error or mistake in performing the activities
9 authorized under this Article and Article V of this Code.

10 (3) For payment of administrative expenses incurred by
11 the Illinois Department or its agent in performing the
12 activities authorized by this Article.

13 (4) For payments of any amounts which are reimbursable
14 to the federal government for payments from this Fund which
15 are required to be paid by State warrant.

16 (5) For making transfers, as those transfers are
17 authorized in the proceedings authorizing debt under the
18 Short Term Borrowing Act, but transfers made under this
19 paragraph (5) shall not exceed the principal amount of debt
20 issued in anticipation of the receipt by the State of
21 moneys to be deposited into the Fund.

22 (6) For making transfers to any other fund in the State
23 treasury, but transfers made under this paragraph (6) shall
24 not exceed the amount transferred previously from that
25 other fund into the Hospital Provider Fund.

26 (7) For State fiscal years 2004 and 2005 for making
27 transfers to the Health and Human Services Medicaid Trust
28 Fund, including 20% of the moneys received from hospital
29 providers under Section 5A-4 and transferred into the
30 Hospital Provider Fund under Section 5A-6. For State fiscal
31 ~~year years 2006, 2007 and 2008~~ for making transfers to the
32 Health and Human Services Medicaid Trust Fund of up to
33 \$130,000,000 per year of the moneys received from hospital
34 providers under Section 5A-4 and transferred into the

1 Hospital Provider Fund under Section 5A-6. Transfers under
2 this paragraph shall be made within 7 days after the
3 payments have been received pursuant to the schedule of
4 payments provided in subsection (a) of Section 5A-4.

5 (7.5) For State fiscal years 2007 and 2008 for making
6 transfers of the moneys received from hospital providers
7 under Section 5A-4 and transferred into the Hospital
8 Provider Fund under Section 5A-6 to the designated funds
9 not exceeding the following amounts in any State fiscal
10 year:

| | | |
|----|-------------------------------------|----------------------------|
| 11 | <u>Health and Human Services</u> | |
| 12 | <u>Medicaid Trust Fund</u> | <u>..... \$20,000,000</u> |
| 13 | <u>Long-Term Care Provider Fund</u> | <u>..... \$30,000,000</u> |
| 14 | <u>General Revenue Fund</u> | <u>..... \$80,000,000.</u> |

15 Transfers under this paragraph shall be made within 7
16 days after the payments have been received pursuant to the
17 schedule of payments provided in subsection (a) of Section
18 5A-4.

19 (8) For making refunds to hospital providers pursuant
20 to Section 5A-10.

21 Disbursements from the Fund, other than transfers
22 authorized under paragraphs (5) and (6) of this subsection,
23 shall be by warrants drawn by the State Comptroller upon
24 receipt of vouchers duly executed and certified by the Illinois
25 Department.

26 (c) The Fund shall consist of the following:

27 (1) All moneys collected or received by the Illinois
28 Department from the hospital provider assessment imposed
29 by this Article.

30 (2) All federal matching funds received by the Illinois
31 Department as a result of expenditures made by the Illinois
32 Department that are attributable to moneys deposited in the
33 Fund.

34 (3) Any interest or penalty levied in conjunction with

1 the administration of this Article.

2 (4) Moneys transferred from another fund in the State
3 treasury.

4 (5) All other moneys received for the Fund from any
5 other source, including interest earned thereon.

6 (d) (Blank).

7 (Source: P.A. 93-659, eff. 2-3-04; 94-242, eff. 7-18-05.)

8 Section 5-78. The Illinois Affordable Housing Act is
9 amended by changing Section 8 as follows:

10 (310 ILCS 65/8) (from Ch. 67 1/2, par. 1258)

11 Sec. 8. Uses of Trust Fund.

12 (a) Subject to annual appropriation to the Funding Agent
13 and subject to the prior dedication, allocation, transfer and
14 use of Trust Fund Moneys as provided in Sections 8(b), 8(c) and
15 9 of this Act, the Trust Fund may be used to make grants,
16 mortgages, or other loans to acquire, construct, rehabilitate,
17 develop, operate, insure, and retain affordable single-family
18 and multi-family housing in this State for low-income and very
19 low-income households. The majority of monies appropriated to
20 the Trust Fund in any given year are to be used for affordable
21 housing for very low-income households. For the fiscal year
22 beginning July 1, 2006 only, the Department of Human Services
23 is authorized to receive appropriations and spend moneys from
24 the Illinois Affordable Housing Trust Fund for the purpose of
25 developing and coordinating public and private resources
26 targeted to meet the affordable housing needs of low-income,
27 very low-income, and special needs households in the State of
28 Illinois.

29 (b) For each fiscal year commencing with fiscal year 1994,
30 the Program Administrator shall certify from time to time to
31 the Funding Agent, the Comptroller and the State Treasurer
32 amounts, up to an aggregate in any fiscal year of \$10,000,000,

1 of Trust Fund Moneys expected to be used or pledged by the
2 Program Administrator during the fiscal year for the purposes
3 and uses specified in Sections 8(c) and 9 of this Act. Subject
4 to annual appropriation, upon receipt of such certification,
5 the Funding Agent and the Comptroller shall dedicate and the
6 State Treasurer shall transfer not less often than monthly to
7 the Program Administrator or its designated payee, without
8 requisition or further request therefor, all amounts
9 accumulated in the Trust Fund within the State Treasury and not
10 already transferred to the Loan Commitment Account prior to the
11 Funding Agent's receipt of such certification, until the
12 Program Administrator has received the aggregate amount
13 certified by the Program Administrator, to be used solely for
14 the purposes and uses authorized and provided in Sections 8(c)
15 and 9 of this Act. Neither the Comptroller nor the Treasurer
16 shall transfer, dedicate or allocate any of the Trust Fund
17 Moneys transferred or certified for transfer by the Program
18 Administrator as provided above to any other fund, nor shall
19 the Governor authorize any such transfer, dedication or
20 allocation, nor shall any of the Trust Fund Moneys so
21 dedicated, allocated or transferred be used, temporarily or
22 otherwise, for interfund borrowing, or be otherwise used or
23 appropriated, except as expressly authorized and provided in
24 Sections 8(c) and 9 of this Act for the purposes and subject to
25 the priorities, limitations and conditions provided for
26 therein until such obligations, uses and dedications as therein
27 provided, have been satisfied.

28 (c) Notwithstanding Section 5(b) of this Act, any Trust
29 Fund Moneys transferred to the Program Administrator pursuant
30 to Section 8(b) of this Act, or otherwise obtained, paid to or
31 held by or for the Program Administrator, or pledged pursuant
32 to resolution of the Program Administrator, for Affordable
33 Housing Program Trust Fund Bonds or Notes under the Illinois
34 Housing Development Act, and all proceeds, payments and

1 receipts from investments or use of such moneys, including any
2 residual or additional funds or moneys generated or obtained in
3 connection with any of the foregoing, may be held, pledged,
4 applied or dedicated by the Program Administrator as follows:

5 (1) as required by the terms of any pledge of or
6 resolution of the Program Administrator authorized under
7 Section 9 of this Act in connection with Affordable Housing
8 Program Trust Fund Bonds or Notes issued pursuant to the
9 Illinois Housing Development Act;

10 (2) to or for costs of issuance and administration and
11 the payments of any principal, interest, premium or other
12 amounts or expenses incurred or accrued in connection with
13 Affordable Housing Program Trust Fund Bonds or Notes,
14 including rate protection contracts and credit support
15 arrangements pertaining thereto, and, provided such
16 expenses, fees and charges are obligations, whether
17 recourse or nonrecourse, and whether financed with or paid
18 from the proceeds of Affordable Housing Program Trust Fund
19 Bonds or Notes, of the developers, mortgagors or other
20 users, the Program Administrator's expenses and servicing,
21 administration and origination fees and charges in
22 connection with any loans, mortgages, or developments
23 funded or financed or expected to be funded or financed, in
24 whole or in part, from the issuance of Affordable Housing
25 Program Trust Fund Bonds or Notes;

26 (3) to or for costs of issuance and administration and
27 the payments of principal, interest, premium, loan fees,
28 and other amounts or other obligations of the Program
29 Administrator, including rate protection contracts and
30 credit support arrangements pertaining thereto, for loans,
31 commercial paper or other notes or bonds issued by the
32 Program Administrator pursuant to the Illinois Housing
33 Development Act, provided that the proceeds of such loans,
34 commercial paper or other notes or bonds are paid or

1 expended in connection with, or refund or repay, loans,
2 commercial paper or other notes or bonds issued or made in
3 connection with bridge loans or loans for the construction,
4 renovation, redevelopment, restructuring, reorganization
5 of Affordable Housing and related expenses, including
6 development costs, technical assistance, or other amounts
7 to construct, preserve, improve, renovate, rehabilitate,
8 refinance, or assist Affordable Housing, including
9 financially troubled Affordable Housing, permanent or
10 other financing for which has been funded or financed or is
11 expected to be funded or financed in whole or in part by
12 the Program Administrator through the issuance of or use of
13 proceeds from Affordable Housing Program Trust Fund Bonds
14 or Notes;

15 (4) to or for direct expenditures or reimbursement for
16 development costs, technical assistance, or other amounts
17 to construct, preserve, improve, renovate, rehabilitate,
18 refinance, or assist Affordable Housing, including
19 financially troubled Affordable Housing, permanent or
20 other financing for which has been funded or financed or is
21 expected to be funded or financed in whole or in part by
22 the Program Administrator through the issuance of or use of
23 proceeds from Affordable Housing Program Trust Fund Bonds
24 or Notes; and

25 (5) for deposit into any residual, sinking, reserve or
26 revolving fund or pool established by the Program
27 Administrator, whether or not pledged to secure Affordable
28 Housing Program Trust Fund Bonds or Notes, to support or be
29 utilized for the issuance, redemption, or payment of the
30 principal, interest, premium or other amounts payable on or
31 with respect to any existing, additional or future
32 Affordable Housing Program Trust Fund Bonds or Notes, or to
33 or for any other expenditure authorized by this Section
34 8(c).

1 (d) All or a portion of the Trust Fund Moneys on deposit or
2 to be deposited in the Trust Fund not already certified for
3 transfer or transferred to the Program Administrator pursuant
4 to Section 8(b) of this Act may be used to secure the repayment
5 of Affordable Housing Program Trust Fund Bonds or Notes, or
6 otherwise to supplement or support Affordable Housing funded or
7 financed or intended to be funded or financed, in whole or in
8 part, by Affordable Housing Program Trust Fund Bonds or Notes.

9 (e) Assisted housing may include housing for special needs
10 populations such as the homeless, single-parent families, the
11 elderly, or the physically and mentally disabled. The Trust
12 Fund shall be used to implement a demonstration congregate
13 housing project for any such special needs population.

14 (f) Grants from the Trust Fund may include, but are not
15 limited to, rental assistance and security deposit subsidies
16 for low and very low-income households.

17 (g) The Trust Fund may be used to pay actual and reasonable
18 costs for Commission members to attend Commission meetings, and
19 any litigation costs and expenses, including legal fees,
20 incurred by the Program Administrator in any litigation related
21 to this Act or its action as Program Administrator.

22 (h) The Trust Fund may be used to make grants for (1) the
23 provision of technical assistance, (2) outreach, and (3)
24 building an organization's capacity to develop affordable
25 housing projects.

26 (i) Amounts on deposit in the Trust Fund may be used to
27 reimburse the Program Administrator and the Funding Agent for
28 costs incurred in the performance of their duties under this
29 Act, excluding costs and fees of the Program Administrator
30 associated with the Program Escrow to the extent withheld
31 pursuant to paragraph (8) of subsection (b) of Section 5.

32 (Source: P.A. 88-93; 89-286, eff. 8-10-95.)

33 Section 5-80. The Illinois Vehicle Code is amended by

1 changing Sections 18c-1603 and 18c-1604 as follows:

2 (625 ILCS 5/18c-1603) (from Ch. 95 1/2, par. 18c-1603)

3 Sec. 18c-1603. Expenditures from the Transportation
4 Regulatory Fund. (1) Authorization of Expenditures from the
5 Fund. Monies deposited in the Transportation Regulatory Fund
6 shall be expended only for the administration and enforcement
7 of this Chapter and Chapter 18a.

8 (2) Allocation of Expenses to the Fund. (a) Expenses
9 Allocated Entirely to the Transportation Regulatory Fund. All
10 expenses of the Transportation Division shall be allocated to
11 the Transportation Regulatory Fund, provided that they were:

12 (i) Incurred by and for staff employed within the
13 Transportation Division and accountable, directly or through a
14 program director or staff supervisor, to the Transportation
15 Division manager;

16 (ii) Incurred exclusively in the administration and
17 enforcement of this Chapter and Chapter 18a; and

18 (iii) Authorized by the Transportation Division manager.

19 (b) Expenses Partially Allocated to the Transportation
20 Regulatory Fund. A portion of expenses for the following
21 persons and activities may be allocated to the Transportation
22 Regulatory Fund:

23 (i) The Executive Director, his deputies and personal
24 assistants, and their clerical support;

25 (ii) The legislative liaison activities of the Office of
26 Legislative Affairs, its constituent elements and successors;

27 (iii) The activities of the Bureau of Planning and
28 Operations on the effective date of this amendatory Act of the
29 94th General Assembly ~~Administrative Services Division on the~~
30 ~~effective date of this amendatory Act of 1987~~, exclusive of the
31 Chief Clerk's office;

32 (iv) The payroll expenses of Commissioners' assistants;

33 (v) The internal auditor; ~~and~~

1 (vi) The in-state travel expenses of the Commissioners to
2 and from the offices of the Commission; ~~and-~~

3 (vii) The Public Affairs Group, its constituent elements,
4 and its successors.

5 (c) Allocation Methodology for Expenses Other Than
6 ~~Administrative Services Division and~~ Commissioners'
7 Assistants. The portion of total expenses (other than
8 ~~Administrative Services Division and~~ commissioners'
9 assistants' expenses) allocated to the Transportation
10 Regulatory Fund under paragraph (b) of this subsection shall be
11 the ~~lesser of: (i) The portion of staff time spent exclusively~~
12 ~~on administration and enforcement of this Chapter and Chapter~~
13 ~~18a, as shown by a time study updated at least once each 6~~
14 ~~months; and (ii) The percentage of total authorized Commission~~
15 ~~staff for the fiscal year which is employed in Transportation~~
16 ~~Division (based on the average for the fiscal year).~~

17 (d) (Blank). ~~Allocation Methodology for Expenses of~~
18 ~~Administration Services Division. The portion of expenses for~~
19 ~~Administrative Services Division allocated to the~~
20 ~~Transportation Regulatory Fund under paragraph (b) of this~~
21 ~~subsection shall not exceed:~~

22 ~~(i) The portion allocable under paragraph (c) of this~~
23 ~~subsection, for staff payroll expenses; and~~

24 ~~(ii) The portion used exclusively in the administration and~~
25 ~~enforcement of this Chapter and Chapter 18a, for other than~~
26 ~~staff payroll expenses.~~

27 (e) Allocation methodology for Commissioners' Assistants
28 Expenses. Five percent of the payroll expenses of
29 commissioners' assistants may be allocated to the
30 Transportation Regulatory Fund.

31 (f) Expenses not allocable to the Transportation
32 Regulatory Fund. No expenses shall be allocated to or paid from
33 the Transportation Regulatory Fund except as expressly
34 authorized in paragraphs (a) through (e) of this subsection. In

1 particular, no expenses shall be allocated to the Fund which
2 were incurred by or in relation to the following persons and
3 activities:

4 (i) Commissioners' travel, except as otherwise provided in
5 paragraphs (b) and (c) of this subsection;

6 (ii) Commissioners' assistants except as otherwise
7 provided in paragraphs (b) and (e) of this subsection;

8 (iii) The Policy Analysis and Research Division, its
9 constituent elements and successors;

10 (iv) The Chief Clerk's office, its constituent elements and
11 successors;

12 (v) The Hearing Examiners Division, its constituent
13 elements and successors, and any hearing examiners or hearings
14 conducted, in whole or in part, outside the Transportation
15 Division;

16 (vi) (Blank); ~~The Public Affairs Group, its constituent~~
17 ~~elements and successors;~~

18 (vii) The Office of General Counsel, its constituent
19 elements and successors, including but not limited to the
20 Office of Public Utility Counsel and any legal staff in the
21 office of the executive director, but not including the
22 personal assistant serving as staff counsel to the executive
23 director as provided in Section 18c-1204(2) and the Office of
24 Transportation Counsel; and

25 (viii) Any other expenses or portion thereof not expressly
26 authorized in this subsection to be allocated to the Fund.

27 The constituent elements of the foregoing shall, for
28 purposes of this Section be their constituent elements on the
29 effective date of this amendatory Act of 1987.

30 (3) (Blank). ~~Allocation of Expenses Within the Fund. (a)~~
31 ~~Monies deposited in the Transportation Regulatory Fund shall be~~
32 ~~expended only in the regulation of that class of persons as~~
33 ~~defined in subsection (2) of Section 18c-1601 of this Chapter~~
34 ~~from or in relation to which the monies were received.~~

1 ~~(b) Expenses incurred exclusively in relation to one class~~
2 ~~shall be allocated to that class and no other.~~

3 ~~(c) A portion of each expense incurred in relation to more~~
4 ~~than one class may be allocated to each of the involved classes~~
5 ~~based on time study or actual use, provided that the portion~~
6 ~~allocated to any class shall not exceed the maximum specified~~
7 ~~in paragraph (d) of this subsection.~~

8 ~~(d) Total expenses allocated to any one class under~~
9 ~~paragraph (c) of this subsection shall not exceed the amount~~
10 ~~which bears the same percentage relationship to expenses~~
11 ~~allocated to that class under paragraph (b) of this subsection~~
12 ~~((c) divided by (b)) as total expenses allocated to all classes~~
13 ~~under paragraph (b) bear to total expenses allocated to all~~
14 ~~classes under paragraph (c) ((c) divided by (b)).~~

15 (4) (Blank). ~~Effective Date of Section. The Commission~~
16 ~~shall have 180 calendar days from the effective date of this~~
17 ~~amendatory Act of 1987 to comply fully with this Section.~~

18 (Source: P.A. 86-1005.)

19 (625 ILCS 5/18c-1604) (from Ch. 95 1/2, par. 18c-1604)

20 Sec. 18c-1604. Annual Report of Expenditures. The
21 Commission shall, within 60 calendar days after the end of the
22 lapse period for each fiscal year, submit to the Governor and
23 the General Assembly a report of the following for such fiscal
24 year:

25 (1) All monies deposited in the Transportation Regulatory
26 Fund, showing the total and subtotals by class as defined in
27 subsection (2) of Section 18c-1601 of this Chapter;

28 (2) All expenditures from the Transportation Regulatory
29 Fund, showing the total and the sub-totals by class as defined
30 in subsection (2) of Section 18c-1601 of this Chapter;

31 (3) A listing and description by function of all staff
32 positions actually funded, in whole or in part, at any time
33 during the fiscal year, from the Transportation Regulatory

1 Fund; and

2 (4) The methods used to allocate expenses between the
3 Transportation Regulatory Fund and other funds, and between
4 classes within the Transportation Regulatory Fund.

5 (Source: P.A. 85-553.)

6 Section 5-85. The Pretrial Services Act is amended by
7 changing Section 33 as follows:

8 (725 ILCS 185/33) (from Ch. 38, par. 333)

9 Sec. 33. The Supreme Court shall pay from funds
10 appropriated to it for this purpose 100% of all approved costs
11 for pretrial services, including pretrial services officers,
12 necessary support personnel, travel costs reasonably related
13 to the delivery of pretrial services, space costs, equipment,
14 telecommunications, postage, commodities, printing and
15 contractual services. Costs shall be reimbursed monthly, based
16 on a plan and budget approved by the Supreme Court. No
17 department may be reimbursed for costs which exceed or are not
18 provided for in the approved plan and budget. For State fiscal
19 years 2004, 2005, and 2006, and 2007 only, the Mandatory
20 Arbitration Fund may be used to reimburse approved costs for
21 pretrial services.

22 (Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91,
23 eff. 7-1-05.)

24 Section 5-90. The Unified Code of Corrections is amended by
25 changing Sections 3-14-6 and 5-9-1.8 as follows:

26 (730 ILCS 5/3-14-6)

27 Sec. 3-14-6. Transitional jobs; pilot program. Subject to
28 appropriations or other funding, the Department may establish a
29 pilot program at various ~~in 2~~ locations in the State to place
30 persons discharged from a Department facility on parole or

1 mandatory supervised release in jobs or otherwise establish a
2 connection between such persons and the workforce. One such
3 location must be at Waukegan, in Lake County. By rule, the
4 Department shall determine the locations in which the pilot
5 program is to be implemented and the services to be provided.
6 In determining locations for the pilot program, however, the
7 Department shall give priority to areas of the State in which
8 the concentration of released offenders is the highest. The
9 Department may consult with the Department of Human Services in
10 establishing the pilot program.

11 (Source: P.A. 93-208, eff. 7-18-03.)

12 (730 ILCS 5/5-9-1.8)

13 Sec. 5-9-1.8. Child pornography fines. Beginning July 1,
14 2006, 100% ~~One hundred percent~~ of the fines in excess of
15 \$10,000 collected for violations of Section 11-20.1 of the
16 Criminal Code of 1961 shall be deposited into the Child Abuse
17 Prevention Fund ~~Child Sexual Abuse Fund~~ that is created in the
18 State Treasury. Moneys in the Fund resulting from the fines
19 shall be for the use of the Department of Children and Family
20 Services for grants to private entities giving treatment and
21 counseling to victims of child sexual abuse.

22 Notwithstanding any other provision of law, in addition to
23 any other transfers that may be provided by law, on July 1,
24 2006, or as soon thereafter as practical, the State Comptroller
25 shall direct and the State Treasurer shall transfer the
26 remaining balance from the Child Sexual Abuse Fund into the
27 Child Abuse Prevention Fund. Upon completion of the transfer,
28 the Child Sexual Abuse Fund is dissolved, and any future
29 deposits due to that Fund and any outstanding obligations or
30 liabilities of the Fund pass to the Child Abuse Prevention
31 Fund.

32 (Source: P.A. 87-1070; 88-45.)

1 Section 5-95. The Probation and Probation Officers Act is
2 amended by changing Sections 15 and 15.1 as follows:

3 (730 ILCS 110/15) (from Ch. 38, par. 204-7)

4 (Text of Section before amendment by P.A. 94-696)

5 Sec. 15. (1) The Supreme Court of Illinois may establish a
6 Division of Probation Services whose purpose shall be the
7 development, establishment, promulgation, and enforcement of
8 uniform standards for probation services in this State, and to
9 otherwise carry out the intent of this Act. The Division may:

10 (a) establish qualifications for chief probation
11 officers and other probation and court services personnel
12 as to hiring, promotion, and training.

13 (b) make available, on a timely basis, lists of those
14 applicants whose qualifications meet the regulations
15 referred to herein, including on said lists all candidates
16 found qualified.

17 (c) establish a means of verifying the conditions for
18 reimbursement under this Act and develop criteria for
19 approved costs for reimbursement.

20 (d) develop standards and approve employee
21 compensation schedules for probation and court services
22 departments.

23 (e) employ sufficient personnel in the Division to
24 carry out the functions of the Division.

25 (f) establish a system of training and establish
26 standards for personnel orientation and training.

27 (g) develop standards for a system of record keeping
28 for cases and programs, gather statistics, establish a
29 system of uniform forms, and develop research for planning
30 of Probation Services.

31 (h) develop standards to assure adequate support
32 personnel, office space, equipment and supplies, travel
33 expenses, and other essential items necessary for

1 Probation and Court Services Departments to carry out their
2 duties.

3 (i) review and approve annual plans submitted by
4 Probation and Court Services Departments.

5 (j) monitor and evaluate all programs operated by
6 Probation and Court Services Departments, and may include
7 in the program evaluation criteria such factors as the
8 percentage of Probation sentences for felons convicted of
9 Probationable offenses.

10 (k) seek the cooperation of local and State government
11 and private agencies to improve the quality of probation
12 and court services.

13 (l) where appropriate, establish programs and
14 corresponding standards designed to generally improve the
15 quality of probation and court services and reduce the rate
16 of adult or juvenile offenders committed to the Department
17 of Corrections.

18 (m) establish such other standards and regulations and
19 do all acts necessary to carry out the intent and purposes
20 of this Act.

21 The Division shall establish a model list of structured
22 intermediate sanctions that may be imposed by a probation
23 agency for violations of terms and conditions of a sentence of
24 probation, conditional discharge, or supervision.

25 The State of Illinois shall provide for the costs of
26 personnel, travel, equipment, telecommunications, postage,
27 commodities, printing, space, contractual services and other
28 related costs necessary to carry out the intent of this Act.

29 (2) (a) The chief judge of each circuit shall provide
30 full-time probation services for all counties within the
31 circuit, in a manner consistent with the annual probation plan,
32 the standards, policies, and regulations established by the
33 Supreme Court. A probation district of two or more counties
34 within a circuit may be created for the purposes of providing

1 full-time probation services. Every county or group of counties
2 within a circuit shall maintain a probation department which
3 shall be under the authority of the Chief Judge of the circuit
4 or some other judge designated by the Chief Judge. The Chief
5 Judge, through the Probation and Court Services Department
6 shall submit annual plans to the Division for probation and
7 related services.

8 (b) The Chief Judge of each circuit shall appoint the Chief
9 Probation Officer and all other probation officers for his or
10 her circuit from lists of qualified applicants supplied by the
11 Supreme Court. Candidates for chief managing officer and other
12 probation officer positions must apply with both the Chief
13 Judge of the circuit and the Supreme Court.

14 (3) A Probation and Court Service Department shall apply to
15 the Supreme Court for funds for basic services, and may apply
16 for funds for new and expanded programs or Individualized
17 Services and Programs. Costs shall be reimbursed monthly based
18 on a plan and budget approved by the Supreme Court. No
19 Department may be reimbursed for costs which exceed or are not
20 provided for in the approved annual plan and budget. After the
21 effective date of this amendatory Act of 1985, each county must
22 provide basic services in accordance with the annual plan and
23 standards created by the division. No department may receive
24 funds for new or expanded programs or individualized services
25 and programs unless they are in compliance with standards as
26 enumerated in paragraph (h) of subsection (1) of this Section,
27 the annual plan, and standards for basic services.

28 (4) The Division shall reimburse the county or counties for
29 probation services as follows:

30 (a) 100% of the salary of all chief managing officers
31 designated as such by the Chief Judge and the division.

32 (b) 100% of the salary for all probation officer and
33 supervisor positions approved for reimbursement by the
34 division after April 1, 1984, to meet workload standards

1 and to implement intensive sanction and probation
2 supervision programs and other basic services as defined in
3 this Act.

4 (c) 100% of the salary for all secure detention
5 personnel and non-secure group home personnel approved for
6 reimbursement after December 1, 1990. For all such
7 positions approved for reimbursement before December 1,
8 1990, the counties shall be reimbursed \$1,250 per month
9 beginning July 1, 1995, and an additional \$250 per month
10 beginning each July 1st thereafter until the positions
11 receive 100% salary reimbursement. Allocation of such
12 positions will be based on comparative need considering
13 capacity, staff/resident ratio, physical plant and
14 program.

15 (d) \$1,000 per month for salaries for the remaining
16 probation officer positions engaged in basic services and
17 new or expanded services. All such positions shall be
18 approved by the division in accordance with this Act and
19 division standards.

20 (e) 100% of the travel expenses in accordance with
21 Division standards for all Probation positions approved
22 under paragraph (b) of subsection 4 of this Section.

23 (f) If the amount of funds reimbursed to the county
24 under paragraphs (a) through (e) of subsection 4 of this
25 Section on an annual basis is less than the amount the
26 county had received during the 12 month period immediately
27 prior to the effective date of this amendatory Act of 1985,
28 then the Division shall reimburse the amount of the
29 difference to the county. The effect of paragraph (b) of
30 subsection 7 of this Section shall be considered in
31 implementing this supplemental reimbursement provision.

32 (5) The Division shall provide funds beginning on April 1,
33 1987 for the counties to provide Individualized Services and
34 Programs as provided in Section 16 of this Act.

1 (6) A Probation and Court Services Department in order to
2 be eligible for the reimbursement must submit to the Supreme
3 Court an application containing such information and in such a
4 form and by such dates as the Supreme Court may require.
5 Departments to be eligible for funding must satisfy the
6 following conditions:

7 (a) The Department shall have on file with the Supreme
8 Court an annual Probation plan for continuing, improved,
9 and new Probation and Court Services Programs approved by
10 the Supreme Court or its designee. This plan shall indicate
11 the manner in which Probation and Court Services will be
12 delivered and improved, consistent with the minimum
13 standards and regulations for Probation and Court
14 Services, as established by the Supreme Court. In counties
15 with more than one Probation and Court Services Department
16 eligible to receive funds, all Departments within that
17 county must submit plans which are approved by the Supreme
18 Court.

19 (b) The annual probation plan shall seek to generally
20 improve the quality of probation services and to reduce the
21 commitment of adult and juvenile offenders to the
22 Department of Corrections and shall require, when
23 appropriate, coordination with the Department of
24 Corrections and the Department of Children and Family
25 Services in the development and use of community resources,
26 information systems, case review and permanency planning
27 systems to avoid the duplication of services.

28 (c) The Department shall be in compliance with
29 standards developed by the Supreme Court for basic, new and
30 expanded services, training, personnel hiring and
31 promotion.

32 (d) The Department shall in its annual plan indicate
33 the manner in which it will support the rights of crime
34 victims and in which manner it will implement Article I,

1 Section 8.1 of the Illinois Constitution and in what manner
2 it will coordinate crime victims' support services with
3 other criminal justice agencies within its jurisdiction,
4 including but not limited to, the State's Attorney, the
5 Sheriff and any municipal police department.

6 (7) No statement shall be verified by the Supreme Court or
7 its designee or vouchered by the Comptroller unless each of the
8 following conditions have been met:

9 (a) The probation officer is a full-time employee
10 appointed by the Chief Judge to provide probation services.

11 (b) The probation officer, in order to be eligible for
12 State reimbursement, is receiving a salary of at least
13 \$17,000 per year.

14 (c) The probation officer is appointed or was
15 reappointed in accordance with minimum qualifications or
16 criteria established by the Supreme Court; however, all
17 probation officers appointed prior to January 1, 1978,
18 shall be exempted from the minimum requirements
19 established by the Supreme Court. Payments shall be made to
20 counties employing these exempted probation officers as
21 long as they are employed in the position held on the
22 effective date of this amendatory Act of 1985. Promotions
23 shall be governed by minimum qualifications established by
24 the Supreme Court.

25 (d) The Department has an established compensation
26 schedule approved by the Supreme Court. The compensation
27 schedule shall include salary ranges with necessary
28 increments to compensate each employee. The increments
29 shall, within the salary ranges, be based on such factors
30 as bona fide occupational qualifications, performance, and
31 length of service. Each position in the Department shall be
32 placed on the compensation schedule according to job duties
33 and responsibilities of such position. The policy and
34 procedures of the compensation schedule shall be made

1 available to each employee.

2 (8) In order to obtain full reimbursement of all approved
3 costs, each Department must continue to employ at least the
4 same number of probation officers and probation managers as
5 were authorized for employment for the fiscal year which
6 includes January 1, 1985. This number shall be designated as
7 the base amount of the Department. No positions approved by the
8 Division under paragraph (b) of subsection 4 will be included
9 in the base amount. In the event that the Department employs
10 fewer Probation officers and Probation managers than the base
11 amount for a period of 90 days, funding received by the
12 Department under subsection 4 of this Section may be reduced on
13 a monthly basis by the amount of the current salaries of any
14 positions below the base amount.

15 (9) Before the 15th day of each month, the treasurer of any
16 county which has a Probation and Court Services Department, or
17 the treasurer of the most populous county, in the case of a
18 Probation or Court Services Department funded by more than one
19 county, shall submit an itemized statement of all approved
20 costs incurred in the delivery of Basic Probation and Court
21 Services under this Act to the Supreme Court. The treasurer may
22 also submit an itemized statement of all approved costs
23 incurred in the delivery of new and expanded Probation and
24 Court Services as well as Individualized Services and Programs.
25 The Supreme Court or its designee shall verify compliance with
26 this Section and shall examine and audit the monthly statement
27 and, upon finding them to be correct, shall forward them to the
28 Comptroller for payment to the county treasurer. In the case of
29 payment to a treasurer of a county which is the most populous
30 of counties sharing the salary and expenses of a Probation and
31 Court Services Department, the treasurer shall divide the money
32 between the counties in a manner that reflects each county's
33 share of the cost incurred by the Department.

34 (10) The county treasurer must certify that funds received

1 under this Section shall be used solely to maintain and improve
2 Probation and Court Services. The county or circuit shall
3 remain in compliance with all standards, policies and
4 regulations established by the Supreme Court. If at any time
5 the Supreme Court determines that a county or circuit is not in
6 compliance, the Supreme Court shall immediately notify the
7 Chief Judge, county board chairman and the Director of Court
8 Services Chief Probation Officer. If after 90 days of written
9 notice the noncompliance still exists, the Supreme Court shall
10 be required to reduce the amount of monthly reimbursement by
11 10%. An additional 10% reduction of monthly reimbursement shall
12 occur for each consecutive month of noncompliance. Except as
13 provided in subsection 5 of Section 15, funding to counties
14 shall commence on April 1, 1986. Funds received under this Act
15 shall be used to provide for Probation Department expenses
16 including those required under Section 13 of this Act. For
17 State fiscal years 2004, 2005, ~~and 2006~~, and 2007 only, the
18 Mandatory Arbitration Fund may be used to provide for Probation
19 Department expenses, including those required under Section 13
20 of this Act.

21 (11) The respective counties shall be responsible for
22 capital and space costs, fringe benefits, clerical costs,
23 equipment, telecommunications, postage, commodities and
24 printing.

25 (12) For purposes of this Act only, probation officers
26 shall be considered peace officers. In the exercise of their
27 official duties, probation officers, sheriffs, and police
28 officers may, anywhere within the State, arrest any probationer
29 who is in violation of any of the conditions of his or her
30 probation, conditional discharge, or supervision, and it shall
31 be the duty of the officer making the arrest to take the
32 probationer before the Court having jurisdiction over the
33 probationer for further order.

34 (Source: P.A. 93-25, eff. 6-20-03; 93-576, eff. 1-1-04; 93-839,

1 eff. 7-30-04; 94-91, eff. 7-1-05.)

2 (Text of Section after amendment by P.A. 94-696)

3 Sec. 15. (1) The Supreme Court of Illinois may establish a
4 Division of Probation Services whose purpose shall be the
5 development, establishment, promulgation, and enforcement of
6 uniform standards for probation services in this State, and to
7 otherwise carry out the intent of this Act. The Division may:

8 (a) establish qualifications for chief probation
9 officers and other probation and court services personnel
10 as to hiring, promotion, and training.

11 (b) make available, on a timely basis, lists of those
12 applicants whose qualifications meet the regulations
13 referred to herein, including on said lists all candidates
14 found qualified.

15 (c) establish a means of verifying the conditions for
16 reimbursement under this Act and develop criteria for
17 approved costs for reimbursement.

18 (d) develop standards and approve employee
19 compensation schedules for probation and court services
20 departments.

21 (e) employ sufficient personnel in the Division to
22 carry out the functions of the Division.

23 (f) establish a system of training and establish
24 standards for personnel orientation and training.

25 (g) develop standards for a system of record keeping
26 for cases and programs, gather statistics, establish a
27 system of uniform forms, and develop research for planning
28 of Probation Services.

29 (h) develop standards to assure adequate support
30 personnel, office space, equipment and supplies, travel
31 expenses, and other essential items necessary for
32 Probation and Court Services Departments to carry out their
33 duties.

1 (i) review and approve annual plans submitted by
2 Probation and Court Services Departments.

3 (j) monitor and evaluate all programs operated by
4 Probation and Court Services Departments, and may include
5 in the program evaluation criteria such factors as the
6 percentage of Probation sentences for felons convicted of
7 Probationable offenses.

8 (k) seek the cooperation of local and State government
9 and private agencies to improve the quality of probation
10 and court services.

11 (l) where appropriate, establish programs and
12 corresponding standards designed to generally improve the
13 quality of probation and court services and reduce the rate
14 of adult or juvenile offenders committed to the Department
15 of Corrections.

16 (m) establish such other standards and regulations and
17 do all acts necessary to carry out the intent and purposes
18 of this Act.

19 The Division shall establish a model list of structured
20 intermediate sanctions that may be imposed by a probation
21 agency for violations of terms and conditions of a sentence of
22 probation, conditional discharge, or supervision.

23 The State of Illinois shall provide for the costs of
24 personnel, travel, equipment, telecommunications, postage,
25 commodities, printing, space, contractual services and other
26 related costs necessary to carry out the intent of this Act.

27 (2) (a) The chief judge of each circuit shall provide
28 full-time probation services for all counties within the
29 circuit, in a manner consistent with the annual probation plan,
30 the standards, policies, and regulations established by the
31 Supreme Court. A probation district of two or more counties
32 within a circuit may be created for the purposes of providing
33 full-time probation services. Every county or group of counties
34 within a circuit shall maintain a probation department which

1 shall be under the authority of the Chief Judge of the circuit
2 or some other judge designated by the Chief Judge. The Chief
3 Judge, through the Probation and Court Services Department
4 shall submit annual plans to the Division for probation and
5 related services.

6 (b) The Chief Judge of each circuit shall appoint the Chief
7 Probation Officer and all other probation officers for his or
8 her circuit from lists of qualified applicants supplied by the
9 Supreme Court. Candidates for chief managing officer and other
10 probation officer positions must apply with both the Chief
11 Judge of the circuit and the Supreme Court.

12 (3) A Probation and Court Service Department shall apply to
13 the Supreme Court for funds for basic services, and may apply
14 for funds for new and expanded programs or Individualized
15 Services and Programs. Costs shall be reimbursed monthly based
16 on a plan and budget approved by the Supreme Court. No
17 Department may be reimbursed for costs which exceed or are not
18 provided for in the approved annual plan and budget. After the
19 effective date of this amendatory Act of 1985, each county must
20 provide basic services in accordance with the annual plan and
21 standards created by the division. No department may receive
22 funds for new or expanded programs or individualized services
23 and programs unless they are in compliance with standards as
24 enumerated in paragraph (h) of subsection (1) of this Section,
25 the annual plan, and standards for basic services.

26 (4) The Division shall reimburse the county or counties for
27 probation services as follows:

28 (a) 100% of the salary of all chief managing officers
29 designated as such by the Chief Judge and the division.

30 (b) 100% of the salary for all probation officer and
31 supervisor positions approved for reimbursement by the
32 division after April 1, 1984, to meet workload standards
33 and to implement intensive sanction and probation
34 supervision programs and other basic services as defined in

1 this Act.

2 (c) 100% of the salary for all secure detention
3 personnel and non-secure group home personnel approved for
4 reimbursement after December 1, 1990. For all such
5 positions approved for reimbursement before December 1,
6 1990, the counties shall be reimbursed \$1,250 per month
7 beginning July 1, 1995, and an additional \$250 per month
8 beginning each July 1st thereafter until the positions
9 receive 100% salary reimbursement. Allocation of such
10 positions will be based on comparative need considering
11 capacity, staff/resident ratio, physical plant and
12 program.

13 (d) \$1,000 per month for salaries for the remaining
14 probation officer positions engaged in basic services and
15 new or expanded services. All such positions shall be
16 approved by the division in accordance with this Act and
17 division standards.

18 (e) 100% of the travel expenses in accordance with
19 Division standards for all Probation positions approved
20 under paragraph (b) of subsection 4 of this Section.

21 (f) If the amount of funds reimbursed to the county
22 under paragraphs (a) through (e) of subsection 4 of this
23 Section on an annual basis is less than the amount the
24 county had received during the 12 month period immediately
25 prior to the effective date of this amendatory Act of 1985,
26 then the Division shall reimburse the amount of the
27 difference to the county. The effect of paragraph (b) of
28 subsection 7 of this Section shall be considered in
29 implementing this supplemental reimbursement provision.

30 (5) The Division shall provide funds beginning on April 1,
31 1987 for the counties to provide Individualized Services and
32 Programs as provided in Section 16 of this Act.

33 (6) A Probation and Court Services Department in order to
34 be eligible for the reimbursement must submit to the Supreme

1 Court an application containing such information and in such a
2 form and by such dates as the Supreme Court may require.
3 Departments to be eligible for funding must satisfy the
4 following conditions:

5 (a) The Department shall have on file with the Supreme
6 Court an annual Probation plan for continuing, improved,
7 and new Probation and Court Services Programs approved by
8 the Supreme Court or its designee. This plan shall indicate
9 the manner in which Probation and Court Services will be
10 delivered and improved, consistent with the minimum
11 standards and regulations for Probation and Court
12 Services, as established by the Supreme Court. In counties
13 with more than one Probation and Court Services Department
14 eligible to receive funds, all Departments within that
15 county must submit plans which are approved by the Supreme
16 Court.

17 (b) The annual probation plan shall seek to generally
18 improve the quality of probation services and to reduce the
19 commitment of adult offenders to the Department of
20 Corrections and to reduce the commitment of juvenile
21 offenders to the Department of Juvenile Justice and shall
22 require, when appropriate, coordination with the
23 Department of Corrections, the Department of Juvenile
24 Justice, and the Department of Children and Family Services
25 in the development and use of community resources,
26 information systems, case review and permanency planning
27 systems to avoid the duplication of services.

28 (c) The Department shall be in compliance with
29 standards developed by the Supreme Court for basic, new and
30 expanded services, training, personnel hiring and
31 promotion.

32 (d) The Department shall in its annual plan indicate
33 the manner in which it will support the rights of crime
34 victims and in which manner it will implement Article I,

1 Section 8.1 of the Illinois Constitution and in what manner
2 it will coordinate crime victims' support services with
3 other criminal justice agencies within its jurisdiction,
4 including but not limited to, the State's Attorney, the
5 Sheriff and any municipal police department.

6 (7) No statement shall be verified by the Supreme Court or
7 its designee or vouchered by the Comptroller unless each of the
8 following conditions have been met:

9 (a) The probation officer is a full-time employee
10 appointed by the Chief Judge to provide probation services.

11 (b) The probation officer, in order to be eligible for
12 State reimbursement, is receiving a salary of at least
13 \$17,000 per year.

14 (c) The probation officer is appointed or was
15 reappointed in accordance with minimum qualifications or
16 criteria established by the Supreme Court; however, all
17 probation officers appointed prior to January 1, 1978,
18 shall be exempted from the minimum requirements
19 established by the Supreme Court. Payments shall be made to
20 counties employing these exempted probation officers as
21 long as they are employed in the position held on the
22 effective date of this amendatory Act of 1985. Promotions
23 shall be governed by minimum qualifications established by
24 the Supreme Court.

25 (d) The Department has an established compensation
26 schedule approved by the Supreme Court. The compensation
27 schedule shall include salary ranges with necessary
28 increments to compensate each employee. The increments
29 shall, within the salary ranges, be based on such factors
30 as bona fide occupational qualifications, performance, and
31 length of service. Each position in the Department shall be
32 placed on the compensation schedule according to job duties
33 and responsibilities of such position. The policy and
34 procedures of the compensation schedule shall be made

1 available to each employee.

2 (8) In order to obtain full reimbursement of all approved
3 costs, each Department must continue to employ at least the
4 same number of probation officers and probation managers as
5 were authorized for employment for the fiscal year which
6 includes January 1, 1985. This number shall be designated as
7 the base amount of the Department. No positions approved by the
8 Division under paragraph (b) of subsection 4 will be included
9 in the base amount. In the event that the Department employs
10 fewer Probation officers and Probation managers than the base
11 amount for a period of 90 days, funding received by the
12 Department under subsection 4 of this Section may be reduced on
13 a monthly basis by the amount of the current salaries of any
14 positions below the base amount.

15 (9) Before the 15th day of each month, the treasurer of any
16 county which has a Probation and Court Services Department, or
17 the treasurer of the most populous county, in the case of a
18 Probation or Court Services Department funded by more than one
19 county, shall submit an itemized statement of all approved
20 costs incurred in the delivery of Basic Probation and Court
21 Services under this Act to the Supreme Court. The treasurer may
22 also submit an itemized statement of all approved costs
23 incurred in the delivery of new and expanded Probation and
24 Court Services as well as Individualized Services and Programs.
25 The Supreme Court or its designee shall verify compliance with
26 this Section and shall examine and audit the monthly statement
27 and, upon finding them to be correct, shall forward them to the
28 Comptroller for payment to the county treasurer. In the case of
29 payment to a treasurer of a county which is the most populous
30 of counties sharing the salary and expenses of a Probation and
31 Court Services Department, the treasurer shall divide the money
32 between the counties in a manner that reflects each county's
33 share of the cost incurred by the Department.

34 (10) The county treasurer must certify that funds received

1 under this Section shall be used solely to maintain and improve
2 Probation and Court Services. The county or circuit shall
3 remain in compliance with all standards, policies and
4 regulations established by the Supreme Court. If at any time
5 the Supreme Court determines that a county or circuit is not in
6 compliance, the Supreme Court shall immediately notify the
7 Chief Judge, county board chairman and the Director of Court
8 Services Chief Probation Officer. If after 90 days of written
9 notice the noncompliance still exists, the Supreme Court shall
10 be required to reduce the amount of monthly reimbursement by
11 10%. An additional 10% reduction of monthly reimbursement shall
12 occur for each consecutive month of noncompliance. Except as
13 provided in subsection 5 of Section 15, funding to counties
14 shall commence on April 1, 1986. Funds received under this Act
15 shall be used to provide for Probation Department expenses
16 including those required under Section 13 of this Act. For
17 State fiscal years 2004, 2005, ~~and 2006~~, and 2007 only, the
18 Mandatory Arbitration Fund may be used to provide for Probation
19 Department expenses, including those required under Section 13
20 of this Act.

21 (11) The respective counties shall be responsible for
22 capital and space costs, fringe benefits, clerical costs,
23 equipment, telecommunications, postage, commodities and
24 printing.

25 (12) For purposes of this Act only, probation officers
26 shall be considered peace officers. In the exercise of their
27 official duties, probation officers, sheriffs, and police
28 officers may, anywhere within the State, arrest any probationer
29 who is in violation of any of the conditions of his or her
30 probation, conditional discharge, or supervision, and it shall
31 be the duty of the officer making the arrest to take the
32 probationer before the Court having jurisdiction over the
33 probationer for further order.

34 (Source: P.A. 93-25, eff. 6-20-03; 93-576, eff. 1-1-04; 93-839,

1 eff. 7-30-04; 94-91, eff. 7-1-05; 94-696, eff. 6-1-06.)

2 (730 ILCS 110/15.1) (from Ch. 38, par. 204-7.1)

3 Sec. 15.1. Probation and Court Services Fund.

4 (a) The county treasurer in each county shall establish a
5 probation and court services fund consisting of fees collected
6 pursuant to subsection (i) of Section 5-6-3 and subsection (i)
7 of Section 5-6-3.1 of the Unified Code of Corrections,
8 subsection (10) of Section 5-615 and subsection (5) of Section
9 5-715 of the Juvenile Court Act of 1987, and paragraph 14.3 of
10 subsection (b) of Section 110-10 of the Code of Criminal
11 Procedure of 1963. The county treasurer shall disburse monies
12 from the fund only at the direction of the chief judge of the
13 circuit court in such circuit where the county is located. The
14 county treasurer of each county shall, on or before January 10
15 of each year, submit an annual report to the Supreme Court.

16 (b) Monies in the probation and court services fund shall
17 be appropriated by the county board to be used within the
18 county or jurisdiction where collected in accordance with
19 policies and guidelines approved by the Supreme Court for the
20 costs of operating the probation and court services department
21 or departments; however, except as provided in subparagraph
22 (g), monies in the probation and court services fund shall not
23 be used for the payment of salaries of probation and court
24 services personnel.

25 (c) Monies expended from the probation and court services
26 fund shall be used to supplement, not supplant, county
27 appropriations for probation and court services.

28 (d) Interest earned on monies deposited in a probation and
29 court services fund may be used by the county for its ordinary
30 and contingent expenditures.

31 (e) The county board may appropriate moneys from the
32 probation and court services fund, upon the direction of the
33 chief judge, to support programs that are part of the continuum

1 of juvenile delinquency intervention programs which are or may
2 be developed within the county. The grants from the probation
3 and court services fund shall be for no more than one year and
4 may be used for any expenses attributable to the program
5 including administration and oversight of the program by the
6 probation department.

7 (f) The county board may appropriate moneys from the
8 probation and court services fund, upon the direction of the
9 chief judge, to support practices endorsed or required under
10 the Sex Offender Management Board Act, including but not
11 limited to sex offender evaluation, treatment, and monitoring
12 programs that are or may be developed within the county.

13 (g) For the State Fiscal Years 2005, ~~and~~ 2006, and 2007
14 only, the Administrative Office of the Illinois Courts may
15 permit a county or circuit to use its probation and court
16 services fund for the payment of salaries of probation officers
17 and other court services personnel whose salaries are
18 reimbursed under this Act if the State's FY2005, ~~or~~ FY2006, or
19 FY2007 appropriation to the Supreme Court for reimbursement to
20 counties for probation salaries and services is less than the
21 amount appropriated to the Supreme Court for these purposes for
22 State Fiscal Year 2004. The Administrative Office of the
23 Illinois Courts shall take into account each county's or
24 circuit's probation fee collections and expenditures when
25 apportioning the total reimbursement for each county or
26 circuit.

27 (Source: P.A. 93-616, eff. 1-1-04; 93-839, eff. 7-30-04; 94-91,
28 eff. 7-1-05.)

29 Section 5-100. The Code of Civil Procedure is amended by
30 changing Section 2-1009A as follows:

31 (735 ILCS 5/2-1009A) (from Ch. 110, par. 2-1009A)

32 Sec. 2-1009A. Filing Fees. In each county authorized by the

1 Supreme Court to utilize mandatory arbitration, the clerk of
2 the circuit court shall charge and collect, in addition to any
3 other fees, an arbitration fee of \$8, except in counties with
4 3,000,000 or more inhabitants the fee shall be \$10, at the time
5 of filing the first pleading, paper or other appearance filed
6 by each party in all civil cases, but no additional fee shall
7 be required if more than one party is represented in a single
8 pleading, paper or other appearance. Arbitration fees received
9 by the clerk of the circuit court pursuant to this Section
10 shall be remitted within one month after receipt to the State
11 Treasurer for deposit into the Mandatory Arbitration Fund, a
12 special fund in the State treasury for the purpose of funding
13 mandatory arbitration programs and such other alternative
14 dispute resolution programs as may be authorized by circuit
15 court rule for operation in counties that have implemented
16 mandatory arbitration, with a separate account being
17 maintained for each county. Notwithstanding any other
18 provision of this Section to the contrary, and for State fiscal
19 years 2004, 2005, ~~and~~ 2006, and 2007 only, the Mandatory
20 Arbitration Fund may be used for any other purpose authorized
21 by the Supreme Court.

22 (Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91,
23 eff. 7-1-05.)

24 Section 5-110. The Workers' Compensation Act is amended by
25 changing Section 4 as follows:

26 (820 ILCS 305/4) (from Ch. 48, par. 138.4)

27 Sec. 4. (a) Any employer, including but not limited to
28 general contractors and their subcontractors, who shall come
29 within the provisions of Section 3 of this Act, and any other
30 employer who shall elect to provide and pay the compensation
31 provided for in this Act shall:

32 (1) File with the Commission annually an application

1 for approval as a self-insurer which shall include a
2 current financial statement, and annually, thereafter, an
3 application for renewal of self-insurance, which shall
4 include a current financial statement. Said application
5 and financial statement shall be signed and sworn to by the
6 president or vice president and secretary or assistant
7 secretary of the employer if it be a corporation, or by all
8 of the partners, if it be a copartnership, or by the owner
9 if it be neither a copartnership nor a corporation. All
10 initial applications and all applications for renewal of
11 self-insurance must be submitted at least 60 days prior to
12 the requested effective date of self-insurance. An
13 employer may elect to provide and pay compensation as
14 provided for in this Act as a member of a group workers'
15 compensation pool under Article V 3/4 of the Illinois
16 Insurance Code. If an employer becomes a member of a group
17 workers' compensation pool, the employer shall not be
18 relieved of any obligations imposed by this Act.

19 If the sworn application and financial statement of any
20 such employer does not satisfy the Commission of the
21 financial ability of the employer who has filed it, the
22 Commission shall require such employer to,

23 (2) Furnish security, indemnity or a bond guaranteeing
24 the payment by the employer of the compensation provided
25 for in this Act, provided that any such employer whose
26 application and financial statement shall not have
27 satisfied the commission of his or her financial ability
28 and who shall have secured his liability in part by excess
29 liability insurance shall be required to furnish to the
30 Commission security, indemnity or bond guaranteeing his or
31 her payment up to the effective limits of the excess
32 coverage, or

33 (3) Insure his entire liability to pay such
34 compensation in some insurance carrier authorized,

1 licensed, or permitted to do such insurance business in
2 this State. Every policy of an insurance carrier, insuring
3 the payment of compensation under this Act shall cover all
4 the employees and the entire compensation liability of the
5 insured: Provided, however, that any employer may insure
6 his or her compensation liability with 2 or more insurance
7 carriers or may insure a part and qualify under subsection
8 1, 2, or 4 for the remainder of his or her liability to pay
9 such compensation, subject to the following two
10 provisions:

11 Firstly, the entire compensation liability of the
12 employer to employees working at or from one location
13 shall be insured in one such insurance carrier or shall
14 be self-insured, and

15 Secondly, the employer shall submit evidence
16 satisfactorily to the Commission that his or her entire
17 liability for the compensation provided for in this Act
18 will be secured. Any provisions in any policy, or in
19 any endorsement attached thereto, attempting to limit
20 or modify in any way, the liability of the insurance
21 carriers issuing the same except as otherwise provided
22 herein shall be wholly void.

23 Nothing herein contained shall apply to policies of
24 excess liability carriage secured by employers who have
25 been approved by the Commission as self-insurers, or

26 (4) Make some other provision, satisfactory to the
27 Commission, for the securing of the payment of compensation
28 provided for in this Act, and

29 (5) Upon becoming subject to this Act and thereafter as
30 often as the Commission may in writing demand, file with
31 the Commission in form prescribed by it evidence of his or
32 her compliance with the provision of this Section.

33 (a-1) Regardless of its state of domicile or its principal
34 place of business, an employer shall make payments to its

1 insurance carrier or group self-insurance fund, where
2 applicable, based upon the premium rates of the situs where the
3 work or project is located in Illinois if:

4 (A) the employer is engaged primarily in the building
5 and construction industry; and

6 (B) subdivision (a)(3) of this Section applies to the
7 employer or the employer is a member of a group
8 self-insurance plan as defined in subsection (1) of Section
9 4a.

10 The Illinois Workers' Compensation Commission shall impose
11 a penalty upon an employer for violation of this subsection
12 (a-1) if:

13 (i) the employer is given an opportunity at a hearing
14 to present evidence of its compliance with this subsection
15 (a-1); and

16 (ii) after the hearing, the Commission finds that the
17 employer failed to make payments upon the premium rates of
18 the situs where the work or project is located in Illinois.

19 The penalty shall not exceed \$1,000 for each day of work
20 for which the employer failed to make payments upon the premium
21 rates of the situs where the work or project is located in
22 Illinois, but the total penalty shall not exceed \$50,000 for
23 each project or each contract under which the work was
24 performed.

25 Any penalty under this subsection (a-1) must be imposed not
26 later than one year after the expiration of the applicable
27 limitation period specified in subsection (d) of Section 6 of
28 this Act. Penalties imposed under this subsection (a-1) shall
29 be deposited into the Illinois Workers' Compensation
30 Commission Operations Fund, a special fund that is created in
31 the State treasury. Subject to appropriation, moneys in the
32 Fund shall be used solely for the operations of the Illinois
33 Workers' Compensation Commission and by the Department of
34 Financial and Professional Regulation for the purposes

1 authorized in subsection (c) of Section 25.5 of this Act.

2 (b) The sworn application and financial statement, or
3 security, indemnity or bond, or amount of insurance, or other
4 provisions, filed, furnished, carried, or made by the employer,
5 as the case may be, shall be subject to the approval of the
6 Commission.

7 Deposits under escrow agreements shall be cash, negotiable
8 United States government bonds or negotiable general
9 obligation bonds of the State of Illinois. Such cash or bonds
10 shall be deposited in escrow with any State or National Bank or
11 Trust Company having trust authority in the State of Illinois.

12 Upon the approval of the sworn application and financial
13 statement, security, indemnity or bond or amount of insurance,
14 filed, furnished or carried, as the case may be, the Commission
15 shall send to the employer written notice of its approval
16 thereof. The certificate of compliance by the employer with the
17 provisions of subparagraphs (2) and (3) of paragraph (a) of
18 this Section shall be delivered by the insurance carrier to the
19 Illinois Workers' Compensation Commission within five days
20 after the effective date of the policy so certified. The
21 insurance so certified shall cover all compensation liability
22 occurring during the time that the insurance is in effect and
23 no further certificate need be filed in case such insurance is
24 renewed, extended or otherwise continued by such carrier. The
25 insurance so certified shall not be cancelled or in the event
26 that such insurance is not renewed, extended or otherwise
27 continued, such insurance shall not be terminated until at
28 least 10 days after receipt by the Illinois Workers'
29 Compensation Commission of notice of the cancellation or
30 termination of said insurance; provided, however, that if the
31 employer has secured insurance from another insurance carrier,
32 or has otherwise secured the payment of compensation in
33 accordance with this Section, and such insurance or other
34 security becomes effective prior to the expiration of the 10

1 days, cancellation or termination may, at the option of the
2 insurance carrier indicated in such notice, be effective as of
3 the effective date of such other insurance or security.

4 (c) Whenever the Commission shall find that any
5 corporation, company, association, aggregation of individuals,
6 reciprocal or interinsurers exchange, or other insurer
7 effecting workers' compensation insurance in this State shall
8 be insolvent, financially unsound, or unable to fully meet all
9 payments and liabilities assumed or to be assumed for
10 compensation insurance in this State, or shall practice a
11 policy of delay or unfairness toward employees in the
12 adjustment, settlement, or payment of benefits due such
13 employees, the Commission may after reasonable notice and
14 hearing order and direct that such corporation, company,
15 association, aggregation of individuals, reciprocal or
16 interinsurers exchange, or insurer, shall from and after a date
17 fixed in such order discontinue the writing of any such
18 workers' compensation insurance in this State. Subject to such
19 modification of the order as the Commission may later make on
20 review of the order, as herein provided, it shall thereupon be
21 unlawful for any such corporation, company, association,
22 aggregation of individuals, reciprocal or interinsurers
23 exchange, or insurer to effect any workers' compensation
24 insurance in this State. A copy of the order shall be served
25 upon the Director of Insurance by registered mail. Whenever the
26 Commission finds that any service or adjustment company used or
27 employed by a self-insured employer or by an insurance carrier
28 to process, adjust, investigate, compromise or otherwise
29 handle claims under this Act, has practiced or is practicing a
30 policy of delay or unfairness toward employees in the
31 adjustment, settlement or payment of benefits due such
32 employees, the Commission may after reasonable notice and
33 hearing order and direct that such service or adjustment
34 company shall from and after a date fixed in such order be

1 prohibited from processing, adjusting, investigating,
2 compromising or otherwise handling claims under this Act.

3 Whenever the Commission finds that any self-insured
4 employer has practiced or is practicing delay or unfairness
5 toward employees in the adjustment, settlement or payment of
6 benefits due such employees, the Commission may, after
7 reasonable notice and hearing, order and direct that after a
8 date fixed in the order such self-insured employer shall be
9 disqualified to operate as a self-insurer and shall be required
10 to insure his entire liability to pay compensation in some
11 insurance carrier authorized, licensed and permitted to do such
12 insurance business in this State, as provided in subparagraph 3
13 of paragraph (a) of this Section.

14 All orders made by the Commission under this Section shall
15 be subject to review by the courts, said review to be taken in
16 the same manner and within the same time as provided by Section
17 19 of this Act for review of awards and decisions of the
18 Commission, upon the party seeking the review filing with the
19 clerk of the court to which said review is taken a bond in an
20 amount to be fixed and approved by the court to which the
21 review is taken, conditioned upon the payment of all
22 compensation awarded against the person taking said review
23 pending a decision thereof and further conditioned upon such
24 other obligations as the court may impose. Upon the review the
25 Circuit Court shall have power to review all questions of fact
26 as well as of law. The penalty hereinafter provided for in this
27 paragraph shall not attach and shall not begin to run until the
28 final determination of the order of the Commission.

29 (d) Whenever a panel of 3 Commissioners comprised of one
30 member of the employing class, one member of the employee
31 class, and one member not identified with either the employing
32 or employee class, with due process and after a hearing,
33 determines an employer has knowingly failed to provide coverage
34 as required by paragraph (a) of this Section, the failure shall

1 be deemed an immediate serious danger to public health, safety,
2 and welfare sufficient to justify service by the Commission of
3 a work-stop order on such employer, requiring the cessation of
4 all business operations of such employer at the place of
5 employment or job site. Any law enforcement agency in the State
6 shall, at the request of the Commission, render any assistance
7 necessary to carry out the provisions of this Section,
8 including, but not limited to, preventing any employee of such
9 employer from remaining at a place of employment or job site
10 after a work-stop order has taken effect. Any work-stop order
11 shall be lifted upon proof of insurance as required by this
12 Act. Any orders under this Section are appealable under Section
13 19(f) to the Circuit Court.

14 Any individual employer, corporate officer or director of a
15 corporate employer, partner of an employer partnership, or
16 member of an employer limited liability company who knowingly
17 fails to provide coverage as required by paragraph (a) of this
18 Section is guilty of a Class 4 felony. This provision shall not
19 apply to any corporate officer or director of any
20 publicly-owned corporation. Each day's violation constitutes a
21 separate offense. The State's Attorney of the county in which
22 the violation occurred, or the Attorney General, shall bring
23 such actions in the name of the People of the State of
24 Illinois, or may, in addition to other remedies provided in
25 this Section, bring an action for an injunction to restrain the
26 violation or to enjoin the operation of any such employer.

27 Any individual employer, corporate officer or director of a
28 corporate employer, partner of an employer partnership, or
29 member of an employer limited liability company who negligently
30 fails to provide coverage as required by paragraph (a) of this
31 Section is guilty of a Class A misdemeanor. This provision
32 shall not apply to any corporate officer or director of any
33 publicly-owned corporation. Each day's violation constitutes a
34 separate offense. The State's Attorney of the county in which

1 the violation occurred, or the Attorney General, shall bring
2 such actions in the name of the People of the State of
3 Illinois.

4 The criminal penalties in this subsection (d) shall not
5 apply where there exists a good faith dispute as to the
6 existence of an employment relationship. Evidence of good faith
7 shall include, but not be limited to, compliance with the
8 definition of employee as used by the Internal Revenue Service.

9 Employers who are subject to and who knowingly fail to
10 comply with this Section shall not be entitled to the benefits
11 of this Act during the period of noncompliance, but shall be
12 liable in an action under any other applicable law of this
13 State. In the action, such employer shall not avail himself or
14 herself of the defenses of assumption of risk or negligence or
15 that the injury was due to a co-employee. In the action, proof
16 of the injury shall constitute prima facie evidence of
17 negligence on the part of such employer and the burden shall be
18 on such employer to show freedom of negligence resulting in the
19 injury. The employer shall not join any other defendant in any
20 such civil action. Nothing in this amendatory Act of the 94th
21 General Assembly shall affect the employee's rights under
22 subdivision (a)3 of Section 1 of this Act. Any employer or
23 carrier who makes payments under subdivision (a)3 of Section 1
24 of this Act shall have a right of reimbursement from the
25 proceeds of any recovery under this Section.

26 An employee of an uninsured employer, or the employee's
27 dependents in case death ensued, may, instead of proceeding
28 against the employer in a civil action in court, file an
29 application for adjustment of claim with the Commission in
30 accordance with the provisions of this Act and the Commission
31 shall hear and determine the application for adjustment of
32 claim in the manner in which other claims are heard and
33 determined before the Commission.

34 All proceedings under this subsection (d) shall be reported

1 on an annual basis to the Workers' Compensation Advisory Board.

2 Upon a finding by the Commission, after reasonable notice
3 and hearing, of the knowing and wilful failure or refusal of an
4 employer to comply with any of the provisions of paragraph (a)
5 of this Section or the failure or refusal of an employer,
6 service or adjustment company, or an insurance carrier to
7 comply with any order of the Illinois Workers' Compensation
8 Commission pursuant to paragraph (c) of this Section
9 disqualifying him or her to operate as a self insurer and
10 requiring him or her to insure his or her liability, the
11 Commission may assess a civil penalty of up to \$500 per day for
12 each day of such failure or refusal after the effective date of
13 this amendatory Act of 1989. The minimum penalty under this
14 Section shall be the sum of \$10,000. Each day of such failure
15 or refusal shall constitute a separate offense. The Commission
16 may assess the civil penalty personally and individually
17 against the corporate officers and directors of a corporate
18 employer, the partners of an employer partnership, and the
19 members of an employer limited liability company, after a
20 finding of a knowing and willful refusal or failure of each
21 such named corporate officer, director, partner, or member to
22 comply with this Section. The liability for the assessed
23 penalty shall be against the named employer first, and if the
24 named employer fails or refuses to pay the penalty to the
25 Commission within 30 days after the final order of the
26 Commission, then the named corporate officers, directors,
27 partners, or members who have been found to have knowingly and
28 willfully refused or failed to comply with this Section shall
29 be liable for the unpaid penalty or any unpaid portion of the
30 penalty. Upon investigation by the insurance non-compliance
31 unit of the Commission, the Attorney General shall have the
32 authority to prosecute all proceedings to enforce the civil and
33 administrative provisions of this Section before the
34 Commission. The Commission shall promulgate procedural rules

1 for enforcing this Section.

2 Upon the failure or refusal of any employer, service or
3 adjustment company or insurance carrier to comply with the
4 provisions of this Section and with the orders of the
5 Commission under this Section, or the order of the court on
6 review after final adjudication, the Commission may bring a
7 civil action to recover the amount of the penalty in Cook
8 County or in Sangamon County in which litigation the Commission
9 shall be represented by the Attorney General. The Commission
10 shall send notice of its finding of non-compliance and
11 assessment of the civil penalty to the Attorney General. It
12 shall be the duty of the Attorney General within 30 days after
13 receipt of the notice, to institute prosecutions and promptly
14 prosecute all reported violations of this Section.

15 Any individual employer, corporate officer or director of a
16 corporate employer, partner of an employer partnership, or
17 member of an employer limited liability company who, with the
18 intent to avoid payment of compensation under this Act to an
19 injured employee or the employee's dependents, knowingly
20 transfers, sells, encumbers, assigns, or in any manner disposes
21 of, conceals, secretes, or destroys any property belonging to
22 the employer, officer, director, partner, or member is guilty
23 of a Class 4 felony.

24 Penalties and fines collected pursuant to this paragraph
25 (d) shall be deposited upon receipt into a special fund which
26 shall be designated the Injured Workers' Benefit Fund, of which
27 the State Treasurer is ex-officio custodian, such special fund
28 to be held and disbursed in accordance with this paragraph (d)
29 for the purposes hereinafter stated in this paragraph (d), upon
30 the final order of the Commission. The Injured Workers' Benefit
31 Fund shall be deposited the same as are State funds and any
32 interest accruing thereon shall be added thereto every 6
33 months. The Injured Workers' Benefit Fund is subject to audit
34 the same as State funds and accounts and is protected by the

1 general bond given by the State Treasurer. The Injured Workers'
2 Benefit Fund is considered always appropriated for the purposes
3 of disbursements as provided in this paragraph, and shall be
4 paid out and disbursed as herein provided and shall not at any
5 time be appropriated or diverted to any other use or purpose.
6 Moneys in the Injured Workers' Benefit Fund shall be used only
7 for payment of workers' compensation benefits for injured
8 employees when the employer has failed to provide coverage as
9 determined under this paragraph (d) and has failed to pay the
10 benefits due to the injured employee. The Commission shall have
11 the right to obtain reimbursement from the employer for
12 compensation obligations paid by the Injured Workers' Benefit
13 Fund. Any such amounts obtained shall be deposited by the
14 Commission into the Injured Workers' Benefit Fund. If an
15 injured employee or his or her personal representative receives
16 payment from the Injured Workers' Benefit Fund, the State of
17 Illinois has the same rights under paragraph (b) of Section 5
18 that the employer who failed to pay the benefits due to the
19 injured employee would have had if the employer had paid those
20 benefits, and any moneys recovered by the State as a result of
21 the State's exercise of its rights under paragraph (b) of
22 Section 5 shall be deposited into the Injured Workers' Benefit
23 Fund. The custodian of the Injured Workers' Benefit Fund shall
24 be joined with the employer as a party respondent in the
25 application for adjustment of claim. After July 1, 2006, the
26 Commission shall make disbursements from the Fund once each
27 year to each eligible claimant. An eligible claimant is an
28 injured worker who has within the previous fiscal year obtained
29 a final award for benefits from the Commission against the
30 employer and the Injured Workers' Benefit Fund and has notified
31 the Commission within 90 days of receipt of such award. Within
32 a reasonable time after the end of each fiscal year, the
33 Commission shall make a disbursement to each eligible claimant.
34 At the time of disbursement, if there are insufficient moneys

1 in the Fund to pay all claims, each eligible claimant shall
2 receive a pro-rata share, as determined by the Commission, of
3 the available moneys in the Fund for that year. Payment from
4 the Injured Workers' Benefit Fund to an eligible claimant
5 pursuant to this provision shall discharge the obligations of
6 the Injured Workers' Benefit Fund regarding the award entered
7 by the Commission.

8 (e) This Act shall not affect or disturb the continuance of
9 any existing insurance, mutual aid, benefit, or relief
10 association or department, whether maintained in whole or in
11 part by the employer or whether maintained by the employees,
12 the payment of benefits of such association or department being
13 guaranteed by the employer or by some person, firm or
14 corporation for him or her: Provided, the employer contributes
15 to such association or department an amount not less than the
16 full compensation herein provided, exclusive of the cost of the
17 maintenance of such association or department and without any
18 expense to the employee. This Act shall not prevent the
19 organization and maintaining under the insurance laws of this
20 State of any benefit or insurance company for the purpose of
21 insuring against the compensation provided for in this Act, the
22 expense of which is maintained by the employer. This Act shall
23 not prevent the organization or maintaining under the insurance
24 laws of this State of any voluntary mutual aid, benefit or
25 relief association among employees for the payment of
26 additional accident or sick benefits.

27 (f) No existing insurance, mutual aid, benefit or relief
28 association or department shall, by reason of anything herein
29 contained, be authorized to discontinue its operation without
30 first discharging its obligations to any and all persons
31 carrying insurance in the same or entitled to relief or
32 benefits therein.

33 (g) Any contract, oral, written or implied, of employment
34 providing for relief benefit, or insurance or any other device

1 whereby the employee is required to pay any premium or premiums
2 for insurance against the compensation provided for in this Act
3 shall be null and void. Any employer withholding from the wages
4 of any employee any amount for the purpose of paying any such
5 premium shall be guilty of a Class B misdemeanor.

6 In the event the employer does not pay the compensation for
7 which he or she is liable, then an insurance company,
8 association or insurer which may have insured such employer
9 against such liability shall become primarily liable to pay to
10 the employee, his or her personal representative or beneficiary
11 the compensation required by the provisions of this Act to be
12 paid by such employer. The insurance carrier may be made a
13 party to the proceedings in which the employer is a party and
14 an award may be entered jointly against the employer and the
15 insurance carrier.

16 (h) It shall be unlawful for any employer, insurance
17 company or service or adjustment company to interfere with,
18 restrain or coerce an employee in any manner whatsoever in the
19 exercise of the rights or remedies granted to him or her by
20 this Act or to discriminate, attempt to discriminate, or
21 threaten to discriminate against an employee in any way because
22 of his or her exercise of the rights or remedies granted to him
23 or her by this Act.

24 It shall be unlawful for any employer, individually or
25 through any insurance company or service or adjustment company,
26 to discharge or to threaten to discharge, or to refuse to
27 rehire or recall to active service in a suitable capacity an
28 employee because of the exercise of his or her rights or
29 remedies granted to him or her by this Act.

30 (i) If an employer elects to obtain a life insurance policy
31 on his employees, he may also elect to apply such benefits in
32 satisfaction of all or a portion of the death benefits payable
33 under this Act, in which case, the employer's compensation
34 premium shall be reduced accordingly.

1 (j) Within 45 days of receipt of an initial application or
2 application to renew self-insurance privileges the
3 Self-Insurers Advisory Board shall review and submit for
4 approval by the Chairman of the Commission recommendations of
5 disposition of all initial applications to self-insure and all
6 applications to renew self-insurance privileges filed by
7 private self-insurers pursuant to the provisions of this
8 Section and Section 4a-9 of this Act. Each private self-insurer
9 shall submit with its initial and renewal applications the
10 application fee required by Section 4a-4 of this Act.

11 The Chairman of the Commission shall promptly act upon all
12 initial applications and applications for renewal in full
13 accordance with the recommendations of the Board or, should the
14 Chairman disagree with any recommendation of disposition of the
15 Self-Insurer's Advisory Board, he shall within 30 days of
16 receipt of such recommendation provide to the Board in writing
17 the reasons supporting his decision. The Chairman shall also
18 promptly notify the employer of his decision within 15 days of
19 receipt of the recommendation of the Board.

20 If an employer is denied a renewal of self-insurance
21 privileges pursuant to application it shall retain said
22 privilege for 120 days after receipt of a notice of
23 cancellation of the privilege from the Chairman of the
24 Commission.

25 All orders made by the Chairman under this Section shall be
26 subject to review by the courts, such review to be taken in the
27 same manner and within the same time as provided by subsection
28 (f) of Section 19 of this Act for review of awards and
29 decisions of the Commission, upon the party seeking the review
30 filing with the clerk of the court to which such review is
31 taken a bond in an amount to be fixed and approved by the court
32 to which the review is taken, conditioned upon the payment of
33 all compensation awarded against the person taking such review
34 pending a decision thereof and further conditioned upon such

1 other obligations as the court may impose. Upon the review the
2 Circuit Court shall have power to review all questions of fact
3 as well as of law.

4 (Source: P.A. 93-721, eff. 1-1-05; 94-277, eff. 7-20-05.)

5 ARTICLE 10. STATE POLICE VEHICLES

6 Section 10-5. If and only if Senate Bill 1089 of the 94th
7 General Assembly becomes law in the form in which it appears in
8 the engrossed bill, the State Finance Act is amended by adding
9 Section 5.664 as follows:

10 (30 ILCS 105/5.664 new)

11 Sec. 5.664. The State Police Vehicle Maintenance Fund.

12 Section 10-10. If and only if Senate Bill 1089 of the 94th
13 General Assembly becomes law in the form in which it appears in
14 the engrossed bill, the State Property Control Act is amended
15 by changing Section 7b and by adding Section 7c as follows:

16 (30 ILCS 605/7b)

17 Sec. 7b. Maintenance and operation of State Police
18 vehicles. All proceeds received by the Department of Central
19 Management Services under this Act from the sale of vehicles
20 operated by the Department of State Police, except for a \$500
21 handling fee to be retained by the Department of Central
22 Management Services for each vehicle sold, shall be deposited
23 into the State Police Vehicle Maintenance Fund. However, in
24 lieu of the \$500 handling fee as provided by this paragraph,
25 the Department of Central Management Services shall retain all
26 proceeds from the sale of any vehicle for which \$500 or a
27 lesser amount is collected.

28 The State Police Vehicle Maintenance Fund is created as a
29 special fund in the State treasury. All moneys in the State

1 Police Vehicle Maintenance Fund, subject to appropriation,
2 shall be used by the Department of State Police for the
3 maintenance and operation ~~acquisition~~ of vehicles for that
4 Department.

5 (Source: P.A. 89-54, eff. 6-30-95.)

6 (30 ILCS 605/7c new)

7 Sec. 7c. Acquisition of State Police vehicles. The State
8 Police Vehicle Fund is created as a special fund in the State
9 treasury. The Fund shall consist of fees received pursuant to
10 Section 16-104c of the Illinois Vehicle Code. All moneys in the
11 Fund, subject to appropriation, shall be used by the Department
12 of State Police:

13 (1) for the acquisition of vehicles for that
14 Department; or

15 (2) for debt service on bonds issued to finance the
16 acquisition of vehicles for that Department.

17 ARTICLE 15. TRANSIT AUTHORITY PENSION FUNDING

18 Section 15-5. The Illinois Pension Code is amended by
19 changing Section 22-101 and adding Section 22-103 as follows:

20 (40 ILCS 5/22-101) (from Ch. 108 1/2, par. 22-101)

21 Sec. 22-101. Metropolitan Transit Authority (CTA) Pension
22 Fund.

23 (a) There shall be established and maintained by the
24 Authority created by the "Metropolitan Transit Authority Act",
25 approved April 12, 1945, as amended, a financially sound
26 pension and retirement system adequate to provide for all
27 payments when due under such established system or as modified
28 from time to time by ordinance of the Chicago Transit Board.
29 For this purpose, ~~both~~ the Board must make contributions to the
30 established system as required under this Section and may make

1 any additional contributions provided for by Board ordinance or
2 collective bargaining agreement. The ~~and the~~ participating
3 employees shall make such periodic payments to the established
4 system as may be determined by Board ~~such~~ ordinance or
5 collective bargaining agreement. The Board, in lieu of social
6 security payments required to be paid by private corporations
7 engaged in similar activity, shall make payments into such
8 established system at least equal in amount to the amount so
9 required to be paid by such private corporations.

10 Provisions shall be made by the Board for all Board
11 members, officers and employees of the Authority appointed
12 pursuant to the "Metropolitan Transit Authority Act" to become,
13 subject to reasonable rules and regulations, members or
14 beneficiaries of the pension or retirement system with uniform
15 rights, privileges, obligations and status as to the class in
16 which such officers and employees belong. The terms, conditions
17 and provisions of any pension or retirement system or of any
18 amendment or modification thereof affecting employees who are
19 members of any labor organization may be established, amended
20 or modified by agreement with such labor organization, but must
21 be consistent with the requirements of this Section.

22 (b) Beginning January 1, 2009, the Authority shall make
23 contributions to the retirement system in an amount which,
24 together with the contributions of participants, interest
25 earned on investments, and other income, will meet the cost of
26 maintaining and administering the retirement plan in
27 accordance with applicable actuarial recommendations and
28 assumptions and the requirements of this Section. These
29 contributions may be paid on a payroll or other periodic basis,
30 but shall in any case be paid at least monthly.

31 For retirement system fiscal years 2009 through 2058, the
32 minimum contribution to the retirement system to be made by the
33 Authority for each fiscal year shall be an amount determined
34 jointly by the Authority and the trustee of the retirement

1 system to be sufficient to bring the total assets of the
2 retirement system up to 90% of its total actuarial liabilities
3 by the end of fiscal year 2058. In making these determinations,
4 the required Authority contribution shall be calculated each
5 year as a level percentage of payroll over the years remaining
6 to and including fiscal year 2058 and shall be determined under
7 the projected unit credit actuarial cost method. Beginning in
8 retirement system fiscal year 2059, the minimum Authority
9 contribution for each fiscal year shall be the amount needed to
10 maintain the total assets of the retirement system at 90% of
11 the total actuarial liabilities of the system.

12 For purposes of determining employer contributions and
13 actuarial liabilities under this subsection, contributions and
14 liabilities relating to health care benefits shall not be
15 included. As used in this Section, "retirement system fiscal
16 year" means the calendar year, or such other plan year as may
17 be defined from time to time in the agreement known as the
18 Retirement Plan for Chicago Transit Authority Employees, or its
19 successor agreement.

20 (c) The Authority and the trustee shall jointly certify to
21 the Governor, the General Assembly, and the Board of the
22 Regional Transportation Authority on or before November 15 of
23 2008 and of each year thereafter the amount of the required
24 Authority contributions to the retirement system for the next
25 retirement system fiscal year under subsection (b). The
26 certification shall include a copy of the actuarial
27 recommendations upon which it is based. In addition, copies of
28 the certification shall be sent to the Commission on Government
29 Forecasting and Accountability, the Mayor of Chicago, the
30 Chicago City Council, and the Cook County Board.

31 (d) The Authority shall take all actions lawfully available
32 to it to separate the funding of health care benefits for
33 retirees and their dependents and survivors from the funding
34 for its retirement system. The Authority shall endeavor to

1 achieve this separation as soon as possible, and in any event
2 no later than January 1, 2009.

3 (e) This amendatory Act of the 94th General Assembly does
4 not affect or impair the right of either the Authority or its
5 employees to collectively bargain the amount or level of
6 employee contributions to the retirement system.

7 (Source: Laws 1963, p. 161.)

8 (40 ILCS 5/22-103 new)

9 Sec. 22-103. Regional Transportation Authority and related
10 pension plans.

11 (a) As used in this Section:

12 "Affected pension plan" means a defined-benefit pension
13 plan supported in whole or in part by employer contributions
14 and maintained by the Regional Transportation Authority, the
15 Suburban Bus Division, or the Commuter Rail Division, or any
16 combination thereof, under the general authority of the
17 Regional Transportation Authority Act, including but not
18 limited to any such plan that has been established under or is
19 subject to a collective bargaining agreement or is limited to
20 employees covered by a collective bargaining agreement.

21 "Affected pension plan" does not include any pension fund or
22 retirement system subject to Section 22-101 of this Section.

23 "Authority" means the Regional Transportation Authority
24 created under the Regional Transportation Authority Act.

25 "Contributing employer" means an employer that is required
26 to make contributions to an affected pension plan under the
27 terms of that plan.

28 "Funding ratio" means the ratio of an affected pension
29 plan's assets to the present value of its actuarial
30 liabilities, as determined at its latest actuarial valuation in
31 accordance with applicable actuarial assumptions and
32 recommendations.

33 "Under-funded pension plan" or "under-funded" means an

1 affected pension plan that, at the time of its last actuarial
2 valuation, has a funding ratio of less than 90%.

3 (b) The contributing employers of each affected pension
4 plan have a general duty to make the required employer
5 contributions to the affected pension plan in a timely manner
6 in accordance with the terms of the plan. A contributing
7 employer must make contributions to the affected pension plan
8 as required under this subsection and, if applicable,
9 subsection (c); a contributing employer may make any additional
10 contributions provided for by the board of the employer or
11 collective bargaining agreement.

12 (c) In the case of an affected pension plan that is
13 under-funded on January 1, 2009 or becomes under-funded at any
14 time after that date, the contributing employers shall
15 contribute to the affected pension plan, in addition to all
16 amounts otherwise required, amounts sufficient to bring the
17 funding ratio of the affected pension plan up to 90% in
18 accordance with an amortization schedule adopted jointly by the
19 contributing employers and the trustee of the affected pension
20 plan. The amortization schedule may extend for any period up to
21 a maximum of 50 years and shall provide for additional employer
22 contributions in substantially equal annual amounts over the
23 selected period. If the contributing employers and the trustee
24 of the affected pension plan do not agree on an appropriate
25 period for the amortization schedule within 6 months of the
26 date of determination that the plan is under-funded, then the
27 amortization schedule shall be based on a period of 50 years.

28 In the case of an affected pension plan that has more than
29 one contributing employer, each contributing employer's share
30 of the total additional employer contributions required under
31 this subsection shall be determined: (i) in proportion to the
32 amounts, if any, by which the respective contributing employers
33 have failed to meet their contribution obligations under the
34 terms of the affected pension plan; or (ii) if all of the

1 contributing employers have met their contribution obligations
2 under the terms of the affected pension plan, then in the same
3 proportion as they are required to contribute under the terms
4 of that plan. In the case of an affected pension plan that has
5 only one contributing employer, that contributing employer is
6 responsible for all of the additional employer contributions
7 required under this subsection.

8 If an under-funded pension plan is determined to have
9 achieved a funding ratio of at least 90% during the period when
10 an amortization schedule is in force under this Section, the
11 contributing employers and the trustee of the affected pension
12 plan, acting jointly, may cancel the amortization schedule and
13 the contributing employers may cease making additional
14 contributions under this subsection for as long as the affected
15 pension plan retains a funding ratio of at least 90%.

16 (d) Beginning January 1, 2009, if the Authority fails to
17 pay to an affected pension fund within 30 days after it is due
18 (i) any employer contribution that it is required to make as a
19 contributing employer, (ii) any additional employer
20 contribution that it is required to pay under subsection (c),
21 or (iii) any payment that it is required to make under Section
22 4.02a or 4.02b of the Regional Transportation Authority Act,
23 the trustee of the affected pension fund shall promptly so
24 notify the Commission on Government Forecasting and
25 Accountability, the Mayor of Chicago, the Governor, and the
26 General Assembly.

27 (e) For purposes of determining employer contributions,
28 assets, and actuarial liabilities under this subsection,
29 contributions, assets, and liabilities relating to health care
30 benefits shall not be included.

31 (f) This amendatory Act of the 94th General Assembly does
32 not affect or impair the right of any contributing employer or
33 its employees to collectively bargain the amount or level of
34 employee contributions to an affected pension plan, to the

1 extent that the plan includes employees subject to collective
2 bargaining.

3 Section 15-10. The Regional Transportation Authority Act
4 is amended by changing Section 4.02 and by adding Sections
5 4.02a and 4.02b as follows:

6 (70 ILCS 3615/4.02) (from Ch. 111 2/3, par. 704.02)

7 Sec. 4.02. Federal, State and Other Funds.

8 (a) The Authority shall have the power to apply for,
9 receive and expend grants, loans or other funds from the State
10 of Illinois or any department or agency thereof, from any unit
11 of local government, from the federal government or any
12 department or agency thereof, for use in connection with any of
13 the powers or purposes of the Authority as set forth in this
14 Act. The Authority shall have power to make such studies as may
15 be necessary and to enter into contracts or agreements with the
16 State of Illinois or any department or agency thereof, with any
17 unit of local government, or with the federal government or any
18 department or agency thereof, concerning such grants, loans or
19 other funds, or any conditions relating thereto, including
20 obligations to repay such funds. The Authority may make such
21 covenants concerning such grants, loans and funds as it deems
22 proper and necessary in carrying out its responsibilities,
23 purposes and powers as provided in this Act.

24 (b) The Authority shall be the primary public body in the
25 metropolitan region with authority to apply for and receive any
26 grants, loans or other funds relating to public transportation
27 programs from the State of Illinois or any department or agency
28 thereof, or from the federal government or any department or
29 agency thereof. Any unit of local government, Service Board or
30 transportation agency may apply for and receive any such
31 federal or state capital grants, loans or other funds,
32 provided, however that a Service Board may not apply for or

1 receive any grant or loan which is not identified in the
2 Five-Year Program. Any Service Board, unit of local government
3 or transportation agency shall notify the Authority prior to
4 making any such application and shall file a copy thereof with
5 the Authority. Nothing in this Section shall be construed to
6 impose any limitation on the ability of the State of Illinois
7 or any department or agency thereof, any unit of local
8 government or Service Board or transportation agency to make
9 any grants or to enter into any agreement or contract with the
10 National Rail Passenger Corporation. Nor shall anything in this
11 Section impose any limitation on the ability of any school
12 district to apply for or receive any grant, loan or other funds
13 for transportation of school children.

14 (c) The Authority shall provide to the Service Board any
15 monies received relating to public transportation services
16 under the jurisdiction of the Service Boards as follows:

17 (1) As soon as may be practicable after the Authority
18 receives payment, under Section 4.03(m) or Section
19 4.03.1(d), of the proceeds of those taxes levied by the
20 Authority, the Authority shall transfer to each Service
21 Board the amount to which it is entitled under Section
22 4.01(d);

23 (2) The Authority by ordinance adopted by 9 of its then
24 Directors shall establish a formula apportioning any
25 federal funds for operating assistance purposes the
26 Authority receives to each Service Board. In establishing
27 the formula, the Board shall consider, among other factors:
28 ridership levels, the efficiency with which the service is
29 provided, the degree of transit dependence of the area
30 served and the cost of service. That portion of any federal
31 funds for operating assistance received by the Authority
32 shall be paid to each Service Board as soon as may be
33 practicable upon their receipt provided the Authority has
34 adopted a balanced budget as required by Section 4.01 and

1 further provided that the Service Boards are in compliance
2 with the requirements in Section 4.11.

3 (3) The Authority by ordinance adopted by 9 of its then
4 Directors shall apportion to the Service Boards funds
5 provided by the State of Illinois under Section 4.09 and
6 shall make payment of said funds to each Service Board as
7 soon as may be practicable upon their receipt provided the
8 Authority has adopted a balanced budget as required by
9 Section 4.01 and further provided the Service Board is in
10 compliance with the requirements in Section 4.11.

11 (4) Beginning January 1, 2009, before making any
12 payments, transfers, or expenditures under this subsection
13 to a Service Board, the Authority must first comply with
14 Section 4.02a or 4.02b of this Act, whichever may be
15 applicable.

16 (Source: P.A. 83-885; 83-886.)

17 (70 ILCS 3615/4.02a new)

18 Sec. 4.02a. Chicago Transit Authority contributions to
19 pension funds.

20 (a) The Authority shall continually review the Chicago
21 Transit Authority's payment of the required contributions to
22 its retirement system under Section 22-101 of the Illinois
23 Pension Code.

24 (b) Beginning January 1, 2009, if at any time the Authority
25 determines that the Chicago Transit Authority's payment of any
26 portion of the required contributions to its retirement system
27 under Section 22-101 of the Illinois Pension Code is more than
28 one month overdue, it shall as soon as possible pay the amount
29 of those overdue contributions to the trustee of the retirement
30 system on behalf of the Chicago Transit Authority out of moneys
31 otherwise payable to the Chicago Transit Authority under
32 subsection (c) of Section 4.02 of this Act. The Authority shall
33 thereafter have no liability to the Chicago Transit Authority

1 for amounts paid to the trustee of the retirement system under
2 this Section.

3 (c) Whenever the Authority acts or determines that it is
4 required to act under subsection (b), it shall so notify the
5 Chicago Transit Authority, the Mayor of Chicago, the Governor,
6 and the General Assembly.

7 (70 ILCS 3615/4.02b new)

8 Sec. 4.02b. Other contributions to pension funds.

9 (a) The Authority shall continually review the payment of
10 the required employer contributions to affected pension plans
11 under Section 22-103 of the Illinois Pension Code.

12 (b) Beginning January 1, 2009, if at any time the Authority
13 determines that the Commuter Rail Board's or Suburban Bus
14 Board's payment of any portion of the required contributions to
15 an affected pension plan under Section 22-103 of the Illinois
16 Pension Code is more than one month overdue, it shall as soon
17 as possible pay the amount of those overdue contributions to
18 the trustee of the affected pension plan on behalf of that
19 Service Board out of moneys otherwise payable to that Service
20 Board under subsection (c) of Section 4.02 of this Act. The
21 Authority shall thereafter have no liability to the Service
22 Board for amounts paid to the trustee of the affected pension
23 plan under this Section.

24 (c) Whenever the Authority acts or determines that it is
25 required to act under subsection (b), it shall so notify the
26 affected Service Board, the Mayor of Chicago, the Governor, and
27 the General Assembly.

28 (d) Beginning January 1, 2009, if the Authority fails to
29 pay to an affected pension fund within 30 days after it is due
30 any employer contribution that it is required to make as a
31 contributing employer under Section 22-103 of the Illinois
32 Pension Code, it shall promptly so notify the Commission on
33 Government Forecasting and Accountability, the Mayor of

1 Chicago, the Governor, and the General Assembly, and it shall
2 promptly pay the overdue amount out of the first money
3 available to the Authority for its administrative expenses, as
4 that term is defined in Section 4.01(c).

5 ARTICLE 99. NO ACCELERATION; EFFECTIVE DATE

6 Section 99-95. No acceleration or delay. Where this Act
7 makes changes in a statute that is represented in this Act by
8 text that is not yet or no longer in effect (for example, a
9 Section represented by multiple versions), the use of that text
10 does not accelerate or delay the taking effect of (i) the
11 changes made by this Act or (ii) provisions derived from any
12 other Public Act.

13 Section 99-99. Effective date. This Act takes effect upon
14 becoming law."