

1 AN ACT concerning finance.

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

4 ARTICLE 1. SHORT TITLE; PURPOSE

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

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

10 ARTICLE 5. AMENDATORY PROVISIONS

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

14 (5 ILCS 375/6.10)

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

17 (a) Beginning January 1, 1999, every active contributor of
18 the State Universities Retirement System (established under
19 Article 15 of the Illinois Pension Code) who (1) is a full-time
20 employee of a community college district (other than a
21 community college district subject to Article VII of the Public
22 Community College Act) or an association of community college
23 boards and (2) is not an employee as defined in Section 3 of
24 this Act shall make contributions toward the cost of community
25 college annuitant and survivor health benefits at the rate of
26 0.50% of salary.

27 These contributions shall be deducted by the employer and
28 paid to the State Universities Retirement System as service

1 agent for the Department of Central Management Services. The
2 System may use the same processes for collecting the
3 contributions required by this subsection that it uses to
4 collect the contributions received from those employees under
5 Section 15-157 of the Illinois Pension Code. An employer may
6 agree to pick up or pay the contributions required under this
7 subsection on behalf of the employee; such contributions shall
8 be deemed to have been paid by the employee.

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

19 (b) Beginning January 1, 1999, every community college
20 district (other than a community college district subject to
21 Article VII of the Public Community College Act) or association
22 of community college boards that is an employer under the State
23 Universities Retirement System shall contribute toward the
24 cost of the community college health benefits provided under
25 Section 6.9 of this Act an amount equal to 0.50% of the salary
26 paid to its full-time employees who participate in the State
27 Universities Retirement System and are not members as defined
28 in Section 3 of this Act.

29 These contributions shall be paid by the employer to the
30 State Universities Retirement System as service agent for the
31 Department of Central Management Services. The System may use
32 the same processes for collecting the contributions required by
33 this subsection that it uses to collect the contributions
34 received from those employers under Section 15-155 of the
35 Illinois Pension Code.

36 The State Universities Retirement System shall promptly

1 deposit all moneys collected under this subsection (b) into the
2 Community College Health Insurance Security Fund created in
3 Section 6.9 of this Act. The moneys collected under this
4 Section shall be used only for the purposes authorized in
5 Section 6.9 of this Act and shall not be considered to be
6 assets of the State Universities Retirement System.
7 Contributions made under this Section are not transferable to
8 other pension funds or retirement systems and are not
9 refundable upon termination of service.

10 (c) On or before November 15 of each year, the Board of
11 Trustees of the State Universities Retirement System shall
12 certify to the Governor, the Director of Central Management
13 Services, and the State Comptroller its estimate of the total
14 amount of contributions to be paid under subsection (a) of this
15 Section for the next fiscal year. Beginning in fiscal year
16 2008, the amount certified shall be decreased or increased each
17 year by the amount that the actual active employee
18 contributions either fell short of or exceeded the estimate
19 used by the Board in making the certification for the previous
20 fiscal year. The State Universities Retirement System shall
21 calculate the amount of actual active employee contributions in
22 fiscal years 1999 through 2005. Based upon this calculation,
23 the fiscal year 2008 certification shall include an amount
24 equal to the cumulative amount that the actual active employee
25 contributions either fell short of or exceeded the estimate
26 used by the Board in making the certification for those fiscal
27 years. The certification shall include a detailed explanation
28 of the methods and information that the Board relied upon in
29 preparing its estimate. As soon as possible after the effective
30 date of this Section, the Board shall submit its estimate for
31 fiscal year 1999.

32 (d) Beginning in fiscal year 1999, on the first day of each
33 month, or as soon thereafter as may be practical, the State
34 Treasurer and the State Comptroller shall transfer from the
35 General Revenue Fund to the Community College Health Insurance
36 Security Fund 1/12 of the annual amount appropriated for that

1 fiscal year to the State Comptroller for deposit into the
2 Community College Health Insurance Security Fund under Section
3 1.4 of the State Pension Funds Continuing Appropriation Act.

4 (e) Except where otherwise specified in this Section, the
5 definitions that apply to Article 15 of the Illinois Pension
6 Code apply to this Section.

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

8 (5 ILCS 375/10) (from Ch. 127, par. 530)

9 Sec. 10. Payments by State; premiums.

10 (a) The State shall pay the cost of basic non-contributory
11 group life insurance and, subject to member paid contributions
12 set by the Department or required by this Section, the basic
13 program of group health benefits on each eligible member,
14 except a member, not otherwise covered by this Act, who has
15 retired as a participating member under Article 2 of the
16 Illinois Pension Code but is ineligible for the retirement
17 annuity under Section 2-119 of the Illinois Pension Code, and
18 part of each eligible member's and retired member's premiums
19 for health insurance coverage for enrolled dependents as
20 provided by Section 9. The State shall pay the cost of the
21 basic program of group health benefits only after benefits are
22 reduced by the amount of benefits covered by Medicare for all
23 members and dependents who are eligible for benefits under
24 Social Security or the Railroad Retirement system or who had
25 sufficient Medicare-covered government employment, except that
26 such reduction in benefits shall apply only to those members
27 and dependents who (1) first become eligible for such Medicare
28 coverage on or after July 1, 1992; or (2) are Medicare-eligible
29 members or dependents of a local government unit which began
30 participation in the program on or after July 1, 1992; or (3)
31 remain eligible for, but no longer receive Medicare coverage
32 which they had been receiving on or after July 1, 1992. The
33 Department may determine the aggregate level of the State's
34 contribution on the basis of actual cost of medical services
35 adjusted for age, sex or geographic or other demographic

1 characteristics which affect the costs of such programs.

2 The cost of participation in the basic program of group
3 health benefits for the dependent or survivor of a living or
4 deceased retired employee who was formerly employed by the
5 University of Illinois in the Cooperative Extension Service and
6 would be an annuitant but for the fact that he or she was made
7 ineligible to participate in the State Universities Retirement
8 System by clause (4) of subsection (a) of Section 15-107 of the
9 Illinois Pension Code shall not be greater than the cost of
10 participation that would otherwise apply to that dependent or
11 survivor if he or she were the dependent or survivor of an
12 annuitant under the State Universities Retirement System.

13 (a-1) Beginning January 1, 1998, for each person who
14 becomes a new SERS annuitant and participates in the basic
15 program of group health benefits, the State shall contribute
16 toward the cost of the annuitant's coverage under the basic
17 program of group health benefits an amount equal to 5% of that
18 cost for each full year of creditable service upon which the
19 annuitant's retirement annuity is based, up to a maximum of
20 100% for an annuitant with 20 or more years of creditable
21 service. The remainder of the cost of a new SERS annuitant's
22 coverage under the basic program of group health benefits shall
23 be the responsibility of the annuitant. In the case of a new
24 SERS annuitant who has elected to receive an alternative
25 retirement cancellation payment under Section 14-108.5 of the
26 Illinois Pension Code in lieu of an annuity, for the purposes
27 of this subsection the annuitant shall be deemed to be
28 receiving a retirement annuity based on the number of years of
29 creditable service that the annuitant had established at the
30 time of his or her termination of service under SERS.

31 (a-2) Beginning January 1, 1998, for each person who
32 becomes a new SERS survivor and participates in the basic
33 program of group health benefits, the State shall contribute
34 toward the cost of the survivor's coverage under the basic
35 program of group health benefits an amount equal to 5% of that
36 cost for each full year of the deceased employee's or deceased

1 annuitant's creditable service in the State Employees'
2 Retirement System of Illinois on the date of death, up to a
3 maximum of 100% for a survivor of an employee or annuitant with
4 20 or more years of creditable service. The remainder of the
5 cost of the new SERS survivor's coverage under the basic
6 program of group health benefits shall be the responsibility of
7 the survivor. In the case of a new SERS survivor who was the
8 dependent of an annuitant who elected to receive an alternative
9 retirement cancellation payment under Section 14-108.5 of the
10 Illinois Pension Code in lieu of an annuity, for the purposes
11 of this subsection the deceased annuitant's creditable service
12 shall be determined as of the date of termination of service
13 rather than the date of death.

14 (a-3) Beginning January 1, 1998, for each person who
15 becomes a new SURS annuitant and participates in the basic
16 program of group health benefits, the State shall contribute
17 toward the cost of the annuitant's coverage under the basic
18 program of group health benefits an amount equal to 5% of that
19 cost for each full year of creditable service upon which the
20 annuitant's retirement annuity is based, up to a maximum of
21 100% for an annuitant with 20 or more years of creditable
22 service. The remainder of the cost of a new SURS annuitant's
23 coverage under the basic program of group health benefits shall
24 be the responsibility of the annuitant.

25 (a-4) (Blank).

26 (a-5) Beginning January 1, 1998, for each person who
27 becomes a new SURS survivor and participates in the basic
28 program of group health benefits, the State shall contribute
29 toward the cost of the survivor's coverage under the basic
30 program of group health benefits an amount equal to 5% of that
31 cost for each full year of the deceased employee's or deceased
32 annuitant's creditable service in the State Universities
33 Retirement System on the date of death, up to a maximum of 100%
34 for a survivor of an employee or annuitant with 20 or more
35 years of creditable service. The remainder of the cost of the
36 new SURS survivor's coverage under the basic program of group

1 health benefits shall be the responsibility of the survivor.

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

17 (a-7) Beginning July 1, 1998, for each person who becomes a
18 new TRS State survivor and participates in the basic program of
19 group health benefits, the State shall contribute toward the
20 cost of the survivor's coverage under the basic program of
21 group health benefits an amount equal to 5% of that cost for
22 each full year of the deceased employee's or deceased
23 annuitant's creditable service as a teacher as defined in
24 paragraph (2), (3), or (5) of Section 16-106 of the Illinois
25 Pension Code on the date of death, up to a maximum of 100%;
26 except that the State contribution shall be 12.5% per year
27 (rather than 5%) for each full year of the deceased employee's
28 or deceased annuitant's creditable service as a regional
29 superintendent or assistant regional superintendent of
30 schools. The remainder of the cost of the new TRS State
31 survivor's coverage under the basic program of group health
32 benefits shall be the responsibility of the survivor.

33 (a-8) A new SERS annuitant, new SERS survivor, new SURS
34 annuitant, new SURS survivor, new TRS State annuitant, or new
35 TRS State survivor may waive or terminate coverage in the
36 program of group health benefits. Any such annuitant or

1 survivor who has waived or terminated coverage may enroll or
2 re-enroll in the program of group health benefits only during
3 the annual benefit choice period, as determined by the
4 Director; except that in the event of termination of coverage
5 due to nonpayment of premiums, the annuitant or survivor may
6 not re-enroll in the program.

7 (a-9) No later than May 1 of each calendar year, the
8 Director of Central Management Services shall certify in
9 writing to the Executive Secretary of the State Employees'
10 Retirement System of Illinois the amounts of the Medicare
11 supplement health care premiums and the amounts of the health
12 care premiums for all other retirees who are not Medicare
13 eligible.

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

16 The Director of Central Management Services shall provide
17 to the Executive Secretary of the State Employees' Retirement
18 System of Illinois such information, statistics, and other data
19 as he or she may require to review the premium amounts
20 certified by the Director of Central Management Services.

21 (b) State employees who become eligible for this program on
22 or after January 1, 1980 in positions normally requiring actual
23 performance of duty not less than 1/2 of a normal work period
24 but not equal to that of a normal work period, shall be given
25 the option of participating in the available program. If the
26 employee elects coverage, the State shall contribute on behalf
27 of such employee to the cost of the employee's benefit and any
28 applicable dependent supplement, that sum which bears the same
29 percentage as that percentage of time the employee regularly
30 works when compared to normal work period.

31 (c) The basic non-contributory coverage from the basic
32 program of group health benefits shall be continued for each
33 employee not in pay status or on active service by reason of
34 (1) leave of absence due to illness or injury, (2) authorized
35 educational leave of absence or sabbatical leave, or (3)
36 military leave with pay and benefits. This coverage shall

1 continue until expiration of authorized leave and return to
2 active service, but not to exceed 24 months for leaves under
3 item (1) or (2). This 24-month limitation and the requirement
4 of returning to active service shall not apply to persons
5 receiving ordinary or accidental disability benefits or
6 retirement benefits through the appropriate State retirement
7 system or benefits under the Workers' Compensation or
8 Occupational Disease Act.

9 (d) The basic group life insurance coverage shall continue,
10 with full State contribution, where such person is (1) absent
11 from active service by reason of disability arising from any
12 cause other than self-inflicted, (2) on authorized educational
13 leave of absence or sabbatical leave, or (3) on military leave
14 with pay and benefits.

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

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

32 (g) The State shall not pay the cost of the basic
33 non-contributory group life insurance, program of health
34 benefits and other employee benefits for members who are
35 survivors as defined by paragraphs (1) and (2) of subsection
36 (q) of Section 3 of this Act. The costs of benefits for these

1 survivors shall be paid by the survivors or by the University
2 of Illinois Cooperative Extension Service, or any combination
3 thereof. However, the State shall pay the amount of the
4 reduction in the cost of participation, if any, resulting from
5 the amendment to subsection (a) made by this amendatory Act of
6 the 91st General Assembly.

7 (h) Those persons occupying positions with any department
8 as a result of emergency appointments pursuant to Section 8b.8
9 of the Personnel Code who are not considered employees under
10 this Act shall be given the option of participating in the
11 programs of group life insurance, health benefits and other
12 employee benefits. Such persons electing coverage may
13 participate only by making payment equal to the amount normally
14 contributed by the State for similarly situated employees. Such
15 amounts shall be determined by the Director. Such payments and
16 coverage may be continued until such time as the person becomes
17 an employee pursuant to this Act or such person's appointment
18 is terminated.

19 (i) Any unit of local government within the State of
20 Illinois may apply to the Director to have its employees,
21 annuitants, and their dependents provided group health
22 coverage under this Act on a non-insured basis. To participate,
23 a unit of local government must agree to enroll all of its
24 employees, who may select coverage under either the State group
25 health benefits plan or a health maintenance organization that
26 has contracted with the State to be available as a health care
27 provider for employees as defined in this Act. A unit of local
28 government must remit the entire cost of providing coverage
29 under the State group health benefits plan or, for coverage
30 under a health maintenance organization, an amount determined
31 by the Director based on an analysis of the sex, age,
32 geographic location, or other relevant demographic variables
33 for its employees, except that the unit of local government
34 shall not be required to enroll those of its employees who are
35 covered spouses or dependents under this plan or another group
36 policy or plan providing health benefits as long as (1) an

1 appropriate official from the unit of local government attests
2 that each employee not enrolled is a covered spouse or
3 dependent under this plan or another group policy or plan, and
4 (2) at least 85% of the employees are enrolled and the unit of
5 local government remits the entire cost of providing coverage
6 to those employees, except that a participating school district
7 must have enrolled at least 85% of its full-time employees who
8 have not waived coverage under the district's group health plan
9 by participating in a component of the district's cafeteria
10 plan. A participating school district is not required to enroll
11 a full-time employee who has waived coverage under the
12 district's health plan, provided that an appropriate official
13 from the participating school district attests that the
14 full-time employee has waived coverage by participating in a
15 component of the district's cafeteria plan. For the purposes of
16 this subsection, "participating school district" includes a
17 unit of local government whose primary purpose is education as
18 defined by the Department's rules.

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

31 The Director shall annually determine monthly 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
35 elected optional coverages or for enrolled dependents
36 coverages or other contributory coverages, or contributed

1 by the State for basic insurance coverages on behalf of its
2 employees, adjusted for differences between State
3 employees and employees of the local government in age,
4 sex, geographic location or other relevant demographic
5 variables, plus an amount sufficient to pay for the
6 additional administrative costs of providing coverage to
7 employees of the unit of local government and their
8 dependents.

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

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

23 Monthly payments by the unit of local government or its
24 employees for group health benefits plan or health maintenance
25 organization coverage shall be deposited in the Local
26 Government Health Insurance Reserve Fund.

27 The Local Government Health Insurance Reserve Fund shall be
28 a continuing fund not subject to fiscal year limitations. All
29 revenues arising from the administration of the health benefits
30 program established under this Section shall be deposited into
31 the Local Government Health Insurance Reserve Fund. All
32 expenditures from this Fund shall be used for payments for
33 health care benefits for local government and rehabilitation
34 facility employees, annuitants, and dependents, and to
35 reimburse the Department or its administrative service
36 organization for all expenses incurred in the administration of

1 benefits. No other State funds may be used for these purposes.

2 A local government employer's participation or desire to
3 participate in a program created under this subsection shall
4 not limit that employer's duty to bargain with the
5 representative of any collective bargaining unit of its
6 employees.

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

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

36 (1) In the first year of coverage, the rates shall be

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

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

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

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

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

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

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

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

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

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

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

33 (1-5) The provisions of subsection (1) become inoperative
34 on July 1, 1999.

35 (m) The Director shall adopt any rules deemed necessary for
36 implementation of this amendatory Act of 1989 (Public Act

1 86-978).

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

3 (5 ILCS 375/13.1) (from Ch. 127, par. 533.1)

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

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

30 The Director may employ such assistance and services and
31 may purchase such goods as may be necessary for the proper
32 development and administration of any of the benefit programs
33 authorized by this Act. The Director may promulgate rules and
34 regulations in regard to the administration of these programs.

35 All monies received by the Department for deposit in or

1 transfer to the Health Insurance Reserve Fund, through
2 appropriation or otherwise, shall be used to provide for the
3 making of payments to claimants and providers and to reimburse
4 the Department for all expenses directly incurred relating to
5 Department development and administration of the program of
6 health benefits and other employee benefits.

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

33 The account of the administrative service organization
34 established under this Section, any transfers from the Health
35 Insurance Reserve Fund to such account and the use of such
36 account and funds shall be subject to (1) audit by the

1 Department or private contractor authorized by the Department
2 to conduct audits, and (2) post audit pursuant to the Illinois
3 State Auditing Act.

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

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

20 (1) the payment of administrative expenses incurred by
21 the Department for the program of health benefits or other
22 employee benefit programs, including but not limited to the
23 costs of audits or actuarial consultations, professional
24 and contractual services, electronic data processing
25 systems and services, and expenses in connection with the
26 development and administration of such programs;

27 (2) the payment of administrative expenses incurred by
28 the Administrative Service Organization;

29 (3) the payment of health benefits;

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

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

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

35 (7) payment of adoption program benefits; and

36 (8) payment of other benefits offered to members and

1 dependents under this Act.

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

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

6 (20 ILCS 605/605-812 new)

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

8 (a) The Department shall administer a grant program to
9 expand employment opportunities for targeted populations in
10 eligible grant areas in Illinois. The goal of the program shall
11 be to expand the number of people in targeted populations who
12 enter and complete building trades apprenticeship programs and
13 achieve journey-level status within a building trades union.

14 (b) All successful grant applicants shall be required to
15 partner with a joint labor and management-sponsored
16 apprenticeship program or programs. All successful grant
17 applicants must provide participating individuals with paid
18 employment opportunities while participating in the program.

19 (c) The Department shall establish criteria for (i)
20 prioritizing grant requests from eligible grant applicants and
21 (ii) determining what project activities qualify for funding.
22 Entities eligible to apply for grant funding shall include:
23 community-based organizations and educational institutions.
24 These eligible entities shall have the following capabilities:
25 a demonstrated expertise in serving targeted populations;
26 knowledge of the construction industry; demonstrated success
27 in placing clients in employment; previous experience offering
28 employment services for targeted populations; and expertise in
29 preparing workers for employment in the building trades.

30 (d) The Department shall determine the targeted
31 populations to be served by the program. The Department shall
32 establish geographic boundaries of eligible grant areas.

33 (e) The Department shall require all successful grant
34 applicants to report quarterly on implementation of planned

1 activities and success in reaching key milestones. Successful
2 grant applicants must also maintain and report
3 individual-level information on types of services received and
4 resulting outcomes, including placement into specific
5 apprenticeship programs.

6 (f) The Department shall report to the Governor and the
7 General Assembly on December 31, 2007 and on December 31 of
8 each year thereafter as long as grant-funded activities are
9 provided on the activities undertaken by all successful grant
10 applicants. The report shall include an evaluation of those
11 activities and their success in assisting participating
12 individuals to enter and complete building trades
13 apprenticeship programs and achieve journey-level status.

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

17 (20 ILCS 687/6-4)

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

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

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

22 (b) The Renewable Energy Resources Trust Fund shall be
23 administered by the Department to provide grants, loans, and
24 other incentives to foster investment in and the development
25 and use of renewable energy resources as provided in Section
26 6-3 of this Law or pursuant to the Illinois Renewable Fuels
27 Development Program Act.

28 (c) All funds used by the Department for the Renewable
29 Energy Resources Program shall be subject to appropriation by
30 the General Assembly.

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

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

1 (20 ILCS 689/20)

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

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

7 Section 5-25. The Mental Health and Developmental
8 Disabilities Administrative Act is amended by changing Section
9 18.4 as follows:

10 (20 ILCS 1705/18.4)

11 Sec. 18.4. Community Mental Health Medicaid Trust Fund;
12 reimbursement.

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

15 (b) Except as otherwise provided in this Section, ~~effective~~
16 ~~in the first fiscal year~~ following repayment of interfund
17 transfers under subsection (b-1), amounts ~~the first~~
18 ~~\$73,000,000~~ paid to the State by the federal government under
19 Title XIX or Title XXI of the Social Security Act for services
20 delivered by community mental health ~~services~~ providers, and
21 any interest earned thereon, shall be deposited as follows:

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

25 (2) The next \$4,500,000 shall be deposited directly
26 into the Community Mental Health Medicaid Trust Fund to be
27 used by the Department of Human Services' Division of
28 Mental Health for the oversight and administration of
29 community mental health services and up to \$1,000,000 of
30 this amount may be used for support of community mental
31 health service initiatives; and

32 (3) Any additional amounts shall be deposited 50% into
33 the Community Mental Health Medicaid Trust Fund to be used

1 for the purchase of community mental health services and
2 50% into the General Revenue Fund. ~~directly into the~~
3 ~~Community Mental Health Medicaid Trust Fund. The next~~
4 ~~\$25,000,000 shall be deposited into the General Revenue~~
5 ~~Fund. Amounts received in excess of \$98,000,000 in any~~
6 ~~State fiscal year after fiscal year 2006 shall be deposited~~
7 ~~50% into the General Revenue Fund and 50% into the~~
8 ~~Community Mental Health Medicaid Trust Fund. The~~
9 ~~Department shall analyze the budgeting and programmatic~~
10 ~~impact of this funding allocation and report to the~~
11 ~~Governor and the General Assembly the results of this~~
12 ~~analysis and any recommendations for change, no later than~~
13 ~~December 31, 2005.~~

14 (b-1) For State fiscal year 2005, the first \$73,000,000 in
15 any funds paid to the State by the federal government under
16 Title XIX or Title XXI of the Social Security Act for services
17 delivered by community mental health services providers, and
18 any interest earned thereon, shall be deposited directly into
19 the Community Mental Health Medicaid Trust Fund before any
20 deposits are made into the General Revenue Fund. The next
21 \$25,000,000, less any deposits made prior to the effective date
22 of this amendatory Act of the 94th General Assembly, shall be
23 deposited into the General Revenue Fund. Amounts received in
24 excess of \$98,000,000 shall be deposited 50% into the General
25 Revenue Fund and 50% into the Community Mental Health Medicaid
26 Trust Fund. At the direction of the Director of Healthcare and
27 Family Services ~~Public Aid~~, on April 1, 2005, or as soon
28 thereafter as practical, the Comptroller shall direct and the
29 State Treasurer shall transfer amounts not to exceed
30 \$14,000,000 into the Community Mental Health Medicaid Trust
31 Fund from the Public Aid Recoveries Trust Fund.

32 (b-2) For State fiscal year 2006, and in subsequent fiscal
33 years until any transfers under subsection (b-1) are repaid,
34 the first \$73,000,000 in any funds paid to the State by the
35 federal government under Title XIX or Title XXI of the Social
36 Security Act for services delivered by community mental health

1 ~~services~~ providers, and any interest earned thereon, shall be
2 deposited directly into the Community Mental Health Medicaid
3 Trust Fund. Then the next \$14,000,000, or such amount as was
4 transferred under subsection (b-1) at the direction of the
5 Director of Healthcare and Family Services ~~Public Aid~~, shall be
6 deposited into the Public Aid Recoveries Trust Fund. ~~The next~~
7 ~~\$11,000,000 shall be deposited into the General Revenue Fund.~~
8 Any additional amounts received shall be deposited in
9 accordance with subsection (b) ~~50% into the General Revenue~~
10 ~~Fund and 50% into the Community Mental Health Medicaid Trust~~
11 ~~Fund.~~

12 (c) The Department shall reimburse community mental health
13 ~~services~~ providers for ~~Medicaid-reimbursed mental health~~
14 services provided to eligible individuals. Moneys in the
15 Community Mental Health Medicaid Trust Fund may be used for
16 that purpose.

17 (d) As used in this Section:

18 ~~"Medicaid-reimbursed mental health services" means~~
19 ~~services provided by a community mental health provider under~~
20 ~~an agreement with the Department that is eligible for~~
21 ~~reimbursement under the federal Title XIX program or Title XXI~~
22 ~~program.~~

23 "Community mental health provider Provider" means a
24 community agency that is funded by the Department to provide a
25 ~~Medicaid-reimbursed~~ service.

26 "Service Services" means a mental health service services
27 provided pursuant to the provisions of administrative rules
28 adopted by the Department and funded by the Department of Human
29 Services' Division of Mental Health. ~~under one of the following~~
30 ~~programs:~~

31 ~~(1) Medicaid Clinic Option;~~

32 ~~(2) Medicaid Rehabilitation Option;~~

33 ~~(3) Targeted Case Management.~~

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

35 Section 5-35. The Illinois Global Partnership Act is

1 amended by changing Section 50 as follows:

2 (20 ILCS 3948/50)

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

4 (a) IGP may accept funds, grants, gifts, and services from
5 the government of the United States or its agencies, from this
6 State or its departments, agencies, or instrumentalities, from
7 any other governmental unit, and from private and civic sources
8 for the purpose of funding any projects authorized by this Act.
9 IGP may receive appropriations.

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

13 (c) State funds appropriated for the operations and
14 functions of IGP for fiscal year 2011 and each fiscal year
15 thereafter should not exceed 60% of IGP's funding from all
16 sources for the fiscal year.

17 (d) The board shall arrange for the annual financial audit
18 of IGP by one or more independent certified public accountants
19 in accordance with generally accepted accounting principles.
20 The annual audit results shall be included in the annual report
21 required under subsection (e).

22 (e) IGP shall report annually on its activities and
23 finances to the Governor and the members of the General
24 Assembly.

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

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

30 Section 5-36. The I-FLY Act is amended by changing Sections
31 10, 15, 20, and 25 as follows:

32 (20 ILCS 3958/10)

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

1 "Air carrier" means an entity that provides commercial
2 passenger air transportation.

3 "Commission" means the Air Service Commission.

4 "Department" means the Department of Transportation.

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

6 (20 ILCS 3958/15)

7 Sec. 15. I-FLY Fund.

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

13 (b) The moneys in the Fund shall be used by the Department
14 ~~Commission~~, subject to appropriation, for air carrier
15 recruitment, ~~and~~ retention program grants, ~~and for~~ planning
16 grants, and Commission expenses.

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

18 (20 ILCS 3958/20)

19 Sec. 20. Air Service Commission. There is created the Air
20 Service Commission. The Commission shall consist of 5 members,
21 each of whom has airport management or air carrier experience,
22 or both. The members shall be appointed by the Governor, with
23 the advice and consent of the Senate, each one from a different
24 geographical region of the State outside of Cook County. The
25 Governor shall designate one of the members as the chairperson.

26 Members shall serve for a term of 4 years, except that, for
27 the initial members appointed, one shall serve for a term of 5
28 years, one for a term of 4 years, one for a term of 3 years, one
29 for a term of 2 years, and one for a term of one year. Initial
30 terms shall commence on July 1, 2003. Each member shall serve
31 until a successor is appointed and qualified. Vacancies shall
32 be filled in the same manner as initial appointments. The
33 members shall not receive a salary but shall be reimbursed for
34 the necessary expenses incurred in the performance of their

1 duties.

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

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

6 (20 ILCS 3958/25)

7 Sec. 25. I-FLY Program.

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

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

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

14 The Department ~~Commission~~ may make grants under this Act
15 only to airports that are located completely outside of Cook
16 County.

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

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

21 (1) An airport may receive an air carrier recruitment
22 and retention program grant from the Department ~~Commission~~
23 only if:

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

28 (B) it has a commitment from an air carrier to
29 start or continue air service to the community that the
30 airport serves subject to financial support from the
31 State and from the airport or unit of local government
32 that the airport serves. The commitment must specify
33 that the air carrier would not provide or continue to
34 provide service to the community if financial
35 assistance were not available.

1 (2) An application for an air carrier recruitment and
2 retention program grant must contain commitments from the
3 airport or the unit of local government in which the
4 airport is located as to the amount of the total project
5 cost, the contribution from the unit of local government or
6 airport, the method in which the contribution from the
7 airport or unit of local government will be generated, and
8 the requested State contribution.

9 (3) The air carrier recruitment and retention program
10 grant shall be used to guarantee the financial viability of
11 air carriers providing reasonable air service at the
12 airport. A grant under this subsection (c) to a particular
13 airport may be in only one of the following 3 forms:

14 (A) A grant may be used to guarantee that an air
15 carrier shall receive an agreed amount of revenue per
16 flight.

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

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

21 (4) During the first year of a grant under this
22 subsection (c), the grant shall pay 80% of the total cost
23 of the guarantee and the airport or unit of local
24 government in which the airport is located shall pay 20% of
25 the total cost of the guarantee. During the second year of
26 a grant under this subsection (c), the grant shall pay 50%
27 of the total cost of the guarantee and the airport or the
28 unit of local government in which the airport is located
29 shall pay 50% of the total cost of the guarantee.

30 (5) The total State funding for a grant under this
31 subsection (c) to a particular airport may not exceed
32 \$1,000,000 in any year.

33 (6) An airport that has received a 2-year grant under
34 this subsection (c) may apply for another grant for an
35 additional 2-year period; however, the Department
36 ~~Commission~~ shall, in determining whether to make a grant

1 for an additional 2-year period, give priority to other
2 airports that have not previously received a grant under
3 this subsection (c). The Department ~~Commission~~ shall also
4 give priority in making grants under this subsection (c) to
5 airports at which the Department ~~Commission~~ determines
6 that a 2-year grant may result in the creation of stable
7 and reliable commercial air service without an additional
8 grant.

9 (d) Planning grants. An airport may apply for and receive a
10 planning grant to conduct feasibility studies or business plans
11 designed to study the recruitment, retention, or expansion of
12 an air carrier at the airport. To be eligible for a grant under
13 this subsection (d), the airport must have the potential for
14 initial or expanded air service as the Department ~~Commission~~
15 determines through its evaluation process. The grant shall pay
16 70% of the total cost of the feasibility studies or business
17 plans and the airport or the unit of local government in which
18 the airport is located shall pay 30% of the total cost of the
19 feasibility studies or business plans. An airport may receive
20 only one planning grant.

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

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

24 (25 ILCS 120/2) (from Ch. 63, par. 902)

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

28 The Board shall consist of 12 members, appointed 3 each by
29 the Speaker of the House of Representatives, the Minority
30 Leader thereof, the President of the Senate, and the Minority
31 Leader thereof. Members shall be adults and be residents of
32 Illinois. Members may not be members or employees or former
33 members or employees of the judicial, executive or legislative
34 branches of State government; nor may members be persons

1 registered under the Lobbyist Registration Act. Any member may
2 be reappointed for a consecutive term. The respective
3 appointing legislative leader may remove any such appointed
4 member prior to the expiration of his term on the Board for
5 official misconduct, incompetence or neglect of duty.

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

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

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

26 Section 5-40. The State Finance Act is amended by changing
27 Sections 6p-5, 6z-32, 6z-63, 6z-64, 8.3, 8.16c, 8.43, 8.44,
28 8.55, 8g, 8h, and 13.2 and by adding Sections 5.663 and 8.45 as
29 follows:

30 (30 ILCS 105/5.663 new)

31 Sec. 5.663. The Pension Stabilization Fund.

32 (30 ILCS 105/6p-5)

33 Sec. 6p-5. Efficiency Initiatives Revolving Fund. Amounts

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

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

23 (30 ILCS 105/6z-32)

24 Sec. 6z-32. Conservation 2000.

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

1 limiting these general purposes, moneys in these Funds may be
 2 used, subject to appropriation, for the following specific
 3 purposes:

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

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

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

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

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

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

32 Fiscal Year	Amount
33 1996	\$ 3,500,000
34 1997	\$ 9,000,000
35 1998	\$10,000,000
36 1999	\$11,000,000

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

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

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

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

19 (30 ILCS 105/6z-63)
20 Sec. 6z-63. The Professional Services Fund.

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

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

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

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

33 (4) receipts or inter-fund transfers resulting from
34 billings issued by the Department to State agencies for the
35 cost of professional services rendered by the Department

1 that are not compensated through the specific fund
2 transfers authorized by this Section.

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

5 (1) providing professional services to State agencies
6 or other State entities;

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

12 (3) providing for payment of administrative and other
13 expenses incurred by the Department in providing
14 professional services.

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

20 (d) Reconciliation. For the fiscal year beginning on July
21 1, 2004 only, the Director of Central Management Services (the
22 "Director") shall order that each State agency's payments and
23 transfers made to the Fund be reconciled with actual Fund costs
24 for professional services provided by the Department on no less
25 than an annual basis. The Director may require reports from
26 State agencies as deemed necessary to perform this
27 reconciliation.

28 (e) The following amounts are authorized for transfer into
29 the Professional Services Fund for the fiscal year beginning
30 July 1, 2004:

31	General Revenue Fund	\$5,440,431
32	Road Fund	\$814,468
33	Motor Fuel Tax Fund	\$263,500
34	Child Support Administrative Fund	\$234,013
35	Professions Indirect Cost Fund	\$276,800
36	Capital Development Board Revolving Fund	\$207,610

1	Bank & Trust Company Fund	\$200,214
2	State Lottery Fund	\$193,691
3	Insurance Producer Administration Fund	\$174,672
4	Insurance Financial Regulation Fund	\$168,327
5	Illinois Clean Water Fund	\$124,675
6	Clean Air Act (CAA) Permit Fund	\$91,803
7	Statistical Services Revolving Fund	\$90,959
8	Financial Institution Fund	\$109,428
9	Horse Racing Fund	\$71,127
10	Health Insurance Reserve Fund	\$66,577
11	Solid Waste Management Fund	\$61,081
12	Guardianship and Advocacy Fund	\$1,068
13	Agricultural Premium Fund	\$493
14	Wildlife and Fish Fund	\$247
15	Radiation Protection Fund	\$33,277
16	Nuclear Safety Emergency Preparedness Fund	\$25,652
17	Tourism Promotion Fund	\$6,814

18 All of these transfers shall be made on July 1, 2004, or as
 19 soon thereafter as practical. These transfers shall be made
 20 notwithstanding any other provision of State law to the
 21 contrary.

22 (e-5) Notwithstanding any other provision of State law to
 23 the contrary, on or after July 1, 2005 and through June 30,
 24 2006, in addition to any other transfers that may be provided
 25 for by law, at the direction of and upon notification from the
 26 Director of Central Management Services, the State Comptroller
 27 shall direct and the State Treasurer shall transfer amounts
 28 into the Professional Services Fund from the designated funds
 29 not exceeding the following totals:

30	Food and Drug Safety Fund	\$3,249
31	Financial Institution Fund	\$12,942
32	General Professions Dedicated Fund	\$8,579
33	Illinois Department of Agriculture	
34	Laboratory Services Revolving Fund	\$1,963
35	Illinois Veterans' Rehabilitation Fund	\$11,275
36	State Boating Act Fund	\$27,000

1	State Parks Fund	\$22,007
2	Agricultural Premium Fund	\$59,483
3	Fire Prevention Fund	\$29,862
4	Mental Health Fund	\$78,213
5	Illinois State Pharmacy Disciplinary Fund	\$2,744
6	Radiation Protection Fund	\$16,034
7	Solid Waste Management Fund	\$37,669
8	Illinois Gaming Law Enforcement Fund	\$7,260
9	Subtitle D Management Fund	\$4,659
10	Illinois State Medical Disciplinary Fund	\$8,602
11	Department of Children and	
12	Family Services Training Fund	\$29,906
13	Facility Licensing Fund	\$1,083
14	Youth Alcoholism and Substance	
15	Abuse Prevention Fund	\$2,783
16	Plugging and Restoration Fund	\$1,105
17	State Crime Laboratory Fund	\$1,353
18	Motor Vehicle Theft Prevention Trust Fund	\$9,190
19	Weights and Measures Fund	\$4,932
20	Solid Waste Management Revolving	
21	Loan Fund	\$2,735
22	Illinois School Asbestos Abatement Fund	\$2,166
23	Violence Prevention Fund	\$5,176
24	Capital Development Board Revolving Fund	\$14,777
25	DCFS Children's Services Fund	\$1,256,594
26	State Police DUI Fund	\$1,434
27	Illinois Health Facilities Planning Fund	\$3,191
28	Emergency Public Health Fund	\$7,996
29	Fair and Exposition Fund	\$3,732
30	Nursing Dedicated and Professional Fund	\$5,792
31	Optometric Licensing and Disciplinary Board Fund ..	\$1,032
32	Underground Resources Conservation Enforcement Fund	\$1,221
33	State Rail Freight Loan Repayment Fund	\$6,434
34	Drunk and Drugged Driving Prevention Fund	\$5,473
35	Illinois Affordable Housing Trust Fund	\$118,222
36	Community Water Supply Laboratory Fund	\$10,021

1	Used Tire Management Fund	\$17,524
2	Natural Areas Acquisition Fund	\$15,501
3	Open Space Lands Acquisition	
4	and Development Fund	\$49,105
5	Working Capital Revolving Fund	\$126,344
6	State Garage Revolving Fund	\$92,513
7	Statistical Services Revolving Fund	\$181,949
8	Paper and Printing Revolving Fund	\$3,632
9	Air Transportation Revolving Fund	\$1,969
10	Communications Revolving Fund	\$304,278
11	Environmental Laboratory Certification Fund	\$1,357
12	Public Health Laboratory Services Revolving Fund ..	\$5,892
13	Provider Inquiry Trust Fund	\$1,742
14	Lead Poisoning Screening,	
15	Prevention, and Abatement Fund	\$8,200
16	Drug Treatment Fund	\$14,028
17	Feed Control Fund	\$2,472
18	Plumbing Licensure and Program Fund	\$3,521
19	Insurance Premium Tax Refund Fund	\$7,872
20	Tax Compliance and Administration Fund	\$5,416
21	Appraisal Administration Fund	\$2,924
22	Trauma Center Fund	\$40,139
23	Alternate Fuels Fund	\$1,467
24	Illinois State Fair Fund	\$13,844
25	State Asset Forfeiture Fund	\$8,210
26	Federal Asset Forfeiture Fund	\$6,471
27	Department of Corrections Reimbursement	
28	and Education Fund	\$78,965
29	Health Facility Plan Review Fund	\$3,444
30	LEADS Maintenance Fund	\$6,075
31	State Offender DNA Identification	
32	System Fund	\$1,712
33	Illinois Historic Sites Fund	\$4,511
34	Public Pension Regulation Fund	\$2,313
35	Workforce, Technology, and Economic	
36	Development Fund	\$5,357

1	Renewable Energy Resources Trust Fund	\$29,920
2	Energy Efficiency Trust Fund	\$8,368
3	Pesticide Control Fund	\$6,687
4	Conservation 2000 Fund	\$30,764
5	Wireless Carrier Reimbursement Fund	\$91,024
6	International Tourism Fund	\$13,057
7	Public Transportation Fund	\$701,837
8	Horse Racing Fund	\$18,589
9	Death Certificate Surcharge Fund	\$1,901
10	State Police Wireless Service	
11	Emergency Fund	\$1,012
12	Downstate Public Transportation Fund	\$112,085
13	Motor Carrier Safety Inspection Fund	\$6,543
14	State Police Whistleblower Reward	
15	and Protection Fund	\$1,894
16	Illinois Standardbred Breeders Fund	\$4,412
17	Illinois Thoroughbred Breeders Fund	\$6,635
18	Illinois Clean Water Fund	\$17,579
19	Independent Academic Medical Center Fund	\$5,611
20	Child Support Administrative Fund	\$432,527
21	Corporate Headquarters Relocation	
22	Assistance Fund	\$4,047
23	Local Initiative Fund	\$58,762
24	Tourism Promotion Fund	\$88,072
25	Digital Divide Elimination Fund	\$11,593
26	Presidential Library and Museum Operating Fund	\$4,624
27	Metro-East Public Transportation Fund	\$47,787
28	Medical Special Purposes Trust Fund	\$11,779
29	Dram Shop Fund	\$11,317
30	Illinois State Dental Disciplinary Fund	\$1,986
31	Hazardous Waste Research Fund	\$1,333
32	Real Estate License Administration Fund	\$10,886
33	Traffic and Criminal Conviction	
34	Surcharge Fund	\$44,798
35	Criminal Justice Information	
36	Systems Trust Fund	\$5,693

1	Design Professionals Administration	
2	and Investigation Fund	\$2,036
3	State Surplus Property Revolving Fund	\$6,829
4	Illinois Forestry Development Fund	\$7,012
5	State Police Services Fund	\$47,072
6	Youth Drug Abuse Prevention Fund	\$1,299
7	Metabolic Screening and Treatment Fund	\$15,947
8	Insurance Producer Administration Fund	\$30,870
9	Coal Technology Development Assistance Fund	\$43,692
10	Rail Freight Loan Repayment Fund	\$1,016
11	Low-Level Radioactive Waste	
12	Facility Development and Operation Fund	\$1,989
13	Environmental Protection Permit and Inspection Fund	\$32,125
14	Park and Conservation Fund	\$41,038
15	Local Tourism Fund	\$34,492
16	Illinois Capital Revolving Loan Fund	\$10,624
17	Illinois Equity Fund	\$1,929
18	Large Business Attraction Fund	\$5,554
19	Illinois Beach Marina Fund	\$5,053
20	International and Promotional Fund	\$1,466
21	Public Infrastructure Construction	
22	Loan Revolving Fund	\$3,111
23	Insurance Financial Regulation Fund	\$42,575
24	Total	\$4,975,487

25 (e-7) Notwithstanding any other provision of State law to
26 the contrary, on or after July 1, 2006 and through June 30,
27 2007, in addition to any other transfers that may be provided
28 for by law, at the direction of and upon notification from the
29 Director of Central Management Services, the State Comptroller
30 shall direct and the State Treasurer shall transfer amounts
31 into the Professional Services Fund from the designated funds
32 not exceeding the following totals:

33	<u>Food and Drug Safety Fund</u>	<u>\$3,300</u>
34	<u>Financial Institution Fund</u>	<u>\$13,000</u>
35	<u>General Professions Dedicated Fund</u>	<u>\$8,600</u>
36	<u>Illinois Department of Agriculture</u>	

1	<u>Laboratory Services Revolving Fund</u>	<u>\$2,000</u>
2	<u>Illinois Veterans' Rehabilitation Fund</u>	<u>\$11,300</u>
3	<u>State Boating Act Fund</u>	<u>\$27,200</u>
4	<u>State Parks Fund</u>	<u>\$22,100</u>
5	<u>Agricultural Premium Fund</u>	<u>\$59,800</u>
6	<u>Fire Prevention Fund</u>	<u>\$30,000</u>
7	<u>Mental Health Fund</u>	<u>\$78,700</u>
8	<u>Illinois State Pharmacy Disciplinary Fund</u>	<u>\$2,800</u>
9	<u>Radiation Protection Fund</u>	<u>\$16,100</u>
10	<u>Solid Waste Management Fund</u>	<u>\$37,900</u>
11	<u>Illinois Gaming Law Enforcement Fund</u>	<u>\$7,300</u>
12	<u>Subtitle D Management Fund</u>	<u>\$4,700</u>
13	<u>Illinois State Medical Disciplinary Fund</u>	<u>\$8,700</u>
14	<u>Facility Licensing Fund</u>	<u>\$1,100</u>
15	<u>Youth Alcoholism and</u>	
16	<u>Substance Abuse Prevention Fund</u>	<u>\$2,800</u>
17	<u>Plugging and Restoration Fund</u>	<u>\$1,100</u>
18	<u>State Crime Laboratory Fund</u>	<u>\$1,400</u>
19	<u>Motor Vehicle Theft Prevention Trust Fund</u>	<u>\$9,200</u>
20	<u>Weights and Measures Fund</u>	<u>\$5,000</u>
21	<u>Illinois School Asbestos Abatement Fund</u>	<u>\$2,200</u>
22	<u>Violence Prevention Fund</u>	<u>\$5,200</u>
23	<u>Capital Development Board Revolving Fund</u>	<u>\$14,900</u>
24	<u>DCFS Children's Services Fund</u>	<u>\$1,294,000</u>
25	<u>State Police DUI Fund</u>	<u>\$1,400</u>
26	<u>Illinois Health Facilities Planning Fund</u>	<u>\$3,200</u>
27	<u>Emergency Public Health Fund</u>	<u>\$8,000</u>
28	<u>Fair and Exposition Fund</u>	<u>\$3,800</u>
29	<u>Nursing Dedicated and Professional Fund</u>	<u>\$5,800</u>
30	<u>Optometric Licensing and Disciplinary Board Fund</u> ..	<u>\$1,000</u>
31	<u>Underground Resources Conservation</u>	
32	<u>Enforcement Fund</u>	<u>\$1,200</u>
33	<u>State Rail Freight Loan Repayment Fund</u>	<u>\$6,500</u>
34	<u>Drunk and Drugged Driving Prevention Fund</u>	<u>\$5,500</u>
35	<u>Illinois Affordable Housing Trust Fund</u>	<u>\$118,900</u>
36	<u>Community Water Supply Laboratory Fund</u>	<u>\$10,100</u>

1	<u>Used Tire Management Fund</u>	<u>\$17,600</u>
2	<u>Natural Areas Acquisition Fund</u>	<u>\$15,600</u>
3	<u>Open Space Lands Acquisition</u>	
4	<u>and Development Fund</u>	<u>\$49,400</u>
5	<u>Working Capital Revolving Fund</u>	<u>\$127,100</u>
6	<u>State Garage Revolving Fund</u>	<u>\$93,100</u>
7	<u>Statistical Services Revolving Fund</u>	<u>\$183,000</u>
8	<u>Paper and Printing Revolving Fund</u>	<u>\$3,700</u>
9	<u>Air Transportation Revolving Fund</u>	<u>\$2,000</u>
10	<u>Communications Revolving Fund</u>	<u>\$306,100</u>
11	<u>Environmental Laboratory Certification Fund</u>	<u>\$1,400</u>
12	<u>Public Health Laboratory Services</u>	
13	<u>Revolving Fund</u>	<u>\$5,900</u>
14	<u>Provider Inquiry Trust Fund</u>	<u>\$1,800</u>
15	<u>Lead Poisoning Screening, Prevention,</u>	
16	<u>and Abatement Fund</u>	<u>\$8,200</u>
17	<u>Drug Treatment Fund</u>	<u>\$14,100</u>
18	<u>Feed Control Fund</u>	<u>\$2,500</u>
19	<u>Plumbing Licensure and Program Fund</u>	<u>\$3,500</u>
20	<u>Insurance Premium Tax Refund Fund</u>	<u>\$7,900</u>
21	<u>Tax Compliance and Administration Fund</u>	<u>\$5,400</u>
22	<u>Appraisal Administration Fund</u>	<u>\$2,900</u>
23	<u>Trauma Center Fund</u>	<u>\$40,400</u>
24	<u>Alternate Fuels Fund</u>	<u>\$1,500</u>
25	<u>Illinois State Fair Fund</u>	<u>\$13,900</u>
26	<u>State Asset Forfeiture Fund</u>	<u>\$8,300</u>
27	<u>Department of Corrections</u>	
28	<u>Reimbursement and Education Fund</u>	<u>\$79,400</u>
29	<u>Health Facility Plan Review Fund</u>	<u>\$3,500</u>
30	<u>LEADS Maintenance Fund</u>	<u>\$6,100</u>
31	<u>State Offender DNA Identification System Fund</u>	<u>\$1,700</u>
32	<u>Illinois Historic Sites Fund</u>	<u>\$4,500</u>
33	<u>Public Pension Regulation Fund</u>	<u>\$2,300</u>
34	<u>Workforce, Technology, and Economic</u>	
35	<u>Development Fund</u>	<u>\$5,400</u>
36	<u>Renewable Energy Resources Trust Fund</u>	<u>\$30,100</u>

1	<u>Energy Efficiency Trust Fund</u>	<u>\$8,400</u>
2	<u>Pesticide Control Fund</u>	<u>\$6,700</u>
3	<u>Conservation 2000 Fund</u>	<u>\$30,900</u>
4	<u>Wireless Carrier Reimbursement Fund</u>	<u>\$91,600</u>
5	<u>International Tourism Fund</u>	<u>\$13,100</u>
6	<u>Public Transportation Fund</u>	<u>\$705,900</u>
7	<u>Horse Racing Fund</u>	<u>\$18,700</u>
8	<u>Death Certificate Surcharge Fund</u>	<u>\$1,900</u>
9	<u>State Police Wireless Service Emergency Fund</u>	<u>\$1,000</u>
10	<u>Downstate Public Transportation Fund</u>	<u>\$112,700</u>
11	<u>Motor Carrier Safety Inspection Fund</u>	<u>\$6,600</u>
12	<u>State Police Whistleblower</u>	
13	<u>Reward and Protection Fund</u>	<u>\$1,900</u>
14	<u>Illinois Standardbred Breeders Fund</u>	<u>\$4,400</u>
15	<u>Illinois Thoroughbred Breeders Fund</u>	<u>\$6,700</u>
16	<u>Illinois Clean Water Fund</u>	<u>\$17,700</u>
17	<u>Child Support Administrative Fund</u>	<u>\$435,100</u>
18	<u>Tourism Promotion Fund</u>	<u>\$88,600</u>
19	<u>Digital Divide Elimination Fund</u>	<u>\$11,700</u>
20	<u>Presidential Library and Museum Operating Fund</u>	<u>\$4,700</u>
21	<u>Metro-East Public Transportation Fund</u>	<u>\$48,100</u>
22	<u>Medical Special Purposes Trust Fund</u>	<u>\$11,800</u>
23	<u>Dram Shop Fund</u>	<u>\$11,400</u>
24	<u>Illinois State Dental Disciplinary Fund</u>	<u>\$2,000</u>
25	<u>Hazardous Waste Research Fund</u>	<u>\$1,300</u>
26	<u>Real Estate License Administration Fund</u>	<u>\$10,900</u>
27	<u>Traffic and Criminal Conviction Surcharge Fund</u>	<u>\$45,100</u>
28	<u>Criminal Justice Information Systems Trust Fund</u>	<u>\$5,700</u>
29	<u>Design Professionals Administration</u>	
30	<u>and Investigation Fund</u>	<u>\$2,000</u>
31	<u>State Surplus Property Revolving Fund</u>	<u>\$6,900</u>
32	<u>State Police Services Fund</u>	<u>\$47,300</u>
33	<u>Youth Drug Abuse Prevention Fund</u>	<u>\$1,300</u>
34	<u>Metabolic Screening and Treatment Fund</u>	<u>\$16,000</u>
35	<u>Insurance Producer Administration Fund</u>	<u>\$31,100</u>
36	<u>Coal Technology Development Assistance Fund</u>	<u>\$43,900</u>

1	<u>Low-Level Radioactive Waste Facility</u>	
2	<u>Development and Operation Fund</u>	<u>\$2,000</u>
3	<u>Environmental Protection Permit</u>	
4	<u>and Inspection Fund</u>	<u>\$32,300</u>
5	<u>Park and Conservation Fund</u>	<u>\$41,300</u>
6	<u>Local Tourism Fund</u>	<u>\$34,700</u>
7	<u>Illinois Capital Revolving Loan Fund</u>	<u>\$10,700</u>
8	<u>Illinois Equity Fund</u>	<u>\$1,900</u>
9	<u>Large Business Attraction Fund</u>	<u>\$5,600</u>
10	<u>Illinois Beach Marina Fund</u>	<u>\$5,100</u>
11	<u>International and Promotional Fund</u>	<u>\$1,500</u>
12	<u>Public Infrastructure Construction</u>	
13	<u>Loan Revolving Fund</u>	<u>\$3,100</u>
14	<u>Insurance Financial Regulation Fund</u>	<u>\$42,800</u>
15	<u>Total</u>	<u>\$4,918,200</u>

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

24	General Revenue Fund	\$4,440,000
25	Road Fund	\$5,324,411
26	Total	\$9,764,411

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

33	<u>General Revenue Fund</u>	<u>\$4,466,000</u>
34	<u>Road Fund</u>	<u>\$5,355,500</u>
35	<u>Total</u>	<u>\$9,821,500</u>

36 One-fourth of the specified amount shall be transferred on

1 each of July 1 and October 1, 2006, or as soon as may be
2 practical thereafter, and one-half of the specified amount
3 shall be transferred on January 1, 2007, or as soon as may be
4 practical thereafter.

5 (f) The term "professional services" means services
6 rendered on behalf of State agencies and other State entities
7 pursuant to Section 405-293 of the Department of Central
8 Management Services Law of the Civil Administrative Code of
9 Illinois.

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

11 (30 ILCS 105/6z-64)

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

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

16 (1) amounts authorized for transfer to the Fund from
17 the General Revenue Fund and other State funds (except for
18 funds classified by the Comptroller as federal trust funds
19 or State trust funds) pursuant to State law or Executive
20 Order;

21 (2) federal funds received by the Department of Central
22 Management Services (the "Department") as a result of
23 expenditures from the Fund;

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

25 (4) receipts or inter-fund transfers resulting from
26 billings issued by the Department to State agencies and
27 universities for the cost of workers' compensation
28 services rendered by the Department that are not
29 compensated through the specific fund transfers authorized
30 by this Section, if any;

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

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

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

5 (1) providing workers' compensation services to State
6 agencies and State universities; or

7 (2) providing for payment of administrative and other
8 expenses incurred by the Department in providing workers'
9 compensation services.

10 (c) State agencies may direct the Comptroller to process
11 inter-fund transfers or make payment through the voucher and
12 warrant process to the Workers' Compensation Revolving Fund in
13 satisfaction of billings issued under subsection (a) of this
14 Section.

15 (d) Reconciliation. For the fiscal year beginning on July
16 1, 2004 only, the Director of Central Management Services (the
17 "Director") shall order that each State agency's payments and
18 transfers made to the Fund be reconciled with actual Fund costs
19 for workers' compensation services provided by the Department
20 and attributable to the State agency and relevant fund on no
21 less than an annual basis. The Director may require reports
22 from State agencies as deemed necessary to perform this
23 reconciliation.

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

32	Mental Health Fund	\$17,694,000
33	Statistical Services Revolving Fund	\$1,252,600
34	Department of Corrections Reimbursement	
35	and Education Fund	\$1,198,600
36	Communications Revolving Fund	\$535,400

1	Child Support Administrative Fund	\$441,900
2	Health Insurance Reserve Fund	\$238,900
3	Fire Prevention Fund	\$234,100
4	Park and Conservation Fund	\$142,000
5	Motor Fuel Tax Fund	\$132,800
6	Illinois Workers' Compensation	
7	Commission Operations Fund	\$123,900
8	State Boating Act Fund	\$112,300
9	Public Utility Fund	\$106,500
10	State Lottery Fund	\$101,300
11	Traffic and Criminal Conviction	
12	Surcharge Fund	\$88,500
13	State Surplus Property Revolving Fund	\$82,700
14	Natural Areas Acquisition Fund	\$65,600
15	Securities Audit and Enforcement Fund	\$65,200
16	Agricultural Premium Fund	\$63,400
17	Capital Development Fund	\$57,500
18	State Gaming Fund	\$54,300
19	Underground Storage Tank Fund	\$53,700
20	Illinois State Medical Disciplinary Fund	\$53,000
21	Personal Property Tax Replacement Fund	\$53,000
22	General Professions Dedicated Fund	\$51,900
23	Total	\$23,003,100

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

32	General Revenue Fund	\$34,000,000
33	Road Fund	\$25,987,000
34	Total	\$59,987,000

35 (d-12) Notwithstanding any other provision of State law to
36 the contrary and in addition to any other transfers that may be

1 provided for by law, on the effective date of this amendatory
 2 Act of the 94th General Assembly, or as soon as may be
 3 practical thereafter, the State Comptroller shall direct and
 4 the State Treasurer shall transfer from each designated fund
 5 into the Workers' Compensation Revolving Fund the following
 6 amounts:

7	<u>General Revenue Fund</u>	<u>\$10,000,000</u>
8	<u>Road Fund</u>	<u>\$5,000,000</u>
9	<u>Total</u>	<u>\$15,000,000</u>

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

17	<u>General Revenue Fund</u>	<u>\$44,028,200</u>
18	<u>Road Fund</u>	<u>\$28,084,000</u>
19	<u>Total</u>	<u>\$72,112,200</u>

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

28	<u>Mental Health Fund</u>	<u>\$19,121,800</u>
29	<u>Statistical Services Revolving Fund</u>	<u>\$1,353,700</u>
30	<u>Department of Corrections Reimbursement</u>	
31	<u>and Education Fund</u>	<u>\$1,295,300</u>
32	<u>Communications Revolving Fund</u>	<u>\$578,600</u>
33	<u>Child Support Administrative Fund</u>	<u>\$477,600</u>
34	<u>Health Insurance Reserve Fund</u>	<u>\$258,200</u>
35	<u>Fire Prevention Fund</u>	<u>\$253,000</u>
36	<u>Park and Conservation Fund</u>	<u>\$153,500</u>

1	<u>Motor Fuel Tax Fund</u>	<u>\$143,500</u>
2	<u>Illinois Workers' Compensation</u>	
3	<u>Commission Operations Fund</u>	<u>\$133,900</u>
4	<u>State Boating Act Fund</u>	<u>\$121,400</u>
5	<u>Public Utility Fund</u>	<u>\$115,100</u>
6	<u>State Lottery Fund</u>	<u>\$109,500</u>
7	<u>Traffic and Criminal Conviction Surcharge Fund</u> ..	<u>\$95,700</u>
8	<u>State Surplus Property Revolving Fund</u>	<u>\$89,400</u>
9	<u>Natural Areas Acquisition Fund</u>	<u>\$70,800</u>
10	<u>Securities Audit and Enforcement Fund</u>	<u>\$70,400</u>
11	<u>Agricultural Premium Fund</u>	<u>\$68,500</u>
12	<u>State Gaming Fund</u>	<u>\$58,600</u>
13	<u>Underground Storage Tank Fund</u>	<u>\$58,000</u>
14	<u>Illinois State Medical Disciplinary Fund</u>	<u>\$57,200</u>
15	<u>Personal Property Tax Replacement Fund</u>	<u>\$57,200</u>
16	<u>General Professions Dedicated Fund</u>	<u>\$56,100</u>
17	<u>Total</u>	<u>\$24,797,000</u>

18 (e) The term "workers' compensation services" means
19 services, claims expenses, and related administrative costs
20 incurred in performing the duties under Sections 405-105 and
21 405-411 of the Department of Central Management Services Law of
22 the Civil Administrative Code of Illinois.

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

24 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

25 Sec. 8.3. Money in the Road Fund shall, if and when the
26 State of Illinois incurs any bonded indebtedness for the
27 construction of permanent highways, be set aside and used for
28 the purpose of paying and discharging annually the principal
29 and interest on that bonded indebtedness then due and payable,
30 and for no other purpose. The surplus, if any, in the Road Fund
31 after the payment of principal and interest on that bonded
32 indebtedness 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, except the cost
35 of administration of Articles I and II of Chapter 3 of that

1 Code; and

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

34 Appropriations for any of those purposes are payable from
35 the Road Fund. Appropriations may also be made from the Road
36 Fund for the administrative expenses of any State agency that

1 are related to motor vehicles or arise from the use of motor
2 vehicles.

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

9 1. Department of Public Health;

10 2. Department of Transportation, only with respect to
11 subsidies for one-half fare Student Transportation and
12 Reduced Fare for Elderly;

13 3. Department of Central Management Services, except
14 for expenditures incurred for group insurance premiums of
15 appropriate personnel;

16 4. Judicial Systems and Agencies.

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

23 1. Department of State Police, except for expenditures
24 with respect to the Division of Operations;

25 2. Department of Transportation, only with respect to
26 Intercity Rail Subsidies and Rail Freight Services.

27 Beginning with fiscal year 1982 and thereafter, no Road
28 Fund monies shall be appropriated to the following Departments
29 or agencies of State government for administration, grants, or
30 operations; but this limitation is not a restriction upon
31 appropriating for those purposes any Road Fund monies that are
32 eligible for federal reimbursement: Department of Central
33 Management Services, except for awards made by the Illinois
34 Workers' Compensation Commission under the terms of the
35 Workers' Compensation Act or Workers' Occupational Diseases
36 Act for injury or death of an employee of the Division of

1 Highways in the Department of Transportation.

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

8 1. Department of State Police, except not more than 40%
9 of the funds appropriated for the Division of Operations;

10 2. State Officers.

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

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

32 secondly -- no Road Fund monies derived from fees,
33 excises, or license taxes relating to registration,
34 operation and use of vehicles on public highways or to
35 fuels used for the propulsion of those vehicles, shall be
36 appropriated or expended other than for costs of

1 administering the laws imposing those fees, excises, and
2 license taxes, statutory refunds and adjustments allowed
3 thereunder, administrative costs of the Department of
4 Transportation, including, but not limited to, the
5 operating expenses of the Department relating to the
6 administration of public transportation programs, payment
7 of debts and liabilities incurred in construction and
8 reconstruction of public highways and bridges, acquisition
9 of rights-of-way for and the cost of construction,
10 reconstruction, maintenance, repair, and operation of
11 public highways and bridges under the direction and
12 supervision of the State, political subdivision, or
13 municipality collecting those monies, and the costs for
14 patrolling and policing the public highways (by State,
15 political subdivision, or municipality collecting that
16 money) for enforcement of traffic laws. The separation of
17 grades of such highways with railroads and costs associated
18 with protection of at-grade highway and railroad crossing
19 shall also be permissible.

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

23 Except as provided in this paragraph, beginning with fiscal
24 year 1991 and thereafter, no Road Fund monies shall be
25 appropriated to the Department of State Police for the purposes
26 of this Section in excess of its total fiscal year 1990 Road
27 Fund appropriations for those purposes unless otherwise
28 provided in Section 5g of this Act. For fiscal years 2003,
29 2004, 2005, ~~and~~ 2006, and 2007 only, no Road Fund monies shall
30 be appropriated to the Department of State Police for the
31 purposes of this Section in excess of \$97,310,000. It shall not
32 be lawful to circumvent this limitation on appropriations by
33 governmental reorganization or other methods unless otherwise
34 provided in Section 5g of this Act.

35 In fiscal year 1994, no Road Fund monies shall be
36 appropriated to the Secretary of State for the purposes of this

1 Section in excess of the total fiscal year 1991 Road Fund
2 appropriations to the Secretary of State for those purposes,
3 plus \$9,800,000. It shall not be lawful to circumvent this
4 limitation on appropriations by governmental reorganization or
5 other method.

6 Beginning with fiscal year 1995 and thereafter, no Road
7 Fund monies shall be appropriated to the Secretary of State for
8 the purposes of this Section in excess of the total fiscal year
9 1994 Road Fund appropriations to the Secretary of State for
10 those purposes. It shall not be lawful to circumvent this
11 limitation on appropriations by governmental reorganization or
12 other methods.

13 Beginning with fiscal year 2000, total Road Fund
14 appropriations to the Secretary of State for the purposes of
15 this Section shall not exceed the amounts specified for the
16 following fiscal years:

17	Fiscal Year 2000	\$80,500,000;
18	Fiscal Year 2001	\$80,500,000;
19	Fiscal Year 2002	\$80,500,000;
20	Fiscal Year 2003	\$130,500,000;
21	Fiscal Year 2004	\$130,500,000;
22	Fiscal Year 2005	\$130,500,000;
23	Fiscal Year 2006	\$130,500,000;
24	<u>Fiscal Year 2007</u>	<u>\$130,500,000;</u>
25	Fiscal Year <u>2008</u> 2007 and	
26	each year thereafter	\$30,500,000.

27 It shall not be lawful to circumvent this limitation on
28 appropriations by governmental reorganization or other
29 methods.

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

34 Nothing in this Section prohibits transfers from the Road
35 Fund to the State Construction Account Fund under Section 5e of
36 this Act; nor to the General Revenue Fund, as authorized by

1 this amendatory Act of the 93rd General Assembly.

2 The additional amounts authorized for expenditure in this
3 Section by Public Acts 92-0600, 93-0025, ~~and 93-0839,~~ and 94-91
4 shall be repaid to the Road Fund from the General Revenue Fund
5 in the next succeeding fiscal year that the General Revenue
6 Fund has a positive budgetary balance, as determined by
7 generally accepted accounting principles applicable to
8 government.

9 The additional amounts authorized for expenditure by the
10 Secretary of State and the Department of State Police in this
11 Section by this amendatory Act of the 94th General Assembly ~~and~~
12 ~~the 93rd General Assembly~~ shall be repaid to the Road Fund from
13 the General Revenue Fund in the next succeeding fiscal year
14 that the General Revenue Fund has a positive budgetary balance,
15 as determined by generally accepted accounting principles
16 applicable to government.

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

19 (30 ILCS 105/8.16c)

20 Sec. 8.16c. Appropriations related to efficiency
21 initiatives. Appropriations for processing contracted
22 assistance, the purchase of commodities and equipment, the
23 retention of staff, and all other expenses incident to
24 efficiency initiatives authorized by Section 405-292 of the
25 Department of Central Management Services Law of the Civil
26 Administrative Code of Illinois are payable from the Efficiency
27 Initiatives Revolving Fund. Facilities Management Revolving
28 Fund billings issued to the Department of Central Management
29 Services, as authorized by Section 6z-65, are also payable from
30 the Efficiency Initiatives Revolving Fund. Until there are
31 sufficient funds in the Efficiency Initiatives Revolving Fund
32 to carry out the purposes of this amendatory Act of the 93rd
33 General Assembly, the State agencies subject to Section 405-292
34 of the Department of Central Management Services Law of the
35 Civil Administrative Code of Illinois shall, on written

1 approval of the Director of Central Management Services, pay
 2 the costs associated with the efficiency initiative authorized
 3 by that Section from current appropriations as if those
 4 expenses were duly incurred by the respective agencies.

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

6 (30 ILCS 105/8.43)

7 Sec. 8.43. Special fund transfers.

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

12	SECRETARY OF STATE SPECIAL LICENSE	
13	PLATE FUND	\$856,000
14	SECURITIES INVESTORS EDUCATION FUND	\$3,271,000
15	SECURITIES AUDIT & ENFORCEMENT FUND	\$17,014,000
16	DEPARTMENT OF BUSINESS SERVICES SPECIAL	
17	OPERATIONS FUND	\$524,000
18	SECRETARY OF STATE SPECIAL SERVICES FUND	\$600,000
19	SECRETARY OF STATE DUI ADMINISTRATION FUND	\$582,000
20	FOOD & DRUG SAFETY FUND	\$817,000
21	TRANSPORTATION REGULATORY FUND	\$2,379,000
22	FINANCIAL INSTITUTION FUND	\$2,003,000
23	GENERAL PROFESSIONS DEDICATED FUND	\$497,000
24	DRIVERS EDUCATION FUND	\$2,967,000
25	STATE BOATING ACT FUND	\$1,072,000
26	AGRICULTURAL PREMIUM FUND	\$7,777,000
27	PUBLIC UTILITY FUND	\$8,202,000
28	RADIATION PROTECTION FUND	\$750,000
29	SOLID WASTE MANAGEMENT FUND	\$10,084,000
30	SUBTITLE D MANAGEMENT FUND	\$3,006,000
31	PLUGGING AND RESTORATION FUND	\$1,255,000
32	REGISTERED CERTIFIED PUBLIC ACCOUNTANTS	
33	ADMINISTRATION AND DISCIPLINARY FUND	\$819,000
34	WEIGHTS AND MEASURES FUND	\$1,800,000
35	SOLID WASTE MANAGEMENT REVOLVING LOAN FUND	\$647,000

1	RESPONSE CONTRACTORS INDEMNIFICATION FUND	\$107,000
2	CAPITAL DEVELOPMENT BOARD REVOLVING LOAN FUND ..	\$1,229,000
3	PROFESSIONS INDIRECT COST FUND	\$39,000
4	ILLINOIS HEALTH FACILITIES PLANNING FUND	\$2,351,000
5	OPTOMETRIC LICENSING AND DISCIPLINARY	
6	BOARD FUND	\$1,121,000
7	STATE RAIL FREIGHT LOAN REPAYMENT FUND	\$3,500,000
8	ILLINOIS TAX INCREMENT FUND	\$1,500,000
9	USED TIRE MANAGEMENT FUND	\$3,278,000
10	AUDIT EXPENSE FUND	\$1,237,000
11	INSURANCE PREMIUM TAX REFUND FUND	\$2,500,000
12	CORPORATE FRANCHISE TAX REFUND FUND	\$1,650,000
13	TAX COMPLIANCE AND ADMINISTRATION FUND	\$9,513,000
14	APPRAISAL ADMINISTRATION FUND	\$1,107,000
15	STATE ASSET FORFEITURE FUND	\$1,500,000
16	FEDERAL ASSET FORFEITURE FUND	\$3,943,000
17	DEPARTMENT OF CORRECTIONS REIMBURSEMENT	
18	AND EDUCATION FUND	\$14,500,000
19	LEADS MAINTENANCE FUND	\$2,000,000
20	STATE OFFENDER DNA IDENTIFICATION SYSTEM FUND	\$250,000
21	WORKFORCE, TECHNOLOGY, AND ECONOMIC	
22	DEVELOPMENT FUND	<u>\$267,819.60</u> \$1,500,000
23	RENEWABLE ENERGY RESOURCES TRUST FUND	\$9,510,000
24	ENERGY EFFICIENCY TRUST FUND	\$3,040,000
25	CONSERVATION 2000 FUND	\$7,439,000
26	HORSE RACING FUND	\$2,500,000
27	STATE POLICE WIRELESS SERVICE EMERGENCY FUND	\$500,000
28	WHISTLEBLOWER REWARD AND PROTECTION FUND	\$750,000
29	TOBACCO SETTLEMENT RECOVERY FUND	\$19,300,000
30	PRESIDENTIAL LIBRARY AND MUSEUM FUND	\$500,000
31	MEDICAL SPECIAL PURPOSES TRUST FUND	\$967,000
32	DRAM SHOP FUND	\$1,517,000
33	DESIGN PROFESSIONALS ADMINISTRATION AND	
34	INVESTIGATION FUND	\$1,172,000
35	ILLINOIS FORESTRY DEVELOPMENT FUND	\$1,257,000
36	STATE POLICE SERVICES FUND	\$250,000

1	METABOLIC SCREENING AND TREATMENT FUND	\$3,435,000
2	INSURANCE PRODUCER ADMINISTRATION FUND	\$12,727,000
3	LOW-LEVEL RADIOACTIVE WASTE FACILITY	
4	DEVELOPMENT AND OPERATION FUND	\$2,202,000
5	LOW-LEVEL RADIOACTIVE WASTE FACILITY CLOSURE,	
6	POST-CLOSURE CARE AND COMPENSATION FUND	\$6,000,000
7	ENVIRONMENTAL PROTECTION PERMIT AND	
8	INSPECTION FUND	\$874,000
9	PARK AND CONSERVATION FUND	\$1,000,000
10	PUBLIC INFRASTRUCTURE CONSTRUCTION LOAN	
11	REVOLVING FUND	\$1,822,000
12	LOBBYIST REGISTRATION ADMINISTRATION FUND	\$327,000
13	DIVISION OF CORPORATIONS REGISTERED	
14	LIMITED LIABILITY PARTNERSHIP FUND	\$356,000
15	WORKING CAPITAL REVOLVING FUND	
16	(30 ILCS 105/6)	\$12,000,000

17 All of these transfers shall be made on the effective date
18 of this amendatory Act of the 93rd General Assembly, 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 (b) On and after the effective date of this amendatory Act
23 of the 93rd General Assembly through June 30, 2005, when any of
24 the funds listed in subsection (a) have insufficient cash from
25 which the State Comptroller may make expenditures properly
26 supported by appropriations from the fund, then the State
27 Treasurer and State Comptroller shall transfer from the General
28 Revenue Fund to the fund only such amount as is immediately
29 necessary to satisfy outstanding expenditure obligations on a
30 timely basis, subject to the provisions of the State Prompt
31 Payment Act. Any amounts transferred from the General Revenue
32 Fund to a fund pursuant to this subsection (b) from time to
33 time shall be re-transferred by the State Comptroller and the
34 State Treasurer from the receiving fund into the General
35 Revenue Fund as soon as and to the extent that deposits are
36 made into or receipts are collected by the receiving fund. In

1 all events, the full amounts of all transfers from the General
2 Revenue Fund to receiving funds shall be re-transferred to the
3 General Revenue Fund no later than June 30, 2005.

4 (c) The sum of \$57,700,000 shall be transferred, pursuant
5 to appropriation, from the State Pensions Fund to the
6 designated retirement systems (as defined in Section 8.12 of
7 the State Finance Act) on the effective date of this amendatory
8 Act of the 93rd General Assembly, or as soon thereafter as
9 practical. On April 16, 2005, or as soon thereafter as
10 practical, there shall be transferred, pursuant to
11 appropriation, from the State Pensions Fund to the designated
12 retirement systems (as defined in Section 8.12 of the State
13 Finance Act) the lesser of (i) an amount equal to the balance
14 in the State Pensions Fund on April 16, 2005, minus an amount
15 equal to 75% of the total amount of fiscal year 2005
16 appropriations from the State Pensions Fund that were
17 appropriated to the State Treasurer for administration of the
18 Uniform Disposition of Unclaimed Property Act or (ii)
19 \$35,000,000. These transfers are intended to be all or part of
20 the transfer required under Section 8.12 of the State Finance
21 Act for fiscal year 2005.

22 (d) The sum of \$49,775,000 shall be transferred from the
23 School Technology Revolving Loan Fund to the Common School Fund
24 on the effective date of this amendatory Act of the 93rd
25 General Assembly, or as soon thereafter as practical,
26 notwithstanding any other provision of State law to the
27 contrary.

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

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

33 (30 ILCS 105/8.44)

34 Sec. 8.44. Special fund transfers.

35 (a) In order to maintain the integrity of special funds and

1 improve stability in the General Revenue Fund, the following
2 transfers are authorized from the designated funds into the
3 General Revenue Fund:

4	Aeronautics Fund	\$2,186
5	Aggregate Operations Regulatory Fund	\$32,750
6	Agrichemical Incident Response Trust Fund.....	\$419,830
7	Agricultural Master Fund	\$17,827
8	Air Transportation Revolving Fund.....	\$181,478
9	Airport Land Loan Revolving Fund	\$1,669,970
10	Alternate Fuels Fund	\$1,056,833
11	Alternative Compliance Market Account Fund	\$53,120
12	Appraisal Administration Fund.....	\$250,000
13	Armory Rental Fund	\$111,538
14	Assisted Living and Shared Housing Regulatory Fund ..	\$24,493
15	Bank and Trust Company Fund.....	\$3,800,000
16	Capital Development Board Revolving Fund	\$453,054
17	Care Provider Fund for Persons	
18	with a Developmental Disability.....	\$2,378,270
19	Charter Schools Revolving Loan Fund.....	\$650,721
20	Child Support Administrative Fund.....	\$1,117,266
21	Coal Mining Regulatory Fund.....	\$127,583
22	Communications Revolving Fund.....	\$12,999,839
23	Community Health Center Care Fund.....	\$104,480
24	Community Water Supply Laboratory Fund	\$716,232
25	Continuing Legal Education Trust Fund.....	\$23,419
26	Corporate Franchise Tax Refund Fund.....	\$500,000
27	Court of Claims Administration and Grant Fund.....	\$24,949
28	Criminal Justice Information Projects Fund	\$18,212
29	DCFS Special Purposes Trust Fund	\$77,835
30	Death Certificate Surcharge Fund	\$1,134,341
31	Department of Business Services	
32	Special Operations Fund.....	\$2,000,000
33	Department of Children and Family Services	
34	Training Fund.....	\$1,408,106
35	Department of Corrections	
36	Reimbursement and Education Fund	\$2,208,323

1	Department of Insurance State Trust Fund	\$18,009
2	Department of Labor Special State Trust Fund	\$359,895
3	Department on Aging State Projects Fund.....	\$10,059
4	Design Professionals Administration	
5	and Investigation Fund	\$51,701
6	DHS Recoveries Trust Fund.....	\$1,591,834
7	DHS State Projects Fund.....	\$89,917
8	Division of Corporations	
9	Registered Limited Liability Partnership Fund.....	\$150,000
10	DNR Special Projects Fund.....	\$301,649
11	Dram Shop Fund	\$110,554
12	Drivers Education Fund	\$30,152
13	Drug Rebate Fund	\$17,315,821
14	Drug Traffic Prevention Fund	\$22,123
15	Drug Treatment Fund.....	\$160,030
16	Drunk and Drugged Driving Prevention Fund.....	\$51,220
17	Drycleaner Environmental Response Trust Fund	\$1,137,971
18	DuQuoin State Fair Harness Racing Trust Fund	\$3,368
19	Early Intervention Services Revolving Fund	\$1,044,935
20	Economic Research and Information Fund	\$49,005
21	Educational Labor Relations Board	
22	Fair Share Trust Fund.....	\$40,933
23	Efficiency Initiatives Revolving Fund.....	\$6,178,298
24	Emergency Planning and Training Fund	\$28,845
25	Emergency Public Health Fund	\$139,997
26	Emergency Response Reimbursement Fund.....	\$15,873
27	EMS Assistance Fund.....	\$40,923
28	Energy Assistance Contribution Fund.....	\$89,692
29	Energy Efficiency Trust Fund	\$1,300,938
30	Environmental Laboratory Certification Fund.....	\$62,039
31	Environmental Protection Permit and Inspection Fund..	\$180,571
32	Environmental Protection Trust Fund.....	\$2,228,031
33	EPA Court Trust Fund	\$338,646
34	EPA Special State Projects Trust Fund.....	\$284,263
35	Explosives Regulatory Fund	\$23,125
36	Facilities Management Revolving Fund	\$4,803,971

1	Facility Licensing Fund.....	\$22,958
2	Family Care Fund	\$22,585
3	Federal Asset Forfeiture Fund.....	\$1,871
4	Feed Control Fund.....	\$478,234
5	Fertilizer Control Fund.....	\$207,398
6	Financial Institution Fund	\$2,448,690
7	Firearm Owner's Notification Fund.....	\$3,960
8	Food and Drug Safety Fund.....	\$421,401
9	General Professions Dedicated Fund	\$3,975,808
10	Good Samaritan Energy Trust Fund	\$7,191
11	Governor's Grant Fund.....	\$1,592
12	Group Workers' Compensation Pool Insolvency Fund	\$136,547
13	Guardianship and Advocacy Fund	\$27,289
14	Hazardous Waste Occupational Licensing Fund.....	\$14,939
15	Hazardous Waste Research Fund.....	\$125,209
16	Health Facility Plan Review Fund	\$165,972
17	Hearing Instrument Dispenser	
18	Examining and Disciplinary Fund.....	\$102,842
19	Home Inspector Administration Fund	\$244,503
20	IEMA State Projects Fund	\$13
21	Illinois Beach Marina Fund	\$177,801
22	Illinois Capital Revolving Loan Fund	\$4,024,106
23	Illinois Clean Water Fund.....	\$1,835,796
24	Illinois Community College Board	
25	Contracts and Grants Fund.....	\$9
26	Illinois Department of Agriculture	
27	Laboratory Services Revolving Fund	\$174,795
28	Illinois Equity Fund	\$119,193
29	Illinois Executive Mansion Trust Fund.....	\$56,154
30	Illinois Forestry Development Fund	\$1,389,096
31	Illinois Future Teacher Corps Scholarship Fund	\$4,836
32	Illinois Gaming Law Enforcement Fund	\$650,646
33	Illinois Habitat Endowment Trust Fund.....	\$3,641,262
34	Illinois Health Facilities Planning Fund	\$23,066
35	Illinois Historic Sites Fund	\$134,366
36	Illinois National Guard Armory Construction Fund	\$31,469

1	Illinois Rural Rehabilitation Fund	\$8,190
2	Illinois School Asbestos Abatement Fund.....	\$183,191
3	Illinois State Fair Fund	\$50,176
4	Illinois State Podiatric Disciplinary Fund	\$317,239
5	Illinois Student Assistance Commission	
6	Contracts and Grants Fund.....	\$5,589
7	Illinois Tourism Tax Fund.....	\$647,749
8	Illinois Underground Utility Facilities	
9	Damage Prevention Fund	\$2,175
10	Illinois Veterans' Rehabilitation Fund	\$218,940
11	Industrial Hygiene Regulatory and Enforcement Fund	\$3,564
12	Innovations in Long-Term Care	
13	Quality Demonstration Grants Fund.....	\$565,494
14	Insurance Financial Regulation Fund.....	\$800,000
15	ISAC Accounts Receivable Fund.....	\$26,374
16	ISBE GED Testing Fund.....	\$146,196
17	ISBE Teacher Certificate Institute Fund.....	\$122,117
18	J.J. Wolf Memorial for Conservation Investigation Fund	\$8,137
19	Kaskaskia Commons Permanent Fund	\$79,813
20	Land Reclamation Fund.....	\$30,582
21	Large Business Attraction Fund	\$340,777
22	Lawyers' Assistance Program Fund	\$198,207
23	LEADS Maintenance Fund	\$76,981
24	Lieutenant Governor's Grant Fund	\$188
25	Livestock Management Facilities Fund	\$47,800
26	Local Initiative Fund.....	\$1,940,646
27	Local Tourism Fund	\$132,876
28	Long Term Care Monitor/Receiver Fund	\$427,850
29	Monetary Award Program Reserve Fund.....	\$879,700
30	McCormick Place Expansion Project Fund	\$0
31	Medicaid Buy-In Program Revolving Fund	\$318,894
32	Medicaid Fraud and Abuse Prevention Fund	\$60,306
33	Medical Special Purposes Trust Fund.....	\$930,668
34	Military Affairs Trust Fund.....	\$68,468
35	Motor Carrier Safety Inspection Fund	\$147,477
36	Motor Fuel and Petroleum Standards Fund.....	\$19,673

1	Motor Vehicle Review Board Fund.....	\$250,000
2	Motor Vehicle Theft Prevention Trust Fund.....	\$1,415,361
3	Narcotics Profit Forfeiture Fund	\$39,379
4	Natural Heritage Endowment Trust Fund.....	\$557,264
5	Natural Heritage Fund.....	\$3,336
6	Natural Resources Information Fund	\$64,596
7	Natural Resources Restoration Trust Fund	\$63,002
8	Off-Highway Vehicle Trails Fund.....	\$244,815
9	Oil Spill Response Fund.....	\$167,547
10	Paper and Printing Revolving Fund.....	\$48,476
11	Park and Conservation Fund	\$3,050,154
12	Pawnbroker Regulation Fund	\$94,131
13	Pesticide Control Fund	\$420,223
14	Petroleum Resources Revolving Fund	\$85,540
15	Police Training Board Services Fund.....	\$1,540
16	Pollution Control Board Fund	\$23,004
17	Pollution Control Board Trust Fund	\$410,651
18	Post Transplant Maintenance and Retention Fund	\$75,100
19	Presidential Library and Museum Operating Fund	\$727,250
20	Professional Regulation Evidence Fund.....	\$2,817
21	Professional Services Fund	\$46,222
22	Provider Inquiry Trust Fund.....	\$207,098
23	Public Aid Recoveries Trust Fund	\$7,610,631
24	Public Health Laboratory Services Revolving Fund	\$92,276
25	Public Health Special State Projects Fund.....	\$816,202
26	Public Health Water Permit Fund.....	\$17,624
27	Public Infrastructure Construction	
28	Loan Revolving Fund.....	\$63,802
29	Public Pension Regulation Fund	\$222,433
30	Racing Board Fingerprint License Fund.....	\$16,835
31	Radiation Protection Fund.....	\$212,010
32	Real Estate License Administration Fund.....	\$1,500,000
33	Regulatory Evaluation and Basic Enforcement Fund	\$64,221
34	Regulatory Fund.....	\$55,246
35	Renewable Energy Resources Trust Fund.....	\$14,033
36	Response Contractors Indemnification Fund.....	\$126

1	Rural/Downstate Health Access Fund	\$4,644
2	Savings and Residential Finance Regulatory Fund....	\$5,200,000
3	School District Emergency Financial Assistance Fund	\$2,130,848
4	School Technology Revolving Loan Fund.....	\$19,158
5	Second Injury Fund	\$151,493
6	Secretary of State Interagency Grant Fund.....	\$40,900
7	Secretary of State Special License Plate Fund.....	\$520,200
8	Secretary of State Special Services Fund	\$2,500,000
9	Securities Audit and Enforcement Fund.....	\$3,400,000
10	Securities Investors Education Fund.....	\$100,000
11	Self-Insurers Administration Fund.....	\$286,964
12	Sex Offender Registration Fund	\$7,647
13	Sexual Assault Services Fund	\$12,210
14	Small Business Environmental Assistance Fund	\$13,686
15	Snowmobile Trail Establishment Fund.....	\$3,124
16	Solid Waste Management Fund.....	\$6,587,173
17	Sports Facilities Tax Trust Fund	\$1,112,590
18	State Appellate Defender Special State Projects Fund	\$23,820
19	State Asset Forfeiture Fund.....	\$71,988
20	State Boating Act Fund	\$401,824
21	State College and University Trust Fund.....	\$139,439
22	State Crime Laboratory Fund.....	\$44,965
23	State Fair Promotional Activities Fund	\$8,734
24	State Garage Revolving Fund.....	\$639,662
25	State Offender DNA Identification System Fund.....	\$81,740
26	State Off-Set Claims Fund.....	\$1,487,926
27	State Parks Fund	\$1,045,889
28	State Police Motor Vehicle Theft Prevention Fund	\$164,843
29	State Police Vehicle Fund.....	\$22,899
30	State Police Whistleblower Reward and Protection Fund	\$199,699
31	State Rail Freight Loan Repayment Fund	\$1,147,727
32	State Surplus Property Revolving Fund.....	\$388,284
33	State Whistleblower Reward and Protection Fund	\$1,592
34	State's Attorneys Appellate Prosecutor's County Fund	\$70,101
35	Statewide Grand Jury Prosecution Fund.....	\$7,645
36	Statistical Services Revolving Fund.....	\$4,847,783

1	Subtitle D Management Fund	\$169,744
2	Tanning Facility Permit Fund	\$64,571
3	Tax Compliance and Administration Fund	\$429,377
4	Tax Recovery Fund.....	\$113,591
5	Teacher Certificate Fee Revolving Fund	\$982,399
6	Toxic Pollution Prevention Fund.....	\$28,534
7	Underground Resources Conservation Enforcement Fund..	\$294,251
8	University Grant Fund.....	\$23,881
9	Used Tire Management Fund.....	\$1,918,500
10	Watershed Park Fund.....	\$19,786
11	Weights and Measures Fund.....	\$1,078,121
12	Workers' Compensation Benefit Trust Fund	\$266,574
13	Workers' Compensation Revolving Fund	\$520,285
14	Working Capital Revolving Fund	\$1,404,868
15	Youth Alcoholism and Substance Abuse Prevention Fund	\$29,995
16	Youth Drug Abuse Prevention Fund	\$4,091

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

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

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

1 (6) the Illinois Habitat Endowment Trust Fund;

2 (7) the Innovations in Long-Term Care Quality

3 Demonstration Grants Fund;

4 (8) the Kaskaskia Commons Permanent Fund;

5 (9) the Land Reclamation Fund;

6 (10) the Lawyers' Assistance Program Fund;

7 (11) the Local Initiative Fund;

8 (12) the Petroleum Resources Revolving Fund;

9 (13) the Sports Facilities Tax Trust Fund;

10 (14) the State Garage Revolving Fund;

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

12 (16) the DCFS Special Purposes Trust Fund.

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

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

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

2 (30 ILCS 105/8.45 new)

3 Sec. 8.45. Special fund transfers.

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

8	<u>Food and Drug Safety Fund</u>	<u>\$421,000</u>
9	<u>Grade Crossing Prevention Fund</u>	<u>\$4,000,000</u>
10	<u>General Professions Dedicated Fund</u>	<u>\$5,000,000</u>
11	<u>Economic Research and Information Fund</u>	<u>\$25,000</u>
12	<u>Illinois Department of Agriculture</u>	
13	<u>Laboratory Services Revolving Fund</u>	<u>\$100,000</u>
14	<u>Drivers Education Fund</u>	<u>\$900,000</u>
15	<u>State Parks Fund</u>	<u>\$1,046,000</u>
16	<u>Illinois State Pharmacy Disciplinary Fund</u>	<u>\$3,000,000</u>
17	<u>Public Utility Fund</u>	<u>\$440,000</u>
18	<u>Solid Waste Management Fund</u>	<u>\$200,000</u>
19	<u>Illinois Gaming Law Enforcement Fund</u>	<u>\$652,000</u>
20	<u>Subtitle D Management Fund</u>	<u>\$300,000</u>
21	<u>Community Health Center Care Fund</u>	<u>\$100,000</u>
22	<u>School District Emergency Financial</u>	
23	<u>Assistance Fund</u>	<u>\$1,325,000</u>
24	<u>Explosives Regulatory Fund</u>	<u>\$23,000</u>
25	<u>Aggregate Operations Regulatory Fund</u>	<u>\$33,000</u>
26	<u>Coal Mining Regulatory Fund</u>	<u>\$50,000</u>
27	<u>Registered Certified Public Accountants'</u>	
28	<u>Administration and Disciplinary Fund</u>	<u>\$1,000,000</u>
29	<u>Agrichemical Incident Response Trust Fund</u>	<u>\$200,000</u>
30	<u>Motor Vehicle Theft Prevention Trust Fund</u>	<u>\$500,000</u>
31	<u>Weights and Measures Fund</u>	<u>\$600,000</u>
32	<u>Division of Corporations Registered Limited</u>	
33	<u>Liability Partnership Fund</u>	<u>\$555,000</u>
34	<u>Local Government Health Insurance</u>	
35	<u>Reserve Fund</u>	<u>\$1,000,000</u>

1	<u>IPTIP Administrative Trust Fund</u>	<u>\$700,000</u>
2	<u>Professions Indirect Cost Fund</u>	<u>\$500,000</u>
3	<u>State Police DUI Fund</u>	<u>\$150,000</u>
4	<u>Asbestos Abatement Fund</u>	<u>\$500,000</u>
5	<u>Savings and Residential Finance</u>	
6	<u>Regulatory Fund</u>	<u>\$6,000,000</u>
7	<u>Fair and Exposition Fund</u>	<u>\$200,000</u>
8	<u>State Police Vehicle Fund</u>	<u>\$144,000</u>
9	<u>Department of Labor Special</u>	
10	<u>State Trust Fund</u>	<u>\$162,000</u>
11	<u>Nursing Dedicated and Professional Fund</u>	<u>\$3,000,000</u>
12	<u>Underground Resources Conservation</u>	
13	<u>Enforcement Fund</u>	<u>\$100,000</u>
14	<u>Mandatory Arbitration Fund</u>	<u>\$906,000</u>
15	<u>Income Tax Refund Fund</u>	<u>\$44,000,000</u>
16	<u>Long Term Care Monitor/Receiver Fund</u>	<u>\$300,000</u>
17	<u>Community Water Supply Laboratory Fund</u>	<u>\$200,000</u>
18	<u>Used Tire Management Fund</u>	<u>\$1,000,000</u>
19	<u>Natural Areas Acquisition Fund</u>	<u>\$5,000,000</u>
20	<u>State Garage Revolving Fund</u>	<u>\$691,300</u>
21	<u>Statistical Services Revolving Fund</u>	<u>\$231,600</u>
22	<u>Paper and Printing Revolving Fund</u>	<u>\$9,900</u>
23	<u>Air Transportation Revolving Fund</u>	<u>\$100,000</u>
24	<u>Tax Recovery Fund</u>	<u>\$150,000</u>
25	<u>Communications Revolving Fund</u>	<u>\$1,076,800</u>
26	<u>Facilities Management Revolving Fund</u>	<u>\$111,900</u>
27	<u>Professional Services Fund</u>	<u>\$1,064,800</u>
28	<u>Treasurer's Rental Fee Fund</u>	<u>\$100,000</u>
29	<u>Workers' Compensation Revolving Fund</u>	<u>\$530,800</u>
30	<u>Audit Expense Fund</u>	<u>\$1,800,000</u>
31	<u>Securities Audit and Enforcement Fund</u>	<u>\$695,000</u>
32	<u>Department of Business Services</u>	
33	<u>Special Operations Fund</u>	<u>\$7,650,000</u>
34	<u>Innovations in Long-Term Care Quality</u>	
35	<u>Demonstration Grants Fund</u>	<u>\$300,000</u>
36	<u>State Treasurer's Bank Services Trust Fund</u>	<u>\$5,000,000</u>

1	<u>Corporate Franchise Tax Refund Fund</u>	<u>\$1,400,000</u>
2	<u>Tax Compliance and Administration Fund</u>	<u>\$429,400</u>
3	<u>Appraisal Administration Fund</u>	<u>\$1,000,000</u>
4	<u>Trauma Center Fund</u>	<u>\$5,000,000</u>
5	<u>Public Aid Recoveries Trust Fund</u>	<u>\$8,611,000</u>
6	<u>State Asset Forfeiture Fund</u>	<u>\$250,000</u>
7	<u>Health Facility Plan Review Fund</u>	<u>\$166,000</u>
8	<u>LEADS Maintenance Fund</u>	<u>\$77,000</u>
9	<u>Illinois Historic Sites Fund</u>	<u>\$134,400</u>
10	<u>Public Pension Regulation Fund</u>	<u>\$50,000</u>
11	<u>Pawnbroker Regulation Fund</u>	<u>\$100,000</u>
12	<u>Charter Schools Revolving Loan Fund</u>	<u>\$1,200,000</u>
13	<u>Attorney General Whistleblower</u>	
14	<u>Reward and Protection Fund</u>	<u>\$1,000,000</u>
15	<u>Wireless Carrier Reimbursement Fund</u>	<u>\$8,000,000</u>
16	<u>International Tourism Fund</u>	<u>\$3,000,000</u>
17	<u>Real Estate Recovery Fund</u>	<u>\$200,000</u>
18	<u>Death Certificate Surcharge Fund</u>	<u>\$1,000,000</u>
19	<u>Auction Recovery Fund</u>	<u>\$50,000</u>
20	<u>Motor Carrier Safety Inspection Fund</u>	<u>\$150,000</u>
21	<u>State Police Whistleblower Reward</u>	
22	<u>and Protection Fund</u>	<u>\$750,000</u>
23	<u>Post Transplant Maintenance and Retention Fund</u> ..	<u>\$75,000</u>
24	<u>Tobacco Settlement Recovery Fund</u>	<u>\$19,900,000</u>
25	<u>Medicaid Buy-In Program Revolving Fund</u>	<u>\$319,000</u>
26	<u>Home Inspector Administration Fund</u>	<u>\$200,000</u>
27	<u>Tourism Promotion Fund</u>	<u>\$4,000,000</u>
28	<u>Lawyers' Assistance Program Fund</u>	<u>\$67,200</u>
29	<u>Presidential Library and Museum</u>	
30	<u>Operating Fund</u>	<u>\$750,000</u>
31	<u>Dram Shop Fund</u>	<u>\$112,000</u>
32	<u>Illinois State Dental Disciplinary Fund</u>	<u>\$250,000</u>
33	<u>Real Estate License Administration Fund</u>	<u>\$5,000,000</u>
34	<u>Traffic and Criminal Conviction Surcharge Fund</u> ..	<u>\$250,000</u>
35	<u>Design Professionals Administration</u>	
36	<u>and Investigation Fund</u>	<u>\$100,000</u>

1	<u>State Surplus Property Revolving Fund</u>	<u>\$6,300</u>
2	<u>State Police Services Fund</u>	<u>\$200,000</u>
3	<u>Health Insurance Reserve Fund</u>	<u>\$21,000,000</u>
4	<u>DHS Recoveries Trust Fund</u>	<u>\$3,591,800</u>
5	<u>Insurance Producer Administration Fund</u>	<u>\$2,000,000</u>
6	<u>State Treasurer Court Ordered Escrow Fund</u>	<u>\$250,000</u>
7	<u>Environmental Protection Permit and</u>	
8	<u> Inspection Fund</u>	<u>\$181,000</u>
9	<u>Illinois State Podiatric Disciplinary Fund</u>	<u>\$250,000</u>
10	<u>Illinois Beach Marina Fund</u>	<u>\$100,000</u>
11	<u>International and Promotional Fund</u>	<u>\$70,000</u>
12	<u>Insurance Financial Regulation Fund</u>	<u>\$5,000,000</u>
13	<u>TOTAL</u>	<u>\$200,084,200</u>

14 All of these transfers shall be made in equal quarterly
15 installments with the first made on July 1, 2006, or as soon
16 thereafter as practical, and with the remaining transfers to be
17 made on October 1, January 1, and April 1, or as soon
18 thereafter as practical. These transfers shall be made
19 notwithstanding any other provision of State law to the
20 contrary.

21 (b) On and after the effective date of this amendatory Act
22 of the 94th General Assembly through June 30, 2007, when any of
23 the funds listed in subsection (a) have insufficient cash from
24 which the State Comptroller may make expenditures properly
25 supported by appropriations from the fund, then the State
26 Treasurer and State Comptroller shall transfer from the General
27 Revenue Fund to the fund only such amount as is immediately
28 necessary to satisfy outstanding expenditure obligations on a
29 timely basis, subject to the provisions of the State Prompt
30 Payment Act. All or a portion of the amounts transferred from
31 the General Revenue Fund to a fund pursuant to this subsection
32 (b) from time to time may be re-transferred by the State
33 Comptroller and the State Treasurer from the receiving fund
34 into the General Revenue Fund as soon as and to the extent that
35 deposits are made into or receipts are collected by the
36 receiving fund.

1 (30 ILCS 105/8.55)

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

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

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

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

15 (30 ILCS 105/8g)

16 Sec. 8g. Fund transfers.

17 (a) In addition to any other transfers that may be provided
18 for by law, as soon as may be practical after the effective
19 date of this amendatory Act of the 91st General Assembly, the
20 State Comptroller shall direct and the State Treasurer shall
21 transfer the sum of \$10,000,000 from the General Revenue Fund
22 to the Motor Vehicle License Plate Fund created by Senate Bill
23 1028 of the 91st General Assembly.

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

31 (c) In addition to any other transfers that may be provided
32 for by law, on August 30 of each fiscal year's license period,
33 the Illinois Liquor Control Commission shall direct and the
34 State Comptroller and State Treasurer shall transfer from the

1 General Revenue Fund to the Youth Alcoholism and Substance
2 Abuse Prevention Fund an amount equal to the number of retail
3 liquor licenses issued for that fiscal year multiplied by \$50.

4 (d) The payments to programs required under subsection (d)
5 of Section 28.1 of the Horse Racing Act of 1975 shall be made,
6 pursuant to appropriation, from the special funds referred to
7 in the statutes cited in that subsection, rather than directly
8 from the General Revenue Fund.

9 Beginning January 1, 2000, on the first day of each month,
10 or as soon as may be practical thereafter, the State
11 Comptroller shall direct and the State Treasurer shall transfer
12 from the General Revenue Fund to each of the special funds from
13 which payments are to be made under Section 28.1(d) of the
14 Horse Racing Act of 1975 an amount equal to 1/12 of the annual
15 amount required for those payments from that special fund,
16 which annual amount shall not exceed the annual amount for
17 those payments from that special fund for the calendar year
18 1998. The special funds to which transfers shall be made under
19 this subsection (d) include, but are not necessarily limited
20 to, the Agricultural Premium Fund; the Metropolitan Exposition
21 Auditorium and Office Building Fund; the Fair and Exposition
22 Fund; the Standardbred Breeders Fund; the Thoroughbred
23 Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

24 (e) In addition to any other transfers that may be provided
25 for by law, as soon as may be practical after the effective
26 date of this amendatory Act of the 91st General Assembly, but
27 in no event later than June 30, 2000, the State Comptroller
28 shall direct and the State Treasurer shall transfer the sum of
29 \$15,000,000 from the General Revenue Fund to the Fund for
30 Illinois' Future.

31 (f) In addition to any other transfers that may be provided
32 for by law, as soon as may be practical after the effective
33 date of this amendatory Act of the 91st General Assembly, but
34 in no event later than June 30, 2000, the State Comptroller
35 shall direct and the State Treasurer shall transfer the sum of
36 \$70,000,000 from the General Revenue Fund to the Long-Term Care

1 Provider Fund.

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

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

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

18 (i) On or after July 1, 2001 and until May 1, 2002, in
19 addition to any other transfers that may be provided for by
20 law, at the direction of and upon notification from the
21 Governor, the State Comptroller shall direct and the State
22 Treasurer shall transfer amounts not exceeding a total of
23 \$80,000,000 from the General Revenue Fund to the Tobacco
24 Settlement Recovery Fund. Any amounts so transferred shall be
25 re-transferred by the State Comptroller and the State Treasurer
26 from the Tobacco Settlement Recovery Fund to the General
27 Revenue Fund at the direction of and upon notification from the
28 Governor, but in any event on or before June 30, 2002.

29 (i-1) On or after July 1, 2002 and until May 1, 2003, in
30 addition to any other transfers that may be provided for by
31 law, at the direction of and upon notification from the
32 Governor, the State Comptroller shall direct and the State
33 Treasurer shall transfer amounts not exceeding a total of
34 \$80,000,000 from the General Revenue Fund to the Tobacco
35 Settlement Recovery Fund. Any amounts so transferred shall be
36 re-transferred by the State Comptroller and the State Treasurer

1 from the Tobacco Settlement Recovery Fund to the General
2 Revenue Fund at the direction of and upon notification from the
3 Governor, but in any event on or before June 30, 2003.

4 (j) On or after July 1, 2001 and no later than June 30,
5 2002, in addition to any other transfers that may be provided
6 for by law, at the direction of and upon notification from the
7 Governor, the State Comptroller shall direct and the State
8 Treasurer shall transfer amounts not to exceed the following
9 sums into the Statistical Services Revolving Fund:

10	From the General Revenue Fund	\$8,450,000
11	From the Public Utility Fund	1,700,000
12	From the Transportation Regulatory Fund	2,650,000
13	From the Title III Social Security and	
14	Employment Fund	3,700,000
15	From the Professions Indirect Cost Fund	4,050,000
16	From the Underground Storage Tank Fund	550,000
17	From the Agricultural Premium Fund	750,000
18	From the State Pensions Fund	200,000
19	From the Road Fund	2,000,000
20	From the Health Facilities	
21	Planning Fund	1,000,000
22	From the Savings and Residential Finance	
23	Regulatory Fund	130,800
24	From the Appraisal Administration Fund	28,600
25	From the Pawnbroker Regulation Fund	3,600
26	From the Auction Regulation	
27	Administration Fund	35,800
28	From the Bank and Trust Company Fund.....	634,800
29	From the Real Estate License	
30	Administration Fund	313,600

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

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

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

13 (k-3) On or after July 1, 2002 and no later than June 30,
 14 2003, in addition to any other transfers that may be provided
 15 for by law, at the direction of and upon notification from the
 16 Governor, the State Comptroller shall direct and the State
 17 Treasurer shall transfer amounts not to exceed the following
 18 sums into the Statistical Services Revolving Fund:

19	Appraisal Administration Fund	\$150,000
20	General Revenue Fund	10,440,000
21	Savings and Residential Finance	
22	Regulatory Fund	200,000
23	State Pensions Fund	100,000
24	Bank and Trust Company Fund	100,000
25	Professions Indirect Cost Fund	3,400,000
26	Public Utility Fund	2,081,200
27	Real Estate License Administration Fund	150,000
28	Title III Social Security and	
29	Employment Fund	1,000,000
30	Transportation Regulatory Fund	3,052,100
31	Underground Storage Tank Fund	50,000

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

1 Fund.

2 (m) In addition to any other transfers that may be provided
3 for by law, on July 1, 2002 and on the effective date of this
4 amendatory Act of the 93rd General Assembly, or as soon
5 thereafter as may be practical, the State Comptroller shall
6 direct and the State Treasurer shall transfer the sum of
7 \$1,200,000 from the General Revenue Fund to the Violence
8 Prevention Fund.

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

14 (o) On or after July 1, 2003, and no later than June 30,
15 2004, in addition to any other transfers that may be provided
16 for by law, at the direction of and upon notification from the
17 Governor, the State Comptroller shall direct and the State
18 Treasurer shall transfer amounts not to exceed the following
19 sums into the Vehicle Inspection Fund:

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

21 (p) On or after July 1, 2003 and until May 1, 2004, in
22 addition to any other transfers that may be provided for by
23 law, at the direction of and upon notification from the
24 Governor, the State Comptroller shall direct and the State
25 Treasurer shall transfer amounts not exceeding a total of
26 \$80,000,000 from the General Revenue Fund to the Tobacco
27 Settlement Recovery Fund. Any amounts so transferred shall be
28 re-transferred from the Tobacco Settlement Recovery Fund to the
29 General Revenue Fund at the direction of and upon notification
30 from the Governor, but in any event on or before June 30, 2004.

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

36 (r) In addition to any other transfers that may be provided

1 for by law, on July 1, 2003, or as soon as may be practical
2 thereafter, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$1,922,000 from the General
4 Revenue Fund to the Presidential Library and Museum Operating
5 Fund.

6 (s) In addition to any other transfers that may be provided
7 for by law, on or after July 1, 2003, the State Comptroller
8 shall direct and the State Treasurer shall transfer the sum of
9 \$4,800,000 from the Statewide Economic Development Fund to the
10 General Revenue Fund.

11 (t) In addition to any other transfers that may be provided
12 for by law, on or after July 1, 2003, the State Comptroller
13 shall direct and the State Treasurer shall transfer the sum of
14 \$50,000,000 from the General Revenue Fund to the Budget
15 Stabilization Fund.

16 (u) On or after July 1, 2004 and until May 1, 2005, in
17 addition to any other transfers that may be provided for by
18 law, at the direction of and upon notification from the
19 Governor, the State Comptroller shall direct and the State
20 Treasurer shall transfer amounts not exceeding a total of
21 \$80,000,000 from the General Revenue Fund to the Tobacco
22 Settlement Recovery Fund. Any amounts so transferred shall be
23 retransferred by the State Comptroller and the State Treasurer
24 from the Tobacco Settlement Recovery Fund to the General
25 Revenue Fund at the direction of and upon notification from the
26 Governor, but in any event on or before June 30, 2005.

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

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

1 Fund.

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

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

8 From the State Police Wireless Service Emergency Fund,
9 \$200,000;

10 From the State Offender DNA Identification System
11 Fund, \$800,000; and

12 From the State Police Whistleblower Reward and
13 Protection Fund, \$500,000.

14 (y) Notwithstanding any other provision of law to the
15 contrary, in addition to any other transfers that may be
16 provided for by law on June 30, 2005, or as soon as may be
17 practical thereafter, the State Comptroller shall direct and
18 the State Treasurer shall transfer the remaining balance from
19 the designated funds into the General Revenue Fund and any
20 future deposits that would otherwise be made into these funds
21 must instead be made into the General Revenue Fund:

22 (1) the Keep Illinois Beautiful Fund;

23 (2) the Metropolitan Fair and Exposition Authority
24 Reconstruction Fund;

25 (3) the New Technology Recovery Fund;

26 (4) the Illinois Rural Bond Bank Trust Fund;

27 (5) the ISBE School Bus Driver Permit Fund;

28 (6) the Solid Waste Management Revolving Loan Fund;

29 (7) the State Postsecondary Review Program Fund;

30 (8) the Tourism Attraction Development Matching Grant
31 Fund;

32 (9) the Patent and Copyright Fund;

33 (10) the Credit Enhancement Development Fund;

34 (11) the Community Mental Health and Developmental
35 Disabilities Services Provider Participation Fee Trust
36 Fund;

- 1 (12) the Nursing Home Grant Assistance Fund;
- 2 (13) the By-product Material Safety Fund;
- 3 (14) the Illinois Student Assistance Commission Higher
4 EdNet Fund;
- 5 (15) the DORS State Project Fund;
- 6 (16) the School Technology Revolving Fund;
- 7 (17) the Energy Assistance Contribution Fund;
- 8 (18) the Illinois Building Commission Revolving Fund;
- 9 (19) the Illinois Aquaculture Development Fund;
- 10 (20) the Homelessness Prevention Fund;
- 11 (21) the DCFS Refugee Assistance Fund;
- 12 (22) the Illinois Century Network Special Purposes
13 Fund; and
- 14 (23) the Build Illinois Purposes Fund.

15 (z) In addition to any other transfers that may be provided
16 for by law, on July 1, 2005, or as soon as may be practical
17 thereafter, the State Comptroller shall direct and the State
18 Treasurer shall transfer the sum of \$1,200,000 from the General
19 Revenue Fund to the Violence Prevention Fund.

20 (aa) In addition to any other transfers that may be
21 provided for by law, on July 1, 2005, or as soon as may be
22 practical thereafter, the State Comptroller shall direct and
23 the State Treasurer shall transfer the sum of \$9,000,000 from
24 the General Revenue Fund to the Presidential Library and Museum
25 Operating Fund.

26 (bb) In addition to any other transfers that may be
27 provided for by law, on July 1, 2005, or as soon as may be
28 practical thereafter, the State Comptroller shall direct and
29 the State Treasurer shall transfer the sum of \$6,803,600 from
30 the General Revenue Fund to the Securities Audit and
31 Enforcement Fund.

32 (cc) In addition to any other transfers that may be
33 provided for by law, on or after July 1, 2005 and until May 1,
34 2006, at the direction of and upon notification from the
35 Governor, the State Comptroller shall direct and the State
36 Treasurer shall transfer amounts not exceeding a total of

1 \$80,000,000 from the General Revenue Fund to the Tobacco
2 Settlement Recovery Fund. Any amounts so transferred shall be
3 re-transferred by the State Comptroller and the State Treasurer
4 from the Tobacco Settlement Recovery Fund to the General
5 Revenue Fund at the direction of and upon notification from the
6 Governor, but in any event on or before June 30, 2006.

7 (dd) ~~(y)~~ In addition to any other transfers that may be
8 provided for by law, on April 1, 2005, or as soon thereafter as
9 may be practical, at the direction of the Director of Public
10 Aid (now Director of Healthcare and Family Services), the State
11 Comptroller shall direct and the State Treasurer shall transfer
12 from the Public Aid Recoveries Trust Fund amounts not to exceed
13 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

14 (ee) Notwithstanding any other provision of law, on July 1,
15 2006, or as soon thereafter as practical, the State Comptroller
16 shall direct and the State Treasurer shall transfer the
17 remaining balance from the Illinois Civic Center Bond Fund to
18 the Illinois Civic Center Bond Retirement and Interest Fund.

19 (ff) In addition to any other transfers that may be
20 provided for by law, on and after July 1, 2006 and until June
21 30, 2007, at the direction of and upon notification from the
22 Director of the Governor's Office of Management and Budget, the
23 State Comptroller shall direct and the State Treasurer shall
24 transfer amounts not exceeding a total of \$1,900,000 from the
25 General Revenue Fund to the Illinois Capital Revolving Loan
26 Fund.

27 (gg) In addition to any other transfers that may be
28 provided for by law, on and after July 1, 2006 and until May 1,
29 2007, at the direction of and upon notification from the
30 Governor, the State Comptroller shall direct and the State
31 Treasurer shall transfer amounts not exceeding a total of
32 \$80,000,000 from the General Revenue Fund to the Tobacco
33 Settlement Recovery Fund. Any amounts so transferred shall be
34 retransferred by the State Comptroller and the State Treasurer
35 from the Tobacco Settlement Recovery Fund to the General
36 Revenue Fund at the direction of and upon notification from the

1 Governor, but in any event on or before June 30, 2007.

2 (hh) In addition to any other transfers that may be
3 provided for by law, on and after July 1, 2006 and until June
4 30, 2007, at the direction of and upon notification from the
5 Governor, the State Comptroller shall direct and the State
6 Treasurer shall transfer amounts from the Illinois Affordable
7 Housing Trust Fund to the designated funds not exceeding the
8 following amounts:

- 9 DCFS Children's Services Fund \$2,200,000
- 10 Department of Corrections Reimbursement
- 11 and Education Fund \$1,500,000
- 12 Supplemental Low-Income Energy
- 13 Assistance Fund \$75,000

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

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

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

1 (ll) In addition to any other transfers that may be
2 provided for by law, on the first day of each calendar quarter
3 of the fiscal year beginning July 1, 2006, or as soon
4 thereafter as practical, the State Comptroller shall direct and
5 the State Treasurer shall transfer from the General Revenue
6 Fund amounts equal to one-fourth of \$20,000,000 to the
7 Renewable Energy Resources Trust Fund.

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

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

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

36 (Source: P.A. 93-32, eff. 6-20-03; 93-648, eff. 1-8-04; 93-839,

1 eff. 7-30-04; 93-1067, eff. 1-15-05; 94-58, eff. 6-17-05;
2 94-91, eff. 7-1-05; revised 12-15-05.)

3 (30 ILCS 105/8h)

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

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

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

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

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

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

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

32 (d) ~~(e)~~ This Section does not apply to moneys set aside in
33 the Illinois State Podiatric Disciplinary Fund for podiatric
34 scholarships and residency programs under the Podiatric
35 Scholarship and Residency Act.

36 (e) Subsection (a) does not apply to, and no transfer may

1 be made under this Section from, the Pension Stabilization
2 Fund.

3 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
4 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
5 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
6 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
7 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
8 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
9 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; revised 1-23-06.)

10 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

11 Sec. 13.2. Transfers among line item appropriations.

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

18 (a-1) No transfers may be made from one agency to another
19 agency, nor may transfers be made from one institution of
20 higher education to another institution of higher education.

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

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

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

21 (b) In addition to the general transfer authority provided
22 under subsection (c), the following agencies have the specific
23 transfer authority granted in this subsection:

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

31 The Department of Children and Family Services is
32 authorized to make transfers not exceeding 2% of the aggregate
33 amount appropriated to it within the same treasury fund for the
34 following line items among these same line items: Foster Home
35 and Specialized Foster Care and Prevention, Institutions and
36 Group Homes and Prevention, and Purchase of Adoption and

1 Guardianship Services.

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

8 The State Treasurer is authorized to make transfers among
9 line item appropriations from the Capital Litigation Trust
10 Fund, with respect to costs incurred in fiscal years 2002 and
11 2003 only, when the balance remaining in one or more such line
12 item appropriations is insufficient for the purpose for which
13 the appropriation was made, provided that no such transfer may
14 be made unless the amount transferred is no longer required for
15 the purpose for which that appropriation was made.

16 (c) The sum of such transfers for an agency in a fiscal
17 year shall not exceed 2% of the aggregate amount appropriated
18 to it within the same treasury fund for the following objects:
19 Personal Services; Extra Help; Student and Inmate
20 Compensation; State Contributions to Retirement Systems; State
21 Contributions to Social Security; State Contribution for
22 Employee Group Insurance; Contractual Services; Travel;
23 Commodities; Printing; Equipment; Electronic Data Processing;
24 Operation of Automotive Equipment; Telecommunications
25 Services; Travel and Allowance for Committed, Paroled and
26 Discharged Prisoners; Library Books; Federal Matching Grants
27 for Student Loans; Refunds; Workers' Compensation,
28 Occupational Disease, and Tort Claims; and, in appropriations
29 to institutions of higher education, Awards and Grants.
30 Notwithstanding the above, any amounts appropriated for
31 payment of workers' compensation claims to an agency to which
32 the authority to evaluate, administer and pay such claims has
33 been delegated by the Department of Central Management Services
34 may be transferred to any other expenditure object where such
35 amounts exceed the amount necessary for the payment of such
36 claims.

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

22 (c-2) Special provisions for State fiscal year 2005.
23 Notwithstanding subsections (a), (a-2), and (c), for State
24 fiscal year 2005 only, transfers may be made among any line
25 item appropriations from the same or any other treasury fund
26 for any objects or purposes, without limitation, when the
27 balance remaining in one or more such line item appropriations
28 is insufficient for the purpose for which the appropriation was
29 made, provided that the sum of those transfers by a State
30 agency shall not exceed 4% of the aggregate amount appropriated
31 to that State agency for fiscal year 2005.

32 (d) Transfers among appropriations made to agencies of the
33 Legislative and Judicial departments and to the
34 constitutionally elected officers in the Executive branch
35 require the approval of the officer authorized in Section 10 of
36 this Act to approve and certify vouchers. Transfers among

1 appropriations made to the University of Illinois, Southern
2 Illinois University, Chicago State University, Eastern
3 Illinois University, Governors State University, Illinois
4 State University, Northeastern Illinois University, Northern
5 Illinois University, Western Illinois University, the Illinois
6 Mathematics and Science Academy and the Board of Higher
7 Education require the approval of the Board of Higher Education
8 and the Governor. Transfers among appropriations to all other
9 agencies require the approval of the Governor.

10 The officer responsible for approval shall certify that the
11 transfer is necessary to carry out the programs and purposes
12 for which the appropriations were made by the General Assembly
13 and shall transmit to the State Comptroller a certified copy of
14 the approval which shall set forth the specific amounts
15 transferred so that the Comptroller may change his records
16 accordingly. The Comptroller shall furnish the Governor with
17 information copies of all transfers approved for agencies of
18 the Legislative and Judicial departments and transfers
19 approved by the constitutionally elected officials of the
20 Executive branch other than the Governor, showing the amounts
21 transferred and indicating the dates such changes were entered
22 on the Comptroller's records.

23 (Source: P.A. 92-600, eff. 6-28-02; 92-885, eff. 1-13-03;
24 93-680, eff. 7-1-04; 93-839, eff. 7-30-04; revised 12-15-05.)

25 (30 ILCS 105/5.344 rep.)

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

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

31 (30 ILCS 122/10)

32 Sec. 10. Budget limitations.

33 (a) In addition to Section 50-5 of the State Budget Law of

1 the Civil Administrative Code of Illinois, the General
2 Assembly's appropriations and transfers or diversions as
3 required by law from general funds shall not exceed 99% ~~99.5%~~
4 of the estimated general funds revenues for the fiscal year
5 when revenue estimates of the State's general funds revenues
6 exceed the prior fiscal year's estimated general funds revenues
7 by more than 4%.

8 (b) The General Assembly's appropriations and transfers or
9 diversions as required by law from general funds shall not
10 exceed 98% ~~99%~~ of the estimated general funds revenues for the
11 fiscal year when revenue estimates of the State's general funds
12 revenues exceed the prior fiscal year's estimated general funds
13 revenues by more than 4% for 2 or more consecutive fiscal
14 years.

15 (c) For the purpose of this Act, "estimated general funds
16 revenues" include, for each budget year, all taxes, fees, and
17 other revenues expected to be deposited into the State's
18 general funds, including recurring transfers from other State
19 funds into the general funds.

20 Year-over-year comparisons used to determine the
21 percentage growth factor of estimated general funds revenues
22 shall exclude the sum of the following: (i) expected revenues
23 resulting from new taxes or fees or from tax or fee increases
24 during the first year of the change, (ii) expected revenues
25 resulting from one-time receipts or non-recurring transfers
26 in, (iii) expected proceeds resulting from borrowing, and (iv)
27 increases in federal grants that must be completely
28 appropriated based on the terms of the grants.

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

30 (30 ILCS 122/15)

31 Sec. 15. Transfers to Budget Stabilization Fund. In
32 furtherance of the State's objective for the Budget
33 Stabilization Fund to have resources representing 5% of the
34 State's annual general funds revenues:

35 (a) For each fiscal year when the General Assembly's

1 appropriations and transfers or diversions as required by law
2 from general funds do not exceed 99% ~~99.5%~~ of the estimated
3 general funds revenues pursuant to subsection (a) of Section
4 10, the Comptroller shall transfer from the General Revenue
5 Fund as provided by this Section a total amount equal to 0.5%
6 ~~.5%~~ of the estimated general funds revenues to the Budget
7 Stabilization Fund.

8 (b) For each fiscal year when the General Assembly's
9 appropriations and transfers or diversions as required by law
10 from general funds do not exceed 98% ~~99%~~ of the estimated
11 general funds revenues pursuant to subsection (b) of Section
12 10, the Comptroller shall transfer from the General Revenue
13 Fund as provided by this Section a total amount equal to 1% of
14 the estimated general funds revenues to the Budget
15 Stabilization Fund.

16 (c) The Comptroller shall transfer 1/12 of the total amount
17 to be transferred each fiscal year under this Section into the
18 Budget Stabilization Fund on the first day of each month of
19 that fiscal year or as soon thereafter as possible. The balance
20 of the Budget Stabilization Fund shall not exceed 5% of the
21 total of general funds revenues estimated for that fiscal year
22 except as provided by subsection (d) of this Section.

23 (d) If the balance of the Budget Stabilization Fund exceeds
24 5% of the total general funds revenues estimated for that
25 fiscal year, the additional transfers are not required unless
26 there are outstanding liabilities under Section 25 of the State
27 Finance Act from prior fiscal years. If there are such
28 outstanding Section 25 liabilities, then the Comptroller shall
29 continue to transfer 1/12 of the total amount identified for
30 transfer to the Budget Stabilization Fund on the first day of
31 each month of that fiscal year or as soon thereafter as
32 possible to be reserved for those Section 25 liabilities.
33 Nothing in this Act prohibits the General Assembly from
34 appropriating additional moneys into the Budget Stabilization
35 Fund.

36 (e) On or before August 31 of each fiscal year, the amount

1 determined to be transferred to the Budget Stabilization Fund
2 shall be reconciled to actual general funds revenues for that
3 fiscal year. The final transfer for each fiscal year shall be
4 adjusted so that the total amount transferred under this
5 Section is equal to the percentage specified in subsection (a)
6 or (b) of this Section ~~10 of this Act~~, as applicable, based on
7 actual general funds revenues calculated consistently with
8 subsection (c) of Section 10 of this Act for each fiscal year.

9 (f) For the fiscal year beginning July 1, 2006 and for each
10 fiscal year thereafter, the budget proposal to the General
11 Assembly shall identify liabilities incurred in a prior fiscal
12 year under Section 25 of the State Finance Act and the budget
13 proposal shall provide funding as allowable pursuant to
14 subsection (d) of this Section, if applicable.

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

16 (30 ILCS 122/20 new)

17 Sec. 20. Pension Stabilization Fund.

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

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 99% of the estimated general
25 funds revenues pursuant to subsection (a) of Section 10, the
26 Comptroller shall transfer from the General Revenue Fund as
27 provided by this Section a total amount equal to 0.5% of the
28 estimated general funds revenues to the Pension Stabilization
29 Fund.

30 (c) For each fiscal year when the General Assembly's
31 appropriations and transfers or diversions as required by law
32 from general funds do not exceed 98% of the estimated general
33 funds revenues pursuant to subsection (b) of Section 10, the
34 Comptroller shall transfer from the General Revenue Fund as
35 provided by this Section a total amount equal to 1.0% of the

1 estimated general funds revenues to the Pension Stabilization
2 Fund.

3 (d) The Comptroller shall transfer 1/12 of the total amount
4 to be transferred each fiscal year under this Section into the
5 Pension Stabilization Fund on the first day of each month of
6 that fiscal year or as soon thereafter as possible; except that
7 the final transfer of the fiscal year shall be made as soon as
8 practical after the August 31 following the end of the fiscal
9 year.

10 Before the final transfer for a fiscal year is made, the
11 Comptroller shall reconcile the estimated general funds
12 revenues used in calculating the other transfers under this
13 Section for that fiscal year with the actual general funds
14 revenues for that fiscal year. The final transfer for the
15 fiscal year shall be adjusted so that the total amount
16 transferred under this Section for that fiscal year is equal to
17 the percentage specified in subsection (b) or (c) of this
18 Section, whichever is applicable, of the actual general funds
19 revenues for that fiscal year. The actual general funds
20 revenues for the fiscal year shall be calculated in a manner
21 consistent with subsection (c) of Section 10 of this Act.

22 (30 ILCS 122/25 new)

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

24 (a) As used in this Section, "designated retirement
25 systems" means:

26 (1) the State Employees' Retirement System of
27 Illinois;

28 (2) the Teachers' Retirement System of the State of
29 Illinois;

30 (3) the State Universities Retirement System;

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

32 (5) the General Assembly Retirement System.

33 (b) As soon as may be practical after any money is
34 deposited into the Pension Stabilization Fund, the State
35 Comptroller shall apportion the deposited amount among the

1 designated retirement systems and the State Comptroller and
2 State Treasurer shall pay the apportioned amounts to the
3 designated retirement systems. The amount deposited shall be
4 apportioned among the designated retirement systems in the same
5 proportion as their respective portions of the total actuarial
6 reserve deficiency of the designated retirement systems, as
7 most recently determined by the Governor's Office of Management
8 and Budget. Amounts received by a designated retirement system
9 under this Section shall be used for funding the unfunded
10 liabilities of the retirement system. Payments under this
11 Section are authorized by the continuing appropriation under
12 Section 1.7 of the State Pension Funds Continuing Appropriation
13 Act.

14 (c) At the request of the State Comptroller, the Governor's
15 Office of Management and Budget shall determine the individual
16 and total actuarial reserve deficiencies of the designated
17 retirement systems. For this purpose, the Governor's Office of
18 Management and Budget shall consider the latest available audit
19 and actuarial reports of each of the retirement systems and the
20 relevant reports and statistics of the Public Pension Division
21 of the Department of Financial and Professional Regulation.

22 (d) Payments to the designated retirement systems under
23 this Section shall be in addition to, and not in lieu of, any
24 State contributions required under Section 2-124, 14-131,
25 15-155, 16-158, or 18-131 of the Illinois Pension Code.

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

28 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

29 Sec. 901. Collection Authority.

30 (a) In general.

31 The Department shall collect the taxes imposed by this Act.
32 The Department shall collect certified past due child support
33 amounts under Section 2505-650 of the Department of Revenue Law
34 (20 ILCS 2505/2505-650). Except as provided in subsections (c)

1 and (e) of this Section, money collected pursuant to
2 subsections (a) and (b) of Section 201 of this Act shall be
3 paid into the General Revenue Fund in the State treasury; money
4 collected pursuant to subsections (c) and (d) of Section 201 of
5 this Act shall be paid into the Personal Property Tax
6 Replacement Fund, a special fund in the State Treasury; and
7 money collected under Section 2505-650 of the Department of
8 Revenue Law (20 ILCS 2505/2505-650) shall be paid into the
9 Child Support Enforcement Trust Fund, a special fund outside
10 the State Treasury, or to the State Disbursement Unit
11 established under Section 10-26 of the Illinois Public Aid
12 Code, as directed by the Department of Healthcare and Family
13 Services ~~Public Aid~~.

14 (b) Local Governmental Distributive Fund.

15 Beginning August 1, 1969, and continuing through June 30,
16 1994, the Treasurer shall transfer each month from the General
17 Revenue Fund to a special fund in the State treasury, to be
18 known as the "Local Government Distributive Fund", an amount
19 equal to 1/12 of the net revenue realized from the tax imposed
20 by subsections (a) and (b) of Section 201 of this Act during
21 the preceding month. Beginning July 1, 1994, and continuing
22 through June 30, 1995, the Treasurer shall transfer each month
23 from the General Revenue Fund to the Local Government
24 Distributive Fund an amount equal to 1/11 of the net revenue
25 realized from the tax imposed by subsections (a) and (b) of
26 Section 201 of this Act during the preceding month. Beginning
27 July 1, 1995, the Treasurer shall transfer each month from the
28 General Revenue Fund to the Local Government Distributive Fund
29 an amount equal to the net of (i) 1/10 of the net revenue
30 realized from the tax imposed by subsections (a) and (b) of
31 Section 201 of the Illinois Income Tax Act during the preceding
32 month (ii) minus, beginning July 1, 2003 and ending June 30,
33 2004, \$6,666,666, and beginning July 1, 2004, zero. Net revenue
34 realized for a month shall be defined as the revenue from the
35 tax imposed by subsections (a) and (b) of Section 201 of this
36 Act which is deposited in the General Revenue Fund, the

1 Educational Assistance Fund and the Income Tax Surcharge Local
2 Government Distributive Fund during the month minus the amount
3 paid out of the General Revenue Fund in State warrants during
4 that same month as refunds to taxpayers for overpayment of
5 liability under the tax imposed by subsections (a) and (b) of
6 Section 201 of this Act.

7 (c) Deposits Into Income Tax Refund Fund.

8 (1) Beginning on January 1, 1989 and thereafter, the
9 Department shall deposit a percentage of the amounts
10 collected pursuant to subsections (a) and (b) (1), (2), and
11 (3), of Section 201 of this Act into a fund in the State
12 treasury known as the Income Tax Refund Fund. The
13 Department shall deposit 6% of such amounts during the
14 period beginning January 1, 1989 and ending on June 30,
15 1989. Beginning with State fiscal year 1990 and for each
16 fiscal year thereafter, the percentage deposited into the
17 Income Tax Refund Fund during a fiscal year shall be the
18 Annual Percentage. For fiscal years 1999 through 2001, the
19 Annual Percentage shall be 7.1%. For fiscal year 2003, the
20 Annual Percentage shall be 8%. For fiscal year 2004, the
21 Annual Percentage shall be 11.7%. Upon the effective date
22 of this amendatory Act of the 93rd General Assembly, the
23 Annual Percentage shall be 10% for fiscal year 2005. For
24 fiscal year 2006, the Annual Percentage shall be 9.75%. For
25 fiscal year 2007, the Annual Percentage shall be 9.75%. For
26 all other fiscal years, the Annual Percentage shall be
27 calculated as a fraction, the numerator of which shall be
28 the amount of refunds approved for payment by the
29 Department during the preceding fiscal year as a result of
30 overpayment of tax liability under subsections (a) and
31 (b) (1), (2), and (3) of Section 201 of this Act plus the
32 amount of such refunds remaining approved but unpaid at the
33 end of the preceding fiscal year, minus the amounts
34 transferred into the Income Tax Refund Fund from the
35 Tobacco Settlement Recovery Fund, and the denominator of
36 which shall be the amounts which will be collected pursuant

1 to subsections (a) and (b) (1), (2), and (3) of Section 201
2 of this Act during the preceding fiscal year; except that
3 in State fiscal year 2002, the Annual Percentage shall in
4 no event exceed 7.6%. The Director of Revenue shall certify
5 the Annual Percentage to the Comptroller on the last
6 business day of the fiscal year immediately preceding the
7 fiscal year for which it is to be effective.

8 (2) Beginning on January 1, 1989 and thereafter, the
9 Department shall deposit a percentage of the amounts
10 collected pursuant to subsections (a) and (b) (6), (7), and
11 (8), (c) and (d) of Section 201 of this Act into a fund in
12 the State treasury known as the Income Tax Refund Fund. The
13 Department shall deposit 18% of such amounts during the
14 period beginning January 1, 1989 and ending on June 30,
15 1989. Beginning with State fiscal year 1990 and for each
16 fiscal year thereafter, the percentage deposited into the
17 Income Tax Refund Fund during a fiscal year shall be the
18 Annual Percentage. For fiscal years 1999, 2000, and 2001,
19 the Annual Percentage shall be 19%. For fiscal year 2003,
20 the Annual Percentage shall be 27%. For fiscal year 2004,
21 the Annual Percentage shall be 32%. Upon the effective date
22 of this amendatory Act of the 93rd General Assembly, the
23 Annual Percentage shall be 24% for fiscal year 2005. For
24 fiscal year 2006, the Annual Percentage shall be 20%. For
25 fiscal year 2007, the Annual Percentage shall be 17.5%. For
26 all other fiscal years, the Annual Percentage shall be
27 calculated as a fraction, the numerator of which shall be
28 the amount of refunds approved for payment by the
29 Department during the preceding fiscal year as a result of
30 overpayment of tax liability under subsections (a) and
31 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
32 Act plus the amount of such refunds remaining approved but
33 unpaid at the end of the preceding fiscal year, and the
34 denominator of which shall be the amounts which will be
35 collected pursuant to subsections (a) and (b) (6), (7), and
36 (8), (c) and (d) of Section 201 of this Act during the

1 preceding fiscal year; except that in State fiscal year
2 2002, the Annual Percentage shall in no event exceed 23%.
3 The Director of Revenue shall certify the Annual Percentage
4 to the Comptroller on the last business day of the fiscal
5 year immediately preceding the fiscal year for which it is
6 to be effective.

7 (3) The Comptroller shall order transferred and the
8 Treasurer shall transfer from the Tobacco Settlement
9 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000
10 in January, 2001, (ii) \$35,000,000 in January, 2002, and
11 (iii) \$35,000,000 in January, 2003.

12 (d) Expenditures from Income Tax Refund Fund.

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

21 (2) The Director shall order payment of refunds
22 resulting from overpayment of tax liability under Section
23 201 of this Act from the Income Tax Refund Fund only to the
24 extent that amounts collected pursuant to Section 201 of
25 this Act and transfers pursuant to this subsection (d) and
26 item (3) of subsection (c) have been deposited and retained
27 in the Fund.

28 (3) As soon as possible after the end of each fiscal
29 year, the Director shall order transferred and the State
30 Treasurer and State Comptroller shall transfer from the
31 Income Tax Refund Fund to the Personal Property Tax
32 Replacement Fund an amount, certified by the Director to
33 the Comptroller, equal to the excess of the amount
34 collected pursuant to subsections (c) and (d) of Section
35 201 of this Act deposited into the Income Tax Refund Fund
36 during the fiscal year over the amount of refunds resulting

1 from overpayment of tax liability under subsections (c) and
2 (d) of Section 201 of this Act paid from the Income Tax
3 Refund Fund during the fiscal year.

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

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

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

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

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

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

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

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

20 (35 ILCS 130/2) (from Ch. 120, par. 453.2)

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

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

1 upon any person engaged in business as a retailer of cigarettes
2 in this State at a rate of 4 mills per cigarette sold or
3 otherwise disposed of in the course of such business in this
4 State. Of the additional tax imposed by this amendatory Act of
5 1985, \$9,000,000 of the moneys received by the Department of
6 Revenue pursuant to this Act shall be paid each month into the
7 Common School Fund. On and after the effective date of this
8 amendatory Act of 1989, in addition to any other tax imposed by
9 this Act, a tax is imposed upon any person engaged in business
10 as a retailer of cigarettes at the rate of 5 mills per
11 cigarette sold or otherwise disposed of in the course of such
12 business in this State. On and after the effective date of this
13 amendatory Act of 1993, in addition to any other tax imposed by
14 this Act, a tax is imposed upon any person engaged in business
15 as a retailer of cigarettes at the rate of 7 mills per
16 cigarette sold or otherwise disposed of in the course of such
17 business in this State. On and after December 15, 1997, in
18 addition to any other tax imposed by this Act, a tax is imposed
19 upon any person engaged in business as a retailer of cigarettes
20 at the rate of 7 mills per cigarette sold or otherwise disposed
21 of in the course of such business of this State. All of the
22 moneys received by the Department of Revenue pursuant to this
23 Act and the Cigarette Use Tax Act from the additional taxes
24 imposed by this amendatory Act of 1997, shall be paid each
25 month into the Common School Fund. On and after July 1, 2002,
26 in addition to any other tax imposed by this Act, a tax is
27 imposed upon any person engaged in business as a retailer of
28 cigarettes at the rate of 20.0 mills per cigarette sold or
29 otherwise disposed of in the course of such business in this
30 State. The payment of such taxes shall be evidenced by a stamp
31 affixed to each original package of cigarettes, or an
32 authorized substitute for such stamp imprinted on each original
33 package of such cigarettes underneath the sealed transparent
34 outside wrapper of such original package, as hereinafter
35 provided. However, such taxes are not imposed upon any activity
36 in such business in interstate commerce or otherwise, which

1 activity may not under the Constitution and statutes of the
2 United States be made the subject of taxation by this State.

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

35 Beginning on July 1, 2006, all of the moneys received by
36 the Department of Revenue pursuant to this Act and the

1 Cigarette Use Tax Act, other than the moneys that are dedicated
2 to the Common School Fund, shall be distributed each month as
3 follows: first, there shall be paid into the General Revenue
4 Fund an amount that, when added to the amount paid into the
5 Common School Fund for that month, equals \$29,200,000; then,
6 from the moneys remaining, if any amounts required to be paid
7 into the General Revenue Fund in previous months remain unpaid,
8 those amounts shall be paid into the General Revenue Fund; then
9 from the moneys remaining, \$5,000,000 per month shall be paid
10 into the School Infrastructure Fund; then, if any amounts
11 required to be paid into the School Infrastructure Fund in
12 previous months remain unpaid, those amounts shall be paid into
13 the School Infrastructure Fund; then the moneys remaining, if
14 any, shall be paid into the Long-Term Care Provider Fund.

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

24 The impact of the tax levied by this Act is imposed upon
25 the retailer and shall be prepaid or pre-collected by the
26 distributor for the purpose of convenience and facility only,
27 and the amount of the tax shall be added to the price of the
28 cigarettes sold by such distributor. Collection of the tax
29 shall be evidenced by a stamp or stamps affixed to each
30 original package of cigarettes, as hereinafter provided.

31 Each distributor shall collect the tax from the retailer at
32 or before the time of the sale, shall affix the stamps as
33 hereinafter required, and shall remit the tax collected from
34 retailers to the Department, as hereinafter provided. Any
35 distributor who fails to properly collect and pay the tax
36 imposed by this Act shall be liable for the tax. Any

1 distributor having cigarettes to which stamps have been affixed
2 in his possession for sale on the effective date of this
3 amendatory Act of 1989 shall not be required to pay the
4 additional tax imposed by this amendatory Act of 1989 on such
5 stamped cigarettes. Any distributor having cigarettes to which
6 stamps have been affixed in his or her possession for sale at
7 12:01 a.m. on the effective date of this amendatory Act of
8 1993, is required to pay the additional tax imposed by this
9 amendatory Act of 1993 on such stamped cigarettes. This
10 payment, less the discount provided in subsection (b), shall be
11 due when the distributor first makes a purchase of cigarette
12 tax stamps after the effective date of this amendatory Act of
13 1993, or on the first due date of a return under this Act after
14 the effective date of this amendatory Act of 1993, whichever
15 occurs first. Any distributor having cigarettes to which stamps
16 have been affixed in his possession for sale on December 15,
17 1997 shall not be required to pay the additional tax imposed by
18 this amendatory Act of 1997 on such stamped cigarettes.

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

24 The amount of the Cigarette Tax imposed by this Act shall
25 be separately stated, apart from the price of the goods, by
26 both distributors and retailers, in all advertisements, bills
27 and sales invoices.

28 (b) The distributor shall be required to collect the taxes
29 provided under paragraph (a) hereof, and, to cover the costs of
30 such collection, shall be allowed a discount during any year
31 commencing July 1st and ending the following June 30th in
32 accordance with the schedule set out hereinbelow, which
33 discount shall be allowed at the time of purchase of the stamps
34 when purchase is required by this Act, or at the time when the
35 tax is remitted to the Department without the purchase of
36 stamps from the Department when that method of paying the tax

1 is required or authorized by this Act. Prior to December 1,
2 1985, a discount equal to 1 2/3% of the amount of the tax up to
3 and including the first \$700,000 paid hereunder by such
4 distributor to the Department during any such year; 1 1/3% of
5 the next \$700,000 of tax or any part thereof, paid hereunder by
6 such distributor to the Department during any such year; 1% of
7 the next \$700,000 of tax, or any part thereof, paid hereunder
8 by such distributor to the Department during any such year, and
9 2/3 of 1% of the amount of any additional tax paid hereunder by
10 such distributor to the Department during any such year shall
11 apply. On and after December 1, 1985, a discount equal to 1.75%
12 of the amount of the tax payable under this Act up to and
13 including the first \$3,000,000 paid hereunder by such
14 distributor to the Department during any such year and 1.5% of
15 the amount of any additional tax paid hereunder by such
16 distributor to the Department during any such year shall apply.

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

21 (c) The taxes herein imposed are in addition to all other
22 occupation or privilege taxes imposed by the State of Illinois,
23 or by any political subdivision thereof, or by any municipal
24 corporation.

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

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

28 (35 ILCS 505/8) (from Ch. 120, par. 424)

29 Sec. 8. Except as provided in Section 8a, subdivision
30 (h) (1) of Section 12a, Section 13a.6, and items 13, 14, 15, and
31 16 of Section 15, all money received by the Department under
32 this Act, including payments made to the Department by member
33 jurisdictions participating in the International Fuel Tax
34 Agreement, shall be deposited in a special fund in the State

1 treasury, to be known as the "Motor Fuel Tax Fund", and shall
2 be used as follows:

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

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

11 (c) \$2,250,000 shall be transferred each month to the Grade
12 Crossing Protection Fund to be used as follows: not less than
13 \$6,000,000 each fiscal year shall be used for the construction
14 or reconstruction of rail highway grade separation structures;
15 \$2,250,000 in fiscal year 2004 and each fiscal year thereafter
16 shall be transferred to the Transportation Regulatory Fund and
17 shall be accounted for as part of the rail carrier portion of
18 such funds and shall be used to pay the cost of administration
19 of the Illinois Commerce Commission's railroad safety program
20 in connection with its duties under subsection (3) of Section
21 18c-7401 of the Illinois Vehicle Code, with the remainder to be
22 used by the Department of Transportation upon order of the
23 Illinois Commerce Commission, to pay that part of the cost
24 apportioned by such Commission to the State to cover the
25 interest of the public in the use of highways, roads, streets,
26 or pedestrian walkways in the county highway system, township
27 and district road system, or municipal street system as defined
28 in the Illinois Highway Code, as the same may from time to time
29 be amended, for separation of grades, for installation,
30 construction or reconstruction of crossing protection or
31 reconstruction, alteration, relocation including construction
32 or improvement of any existing highway necessary for access to
33 property or improvement of any grade crossing including the
34 necessary highway approaches thereto of any railroad across the
35 highway or public road, or for the installation, construction,
36 reconstruction, or maintenance of a pedestrian walkway over or

1 under a railroad right-of-way, as provided for in and in
2 accordance with Section 18c-7401 of the Illinois Vehicle Code.
3 The Commission shall not order more than \$2,000,000 per year in
4 Grade Crossing Protection Fund moneys for pedestrian walkways.
5 In entering orders for projects for which payments from the
6 Grade Crossing Protection Fund will be made, the Commission
7 shall account for expenditures authorized by the orders on a
8 cash rather than an accrual basis. For purposes of this
9 requirement an "accrual basis" assumes that the total cost of
10 the project is expended in the fiscal year in which the order
11 is entered, while a "cash basis" allocates the cost of the
12 project among fiscal years as expenditures are actually made.
13 To meet the requirements of this subsection, the Illinois
14 Commerce Commission shall develop annual and 5-year project
15 plans of rail crossing capital improvements that will be paid
16 for with moneys from the Grade Crossing Protection Fund. The
17 annual project plan shall identify projects for the succeeding
18 fiscal year and the 5-year project plan shall identify projects
19 for the 5 directly succeeding fiscal years. The Commission
20 shall submit the annual and 5-year project plans for this Fund
21 to the Governor, the President of the Senate, the Senate
22 Minority Leader, the Speaker of the House of Representatives,
23 and the Minority Leader of the House of Representatives on the
24 first Wednesday in April of each year;

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

28 (1) the costs of the Department of Revenue in
29 administering this Act;

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

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

1 (4) from October 1, 1985 until June 30, 1994, the
2 administration of the Vehicle Emissions Inspection Law,
3 which amount shall be certified monthly by the
4 Environmental Protection Agency to the State Comptroller
5 and shall promptly be transferred by the State Comptroller
6 and Treasurer from the Motor Fuel Tax Fund to the Vehicle
7 Inspection Fund, and for the period July 1, 1994 through
8 June 30, 2000, one-twelfth of \$25,000,000 each month, for
9 the period July 1, 2000 through June 30, 2003, one-twelfth
10 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,
11 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each
12 July 1 and October 1, or as soon thereafter as may be
13 practical, during the period July 1, 2004 through June 30,
14 2008 ~~2006~~, for the administration of the Vehicle Emissions
15 Inspection Law of 1995, to be transferred by the State
16 Comptroller and Treasurer from the Motor Fuel Tax Fund into
17 the Vehicle Inspection Fund;

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

19 (6) payment of motor fuel use taxes due to member
20 jurisdictions under the terms of the International Fuel Tax
21 Agreement. The Department shall certify these amounts to
22 the Comptroller by the 15th day of each month; the
23 Comptroller shall cause orders to be drawn for such
24 amounts, and the Treasurer shall administer those amounts
25 on or before the last day of each month;

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

29 (1) Until January 1, 2000, 58.4%, and beginning January
30 1, 2000, 45.6% shall be deposited as follows:

31 (A) 37% into the State Construction Account Fund,
32 and

33 (B) 63% into the Road Fund, \$1,250,000 of which
34 shall be reserved each month for the Department of
35 Transportation to be used in accordance with the
36 provisions of Sections 6-901 through 6-906 of the

1 Illinois Highway Code;

2 (2) Until January 1, 2000, 41.6%, and beginning January
3 1, 2000, 54.4% shall be transferred to the Department of
4 Transportation to be distributed as follows:

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

6 (B) 16.74% to the counties of the State having
7 1,000,000 or more inhabitants,

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

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

11 As soon as may be after the first day of each month the
12 Department of Transportation shall allot to each municipality
13 its share of the amount apportioned to the several
14 municipalities which shall be in proportion to the population
15 of such municipalities as determined by the last preceding
16 municipal census if conducted by the Federal Government or
17 Federal census. If territory is annexed to any municipality
18 subsequent to the time of the last preceding census the
19 corporate authorities of such municipality may cause a census
20 to be taken of such annexed territory and the population so
21 ascertained for such territory shall be added to the population
22 of the municipality as determined by the last preceding census
23 for the purpose of determining the allotment for that
24 municipality. If the population of any municipality was not
25 determined by the last Federal census preceding any
26 apportionment, the apportionment to such municipality shall be
27 in accordance with any census taken by such municipality. Any
28 municipal census used in accordance with this Section shall be
29 certified to the Department of Transportation by the clerk of
30 such municipality, and the accuracy thereof shall be subject to
31 approval of the Department which may make such corrections as
32 it ascertains to be necessary.

33 As soon as may be after the first day of each month the
34 Department of Transportation shall allot to each county its
35 share of the amount apportioned to the several counties of the
36 State as herein provided. Each allotment to the several

1 counties having less than 1,000,000 inhabitants shall be in
2 proportion to the amount of motor vehicle license fees received
3 from the residents of such counties, respectively, during the
4 preceding calendar year. The Secretary of State shall, on or
5 before April 15 of each year, transmit to the Department of
6 Transportation a full and complete report showing the amount of
7 motor vehicle license fees received from the residents of each
8 county, respectively, during the preceding calendar year. The
9 Department of Transportation shall, each month, use for
10 allotment purposes the last such report received from the
11 Secretary of State.

12 As soon as may be after the first day of each month, the
13 Department of Transportation shall allot to the several
14 counties their share of the amount apportioned for the use of
15 road districts. The allotment shall be apportioned among the
16 several counties in the State in the proportion which the total
17 mileage of township or district roads in the respective
18 counties bears to the total mileage of all township and
19 district roads in the State. Funds allotted to the respective
20 counties for the use of road districts therein shall be
21 allocated to the several road districts in the county in the
22 proportion which the total mileage of such township or district
23 roads in the respective road districts bears to the total
24 mileage of all such township or district roads in the county.
25 After July 1 of any year, no allocation shall be made for any
26 road district unless it levied a tax for road and bridge
27 purposes in an amount which will require the extension of such
28 tax against the taxable property in any such road district at a
29 rate of not less than either .08% of the value thereof, based
30 upon the assessment for the year immediately prior to the year
31 in which such tax was levied and as equalized by the Department
32 of Revenue or, in DuPage County, an amount equal to or greater
33 than \$12,000 per mile of road under the jurisdiction of the
34 road district, whichever is less. If any road district has
35 levied a special tax for road purposes pursuant to Sections
36 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such

1 tax was levied in an amount which would require extension at a
2 rate of not less than .08% of the value of the taxable property
3 thereof, as equalized or assessed by the Department of Revenue,
4 or, in DuPage County, an amount equal to or greater than
5 \$12,000 per mile of road under the jurisdiction of the road
6 district, whichever is less, such levy shall, however, be
7 deemed a proper compliance with this Section and shall qualify
8 such road district for an allotment under this Section. If a
9 township has transferred to the road and bridge fund money
10 which, when added to the amount of any tax levy of the road
11 district would be the equivalent of a tax levy requiring
12 extension at a rate of at least .08%, or, in DuPage County, an
13 amount equal to or greater than \$12,000 per mile of road under
14 the jurisdiction of the road district, whichever is less, such
15 transfer, together with any such tax levy, shall be deemed a
16 proper compliance with this Section and shall qualify the road
17 district for an allotment under this Section.

18 In counties in which a property tax extension limitation is
19 imposed under the Property Tax Extension Limitation Law, road
20 districts may retain their entitlement to a motor fuel tax
21 allotment if, at the time the property tax extension limitation
22 was imposed, the road district was levying a road and bridge
23 tax at a rate sufficient to entitle it to a motor fuel tax
24 allotment and continues to levy the maximum allowable amount
25 after the imposition of the property tax extension limitation.
26 Any road district may in all circumstances retain its
27 entitlement to a motor fuel tax allotment if it levied a road
28 and bridge tax in an amount that will require the extension of
29 the tax against the taxable property in the road district at a
30 rate of not less than 0.08% of the assessed value of the
31 property, based upon the assessment for the year immediately
32 preceding the year in which the tax was levied and as equalized
33 by the Department of Revenue or, in DuPage County, an amount
34 equal to or greater than \$12,000 per mile of road under the
35 jurisdiction of the road district, whichever is less.

36 As used in this Section the term "road district" means any

1 road district, including a county unit road district, provided
2 for by the Illinois Highway Code; and the term "township or
3 district road" means any road in the township and district road
4 system as defined in the Illinois Highway Code. For the
5 purposes of this Section, "road district" also includes park
6 districts, forest preserve districts and conservation
7 districts organized under Illinois law and "township or
8 district road" also includes such roads as are maintained by
9 park districts, forest preserve districts and conservation
10 districts. The Department of Transportation shall determine
11 the mileage of all township and district roads for the purposes
12 of making allotments and allocations of motor fuel tax funds
13 for use in road districts.

14 Payment of motor fuel tax moneys to municipalities and
15 counties shall be made as soon as possible after the allotment
16 is made. The treasurer of the municipality or county may invest
17 these funds until their use is required and the interest earned
18 by these investments shall be limited to the same uses as the
19 principal funds.

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

22 Section 5-70. The Illinois Pension Code is amended by
23 changing Sections 2-124, 14-108.6, 14-131, 15-155, 16-158, and
24 18-131 as follows:

25 (40 ILCS 5/2-124) (from Ch. 108 1/2, par. 2-124)

26 Sec. 2-124. Contributions by State.

27 (a) The State shall make contributions to the System by
28 appropriations of amounts which, together with the
29 contributions of participants, interest earned on investments,
30 and other income will meet the cost of maintaining and
31 administering the System on a 90% funded basis in accordance
32 with actuarial recommendations.

33 (b) The Board shall determine the amount of State
34 contributions required for each fiscal year on the basis of the

1 actuarial tables and other assumptions adopted by the Board and
2 the prescribed rate of interest, using the formula in
3 subsection (c).

4 (c) For State fiscal years 2011 through 2045, the minimum
5 contribution to the System to be made by the State for each
6 fiscal year shall be an amount determined by the System to be
7 sufficient to bring the total assets of the System up to 90% of
8 the total actuarial liabilities of the System by the end of
9 State fiscal year 2045. In making these determinations, the
10 required State contribution shall be calculated each year as a
11 level percentage of payroll over the years remaining to and
12 including fiscal year 2045 and shall be determined under the
13 projected unit credit actuarial cost method.

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

19 Notwithstanding any other provision of this Article, the
20 total required State contribution for State fiscal year 2006 is
21 \$4,157,000.

22 Notwithstanding any other provision of this Article, the
23 total required State contribution for State fiscal year 2007 is
24 \$5,220,300.

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

31 Beginning in State fiscal year 2046, the minimum State
32 contribution for each fiscal year shall be the amount needed to
33 maintain the total assets of the System at 90% of the total
34 actuarial liabilities of the System.

35 Amounts received by the System pursuant to Section 25 of
36 the Budget Stabilization Act in any fiscal year do not reduce

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

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

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

1 Sec. 14-108.6. Alternative retirement cancellation
2 payment.

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

5 (1) be a member of this System who, as of June 1, 2006
6 ~~July 1, 2005~~, was (i) in active payroll status as an
7 employee in a position listed in subsection (b) of this
8 Section and continuously employed in a position listed in
9 subsection (b) on and after January 1, 2006 ~~2005~~ and (ii)
10 an active contributor to this System with respect to that
11 employment;

12 (2) have not previously received any retirement
13 annuity under this Article;

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

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

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

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

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

36 911 Analyst III; Brickmason; Account Clerk I and II;

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

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

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

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

1 Radio Technician Program Coordinator; Office Administrator
2 1 through 5; Realty Specialist I through V; Office Aide;
3 Receptionist; Office Assistant; Regional Manager; Office
4 Associate; Regulatory Accountant IV; Office Clerk;
5 Reimbursement Officer 1 and 2; Office Coordinator;
6 Representative I and II; Office Manager; Representative
7 Trainee; Office Occupations Trainee; School Construction
8 Manager; Office Specialist; Secretary I and IV; Operations
9 Communications Specialist I and II; Security Guard; Senior
10 Economic Analyst; Security Supervisor; Senior Editor;
11 Systems Developer I through IV; Senior Electrical
12 Engineer; Systems Developer Trainee; Senior Financial &
13 Budget Assistant; Systems Engineer I through IV; Senior Gas
14 Engineer; Systems Engineer Trainee; Senior Policy Analyst;
15 Tariff & Order Coordinator; Senior Programs Analyst;
16 Tariff Administrator III; Senior Project Consultant;
17 Tariff Analyst IV; Senior Project Manager; Teacher of
18 Barbering; Senior Public Information Officer; Teacher of
19 Beauty Culture; Senior Public Service Administrator;
20 Technical Advisor 2 and 3; Senior Rate Analyst; Technical
21 Advisor I through VII; Senior Technical Assistant;
22 Technical Analyst; Technical Manager VII ± through IX;
23 Senior Technical Supervisor; Technical Assistant; Senior
24 Technology Specialist; Technical Manager 1; Senior
25 Transportation Industry Analyst; Technical Manager I
26 through X; Sewage Plant Operator; Technical Specialist;
27 Sign Hanger; Technical Support Specialist; Sign Hanger
28 Foreman; Technical Specialist I thru III; Sign Painter;
29 Technician Trainee; Sign Shop Foreman; Telecom Systems
30 Analyst; Silk Screen Operator; Telecom Systems Consultant;
31 Senior Administrative Assistant; Telecom Systems
32 Technician 1 and 2; Site Superintendent; Telecommunication
33 Supervisor; Software Architect; Tinsmith; Special
34 Assistant; Trades Tender; Special Assistant to the
35 Executive Director; Training Coordinator; Staff
36 Development Specialist I; Transportation Counsel; Staff

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

34 (2) In addition, any position titles with the Speaker
35 of the House of Representatives, the Minority Leader of the
36 House of Representatives, the President of the Senate, the

1 Minority Leader of the Senate, the Attorney General, the
2 Secretary of State, the Comptroller, the Treasurer, the
3 Auditor General, the Supreme Court, the Court of Claims,
4 and each legislative agency are eligible for the
5 alternative retirement cancellation payment provided in
6 this Section.

7 (c) In lieu of any retirement annuity or other benefit
8 provided under this Article, a person who qualifies for and
9 elects to receive the alternative retirement cancellation
10 payment under this Section shall be entitled to receive a
11 one-time lump sum retirement cancellation payment equal to the
12 amount of his or her contributions to the System (including any
13 employee contributions for optional service credit and
14 including any employee contributions paid by the employer or
15 credited to the employee during disability) as of the date of
16 termination, with regular interest, multiplied by 2.

17 (d) Notwithstanding any other provision of this Article, a
18 person who receives an alternative retirement cancellation
19 payment under this Section thereby forfeits the right to any
20 other retirement or disability benefit or refund under this
21 Article, and no widow's, survivor's, or death benefit deriving
22 from that person shall be payable under this Article. Upon
23 accepting an alternative retirement cancellation payment under
24 this Section, the person's creditable service and all other
25 rights in the System are terminated for all purposes, except
26 for the purpose of determining State group life and health
27 benefits for the person and his or her survivors as provided
28 under the State Employees Group Insurance Act of 1971.

29 (e) To the extent permitted by federal law, a person who
30 receives an alternative retirement cancellation payment under
31 this Section may direct the System to pay all or a portion of
32 that payment as a rollover into another retirement plan or
33 account qualified under the Internal Revenue Code of 1986, as
34 amended.

35 (f) Notwithstanding Section 14-111, a person who has
36 received an alternative retirement cancellation payment under

1 this Section and who reenters service under this Article other
2 than as a temporary employee must repay to the System the
3 amount by which that alternative retirement cancellation
4 payment exceeded the amount of his or her refundable employee
5 contributions within 60 days of resuming employment under this
6 System. For the purposes of re-establishing creditable service
7 that was terminated upon election of the alternative retirement
8 cancellation payment, the portion of the alternative
9 retirement cancellation payment representing refundable
10 employee contributions shall be deemed a refund repayable in
11 accordance with Section 14-130.

12 (g) The Commission on Government Forecasting and
13 Accountability shall determine and report to the Governor and
14 the General Assembly, on or before January 1, 2008 ~~2007~~, its
15 estimate of (1) the annual amount of payroll savings likely to
16 be realized by the State as a result of the early termination
17 of persons receiving the alternative retirement cancellation
18 payment under this Section and (2) the net annual savings or
19 cost to the State from the program of alternative retirement
20 cancellation payments under this Section.

21 The System, the Department of Central Management Services,
22 the Governor's Office of Management and Budget, and all other
23 departments shall provide to the Commission any assistance that
24 the Commission may request with respect to its report under
25 this Section. The Commission may require departments to provide
26 it with any information that it deems necessary or useful with
27 respect to its reports under this Section, including without
28 limitation information about (1) the final earnings of former
29 department employees who elected to receive alternative
30 retirement cancellation payments under this Section, (2) the
31 earnings of current department employees holding the positions
32 vacated by persons who elected to receive alternative
33 retirement cancellation payments under this Section, and (3)
34 positions vacated by persons who elected to receive alternative
35 retirement cancellation payments under this Section that have
36 not yet been refilled.

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

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

3 Sec. 14-131. Contributions by State.

4 (a) The State shall make contributions to the System by
5 appropriations of amounts which, together with other employer
6 contributions from trust, federal, and other funds, employee
7 contributions, investment income, and other income, will be
8 sufficient to meet the cost of maintaining and administering
9 the System on a 90% funded basis in accordance with actuarial
10 recommendations.

11 For the purposes of this Section and Section 14-135.08,
12 references to State contributions refer only to employer
13 contributions and do not include employee contributions that
14 are picked up or otherwise paid by the State or a department on
15 behalf of the employee.

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

20 The Board shall also determine a State contribution rate
21 for each fiscal year, expressed as a percentage of payroll,
22 based on the total required State contribution for that fiscal
23 year (less the amount received by the System from
24 appropriations under Section 8.12 of the State Finance Act and
25 Section 1 of the State Pension Funds Continuing Appropriation
26 Act, if any, for the fiscal year ending on the June 30
27 immediately preceding the applicable November 15 certification
28 deadline), the estimated payroll (including all forms of
29 compensation) for personal services rendered by eligible
30 employees, and the recommendations of the actuary.

31 For the purposes of this Section and Section 14.1 of the
32 State Finance Act, the term "eligible employees" includes
33 employees who participate in the System, persons who may elect
34 to participate in the System but have not so elected, persons
35 who are serving a qualifying period that is required for

1 participation, and annuitants employed by a department as
2 described in subdivision (a) (1) or (a) (2) of Section 14-111.

3 (c) Contributions shall be made by the several departments
4 for each pay period by warrants drawn by the State Comptroller
5 against their respective funds or appropriations based upon
6 vouchers stating the amount to be so contributed. These amounts
7 shall be based on the full rate certified by the Board under
8 Section 14-135.08 for that fiscal year. From the effective date
9 of this amendatory Act of the 93rd General Assembly through the
10 payment of the final payroll from fiscal year 2004
11 appropriations, the several departments shall not make
12 contributions for the remainder of fiscal year 2004 but shall
13 instead make payments as required under subsection (a-1) of
14 Section 14.1 of the State Finance Act. The several departments
15 shall resume those contributions at the commencement of fiscal
16 year 2005.

17 (d) If an employee is paid from trust funds or federal
18 funds, the department or other employer shall pay employer
19 contributions from those funds to the System at the certified
20 rate, unless the terms of the trust or the federal-State
21 agreement preclude the use of the funds for that purpose, in
22 which case the required employer contributions shall be paid by
23 the State. From the effective date of this amendatory Act of
24 the 93rd General Assembly through the payment of the final
25 payroll from fiscal year 2004 appropriations, the department or
26 other employer shall not pay contributions for the remainder of
27 fiscal year 2004 but shall instead make payments as required
28 under subsection (a-1) of Section 14.1 of the State Finance
29 Act. The department or other employer shall resume payment of
30 contributions at the commencement of fiscal year 2005.

31 (e) For State fiscal years 2011 through 2045, the minimum
32 contribution to the System to be made by the State for each
33 fiscal year shall be an amount determined by the System to be
34 sufficient to bring the total assets of the System up to 90% of
35 the total actuarial liabilities of the System by the end of
36 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; except that (i) for State
10 fiscal year 1998, for all purposes of this Code and any other
11 law of this State, the certified percentage of the applicable
12 employee payroll shall be 5.052% for employees earning eligible
13 creditable service under Section 14-110 and 6.500% for all
14 other employees, notwithstanding any contrary certification
15 made under Section 14-135.08 before the effective date of this
16 amendatory Act of 1997, and (ii) in the following specified
17 State fiscal years, the State contribution to the System shall
18 not be less than the following indicated percentages of the
19 applicable employee payroll, even if the indicated percentage
20 will produce a State contribution in excess of the amount
21 otherwise required under this subsection and subsection (a):
22 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY
23 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

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

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

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

36 Beginning in State fiscal year 2046, the minimum State

1 contribution for each fiscal year shall be the amount needed to
2 maintain the total assets of the System at 90% of the total
3 actuarial liabilities of the System.

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

15 Notwithstanding any other provision of this Section, the
16 required State contribution for State fiscal year 2005 and for
17 fiscal year 2008 and each fiscal year thereafter, as calculated
18 under this Section and certified under Section 14-135.08, shall
19 not exceed an amount equal to (i) the amount of the required
20 State contribution that would have been calculated under this
21 Section for that fiscal year if the System had not received any
22 payments under subsection (d) of Section 7.2 of the General
23 Obligation Bond Act, minus (ii) the portion of the State's
24 total debt service payments for that fiscal year on the bonds
25 issued for the purposes of that Section 7.2, as determined and
26 certified by the Comptroller, that is the same as the System's
27 portion of the total moneys distributed under subsection (d) of
28 Section 7.2 of the General Obligation Bond Act. In determining
29 this maximum for State fiscal years 2008 through 2010, however,
30 the amount referred to in item (i) shall be increased, as a
31 percentage of the applicable employee payroll, in equal
32 increments calculated from the sum of the required State
33 contribution for State fiscal year 2007 plus the applicable
34 portion of the State's total debt service payments for fiscal
35 year 2007 on the bonds issued for the purposes of Section 7.2
36 of the General Obligation Bond Act, so that, by State fiscal

1 year 2011, the State is contributing at the rate otherwise
2 required under this Section.

3 (f) After the submission of all payments for eligible
4 employees from personal services line items in fiscal year 2004
5 have been made, the Comptroller shall provide to the System a
6 certification of the sum of all fiscal year 2004 expenditures
7 for personal services that would have been covered by payments
8 to the System under this Section if the provisions of this
9 amendatory Act of the 93rd General Assembly had not been
10 enacted. Upon receipt of the certification, the System shall
11 determine the amount due to the System based on the full rate
12 certified by the Board under Section 14-135.08 for fiscal year
13 2004 in order to meet the State's obligation under this
14 Section. The System shall compare this amount due to the amount
15 received by the System in fiscal year 2004 through payments
16 under this Section and under Section 6z-61 of the State Finance
17 Act. If the amount due is more than the amount received, the
18 difference shall be termed the "Fiscal Year 2004 Shortfall" for
19 purposes of this Section, and the Fiscal Year 2004 Shortfall
20 shall be satisfied under Section 1.2 of the State Pension Funds
21 Continuing Appropriation Act. If the amount due is less than
22 the amount received, the difference shall be termed the "Fiscal
23 Year 2004 Overpayment" for purposes of this Section, and the
24 Fiscal Year 2004 Overpayment shall be repaid by the System to
25 the Pension Contribution Fund as soon as practicable after the
26 certification.

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

29 (40 ILCS 5/15-155) (from Ch. 108 1/2, par. 15-155)

30 Sec. 15-155. Employer contributions.

31 (a) The State of Illinois shall make contributions by
32 appropriations of amounts which, together with the other
33 employer contributions from trust, federal, and other funds,
34 employee contributions, income from investments, and other
35 income of this System, will be sufficient to meet the cost of

1 maintaining and administering the System on a 90% funded basis
2 in accordance with actuarial recommendations.

3 The Board shall determine the amount of State contributions
4 required for each fiscal year on the basis of the actuarial
5 tables and other assumptions adopted by the Board and the
6 recommendations of the actuary, using the formula in subsection
7 (a-1).

8 (a-1) For State fiscal years 2011 through 2045, the minimum
9 contribution to the System to be made by the State for each
10 fiscal year shall be an amount determined by the System to be
11 sufficient to bring the total assets of the System up to 90% of
12 the total actuarial liabilities of the System by the end of
13 State fiscal year 2045. In making these determinations, the
14 required State contribution shall be calculated each year as a
15 level percentage of payroll over the years remaining to and
16 including fiscal year 2045 and shall be determined under the
17 projected unit credit actuarial cost method.

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

23 Notwithstanding any other provision of this Article, the
24 total required State contribution for State fiscal year 2006 is
25 \$166,641,900.

26 Notwithstanding any other provision of this Article, the
27 total required State contribution for State fiscal year 2007 is
28 \$252,064,100.

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.

35 Beginning in State fiscal year 2046, the minimum State
36 contribution for each fiscal year shall be the amount needed to

1 maintain the total assets of the System at 90% of the total
2 actuarial liabilities of the System.

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

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

1 required under this Section.

2 (b) If an employee is paid from trust or federal funds, the
3 employer shall pay to the Board contributions from those funds
4 which are sufficient to cover the accruing normal costs on
5 behalf of the employee. However, universities having employees
6 who are compensated out of local auxiliary funds, income funds,
7 or service enterprise funds are not required to pay such
8 contributions on behalf of those employees. The local auxiliary
9 funds, income funds, and service enterprise funds of
10 universities shall not be considered trust funds for the
11 purpose of this Article, but funds of alumni associations,
12 foundations, and athletic associations which are affiliated
13 with the universities included as employers under this Article
14 and other employers which do not receive State appropriations
15 are considered to be trust funds for the purpose of this
16 Article.

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

30 (c) Through State fiscal year 1995: The total employer
31 contribution shall be apportioned among the various funds of
32 the State and other employers, whether trust, federal, or other
33 funds, in accordance with actuarial procedures approved by the
34 Board. State of Illinois contributions for employers receiving
35 State appropriations for personal services shall be payable
36 from appropriations made to the employers or to the System. The

1 contributions for Class I community colleges covering earnings
2 other than those paid from trust and federal funds, shall be
3 payable solely from appropriations to the Illinois Community
4 College Board or the System for employer contributions.

5 (d) Beginning in State fiscal year 1996, the required State
6 contributions to the System shall be appropriated directly to
7 the System and shall be payable through vouchers issued in
8 accordance with subsection (c) of Section 15-165, except as
9 provided in subsection (g).

10 (e) The State Comptroller shall draw warrants payable to
11 the System upon proper certification by the System or by the
12 employer in accordance with the appropriation laws and this
13 Code.

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

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

1 begins receiving benefits under this Article.

2 The provisions of this subsection (g) do not apply to
3 earnings increases paid to participants under contracts or
4 collective bargaining agreements entered into, amended, or
5 renewed before the effective date of this amendatory Act of the
6 94th General Assembly.

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

8 (40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

9 Sec. 16-158. Contributions by State and other employing
10 units.

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

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

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

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

34 On or before July 1, 2005, the Board shall recalculate and
35 recertify to the Governor the amount of the required State

1 contribution to the System for State fiscal year 2006, taking
2 into account the changes in required State contributions made
3 by this amendatory Act of the 94th General Assembly.

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

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

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

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

33 (b-3) For State fiscal years 2011 through 2045, the minimum
34 contribution to the System to be made by the State for each
35 fiscal year shall be an amount determined by the System to be
36 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; except that in the
12 following specified State fiscal years, the State contribution
13 to the System shall not be less than the following indicated
14 percentages of the applicable employee payroll, even if the
15 indicated percentage will produce a State contribution in
16 excess of the amount otherwise required under this subsection
17 and subsection (a), and notwithstanding any contrary
18 certification made under subsection (a-1) before the effective
19 date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77%
20 in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY
21 2003; and 13.56% in FY 2004.

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

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

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

34 Beginning in State fiscal year 2046, the minimum State
35 contribution for each fiscal year shall be the amount needed to
36 maintain the total assets of the System at 90% of the total

1 actuarial liabilities of the System.

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

13 Notwithstanding any other provision of this Section, the
14 required State contribution for State fiscal year 2005 and for
15 fiscal year 2008 and each fiscal year thereafter, as calculated
16 under this Section and certified under subsection (a-1), shall
17 not exceed an amount equal to (i) the amount of the required
18 State contribution that would have been calculated under this
19 Section for that fiscal year if the System had not received any
20 payments under subsection (d) of Section 7.2 of the General
21 Obligation Bond Act, minus (ii) the portion of the State's
22 total debt service payments for that fiscal year on the bonds
23 issued for the purposes of that Section 7.2, as determined and
24 certified by the Comptroller, that is the same as the System's
25 portion of the total moneys distributed under subsection (d) of
26 Section 7.2 of the General Obligation Bond Act. In determining
27 this maximum for State fiscal years 2008 through 2010, however,
28 the amount referred to in item (i) shall be increased, as a
29 percentage of the applicable employee payroll, in equal
30 increments calculated from the sum of the required State
31 contribution for State fiscal year 2007 plus the applicable
32 portion of the State's total debt service payments for fiscal
33 year 2007 on the bonds issued for the purposes of Section 7.2
34 of the General Obligation Bond Act, so that, by State fiscal
35 year 2011, the State is contributing at the rate otherwise
36 required under this Section.

1 (c) Payment of the required State contributions and of all
2 pensions, retirement annuities, death benefits, refunds, and
3 other benefits granted under or assumed by this System, and all
4 expenses in connection with the administration and operation
5 thereof, are obligations of the State.

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

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

23 However, with respect to benefits granted under Section
24 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8)
25 of Section 16-106, the employer's contribution shall be 12%
26 (rather than 20%) of the member's highest annual salary rate
27 for each year of creditable service granted, and the employer
28 shall also pay the required employee contribution on behalf of
29 the teacher. For the purposes of Sections 16-133.4 and
30 16-133.5, a teacher as defined in paragraph (8) of Section
31 16-106 who is serving in that capacity while on leave of
32 absence from another employer under this Article shall not be
33 considered an employee of the employer from which the teacher
34 is on leave.

35 (e) Beginning July 1, 1998, every employer of a teacher
36 shall pay to the System an employer contribution computed as

1 follows:

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

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

8 The school district or other employing unit may pay these
9 employer contributions out of any source of funding available
10 for that purpose and shall forward the contributions to the
11 System on the schedule established for the payment of member
12 contributions.

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

16 Each employer of teachers is entitled to a credit against
17 the contributions required under this subsection (e) with
18 respect to salaries paid to teachers for the period January 1,
19 2002 through June 30, 2003, equal to the amount paid by that
20 employer under subsection (a-5) of Section 6.6 of the State
21 Employees Group Insurance Act of 1971 with respect to salaries
22 paid to teachers for that period.

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

28 If an employer is required by a contract in effect on May
29 1, 1998 between the employer and an employee organization to
30 pay, on behalf of all its full-time employees covered by this
31 Article, all mandatory employee contributions required under
32 this Article, then the employer shall be excused from paying
33 the employer contribution required under this subsection (e)
34 for the balance of the term of that contract. The employer and
35 the employee organization shall jointly certify to the System
36 the existence of the contractual requirement, in such form as

1 the System may prescribe. This exclusion shall cease upon the
2 termination, extension, or renewal of the contract at any time
3 after May 1, 1998.

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

20 The provisions of this subsection (f) do not apply to
21 salary increases paid to teachers under contracts or collective
22 bargaining agreements entered into, amended, or renewed before
23 the effective date of this amendatory Act of the 94th General
24 Assembly.

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

27 (40 ILCS 5/18-131) (from Ch. 108 1/2, par. 18-131)

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

29 (a) The State of Illinois shall make contributions to this
30 System by appropriations of the amounts which, together with
31 the contributions of participants, net earnings on
32 investments, and other income, will meet the costs of
33 maintaining and administering this System on a 90% funded basis
34 in accordance with actuarial recommendations.

35 (b) The Board shall determine the amount of State

1 contributions required for each fiscal year on the basis of the
2 actuarial tables and other assumptions adopted by the Board and
3 the prescribed rate of interest, using the formula in
4 subsection (c).

5 (c) For State fiscal years 2011 through 2045, the minimum
6 contribution to the System to be made by the State for each
7 fiscal year shall be an amount determined by the System to be
8 sufficient to bring the total assets of the System up to 90% of
9 the total actuarial liabilities of the System by the end of
10 State fiscal year 2045. In making these determinations, the
11 required State contribution shall be calculated each year as a
12 level percentage of payroll over the years remaining to and
13 including fiscal year 2045 and shall be determined under the
14 projected unit credit actuarial cost method.

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

20 Notwithstanding any other provision of this Article, the
21 total required State contribution for State fiscal year 2006 is
22 \$29,189,400.

23 Notwithstanding any other provision of this Article, the
24 total required State contribution for State fiscal year 2007 is
25 \$35,236,800.

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

32 Beginning in State fiscal year 2046, the minimum State
33 contribution for each fiscal year shall be the amount needed to
34 maintain the total assets of the System at 90% of the total
35 actuarial liabilities of the System.

36 Amounts received by the System pursuant to Section 25 of

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

11 Notwithstanding any other provision of this Section, the
12 required State contribution for State fiscal year 2005 and for
13 fiscal year 2008 and each fiscal year thereafter, as calculated
14 under this Section and certified under Section 18-140, shall
15 not exceed an amount equal to (i) the amount of the required
16 State contribution that would have been calculated under this
17 Section for that fiscal year if the System had not received any
18 payments under subsection (d) of Section 7.2 of the General
19 Obligation Bond Act, minus (ii) the portion of the State's
20 total debt service payments for that fiscal year on the bonds
21 issued for the purposes of that Section 7.2, as determined and
22 certified by the Comptroller, that is the same as the System's
23 portion of the total moneys distributed under subsection (d) of
24 Section 7.2 of the General Obligation Bond Act. In determining
25 this maximum for State fiscal years 2008 through 2010, however,
26 the amount referred to in item (i) shall be increased, as a
27 percentage of the applicable employee payroll, in equal
28 increments calculated from the sum of the required State
29 contribution for State fiscal year 2007 plus the applicable
30 portion of the State's total debt service payments for fiscal
31 year 2007 on the bonds issued for the purposes of Section 7.2
32 of the General Obligation Bond Act, so that, by State fiscal
33 year 2011, the State is contributing at the rate otherwise
34 required under this Section.

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

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

3 (40 ILCS 15/1.7 new)

4 Sec. 1.7. Appropriations from the Pension Stabilization
5 Fund.

6 (a) All of the moneys deposited from time to time into the
7 Pension Stabilization Fund are hereby appropriated, on a
8 continuing basis, to the State Comptroller for the purpose of
9 making distributions to the designated retirement systems as
10 provided in Section 25 of the Budget Stabilization Act.

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

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

16 (70 ILCS 3615/4.13) (from Ch. 111 2/3, par. 704.13)

17 Sec. 4.13. Annual Capital Improvement Plan.

18 (a) With respect to each calendar year, the Authority shall
19 prepare as part of its Five Year Program an Annual Capital
20 Improvement Plan (the "Plan") which shall describe its intended
21 development and implementation of the Strategic Capital
22 Improvement Program. The Plan shall include the following
23 information:

24 (i) a list of projects for which approval is sought
25 from the Governor, with a description of each project
26 stating at a minimum the project cost, its category, its
27 location and the entity responsible for its
28 implementation;

29 (ii) a certification by the Authority that the
30 Authority and the Service Boards have applied for all
31 grants, loans and other moneys made available by the
32 federal government or the State of Illinois during the
33 preceding federal and State fiscal years for financing its

1 capital development activities;

2 (iii) a certification that, as of September 30 of the
3 preceding calendar year or any later date, the balance of
4 all federal capital grant funds and all other funds to be
5 used as matching funds therefor which were committed to or
6 possessed by the Authority or a Service Board but which had
7 not been obligated was less than \$350,000,000, or a greater
8 amount as authorized in writing by the Governor (for
9 purposes of this subsection (a), "obligated" means
10 committed to be paid by the Authority or a Service Board
11 under a contract with a nongovernmental entity in
12 connection with the performance of a project or committed
13 under a force account plan approved by the federal
14 government);

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

18 (v) a schedule of all bonds or notes previously issued
19 for Strategic Capital Improvement Projects and all debt
20 service payments to be made with respect to all such bonds
21 and the estimated additional debt service payments through
22 June 30 of the following calendar year expected to result
23 from bonds to be sold prior thereto;

24 (vi) a long-range summary of the Strategic Capital
25 Improvement Program describing the projects to be funded
26 through the Program with respect to project cost, category,
27 location, and implementing entity, and presenting a
28 financial plan including an estimated time schedule for
29 obligating funds for the performance of approved projects,
30 issuing bonds, expending bond proceeds and paying debt
31 service throughout the duration of the Program; and

32 (vii) the source of funding for each project in the
33 Plan. For any project for which full funding has not yet
34 been secured and which is not subject to a federal full
35 funding contract, the Authority must identify alternative,
36 dedicated funding sources available to complete the

1 project. The Governor may waive this requirement on a
2 project by project basis.

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

10 (c) The Authority shall seek approval from the Governor
11 only through the Plan or an amendment thereto. The Authority
12 shall not request approval of the Plan from the Governor in any
13 calendar year in which it is unable to make the certifications
14 required under items (ii), (iii) and (iv) of subsection (a). In
15 no event shall the Authority seek approval of the Plan from the
16 Governor for projects in an aggregate amount exceeding the
17 proceeds of ~~authorization for~~ bonds or notes for Strategic
18 Capital Improvement Projects issued under Section 4.04 of this
19 Act.

20 (d) The Governor may approve the Plan for which approval is
21 requested. The Governor's approval is limited to the amount of
22 the project cost stated in the Plan. The Governor shall not
23 approve the Plan in a calendar year if the Authority is unable
24 to make the certifications required under items (ii), (iii) and
25 (iv) of subsection (a). In no event shall the Governor approve
26 the Plan for projects in an aggregate amount exceeding the
27 proceeds of ~~authorization for~~ bonds or notes for Strategic
28 Capital Improvement Projects issued under Section 4.04 of this
29 Act.

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

34 (f) Before the Authority or a Service Board obligates any
35 funds for a project for which the Authority or Service Board
36 intends to use the proceeds of bonds or notes for Strategic

1 Capital Improvement Projects, but which project is not included
2 in an approved Plan, the Authority must notify the Governor of
3 the intended obligation. No project costs incurred prior to
4 approval of the Plan including that project may be paid from
5 the proceeds of bonds or notes for Strategic Capital
6 Improvement Projects issued under Section 4.04 of this Act.

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

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

10 (105 ILCS 5/3-12) (from Ch. 122, par. 3-12)

11 Sec. 3-12. Institute fund.

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

32 (b) In addition to the use of moneys in the institute fund
33 to defray expenses under subsection (a) of this Section, the
34 State Superintendent of Education, as authorized under Section

1 2-3.105 of this Code, shall use moneys in the institute fund to
2 defray all costs associated with the administration of teaching
3 certificates within a city having a population exceeding
4 500,000.

5 (c) The regional superintendent shall on or before January
6 1 of each year publish in a newspaper of general circulation
7 published in the region or shall post in each school building
8 under his jurisdiction an accounting of (1) the balance on hand
9 in the Institute fund at the beginning of the previous year;
10 (2) all receipts within the previous year deposited in the
11 fund, with the sources from which they were derived; (3) the
12 amount distributed from the fund and the purposes for which
13 such distributions were made; and (4) the balance on hand in
14 the fund.

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

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

18 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

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

30 20% of annual adjusted gross receipts in excess of
31 \$25,000,000 but not exceeding \$50,000,000;

32 25% of annual adjusted gross receipts in excess of
33 \$50,000,000 but not exceeding \$75,000,000;

34 30% of annual adjusted gross receipts in excess of

1 \$75,000,000 but not exceeding \$100,000,000;
2 35% of annual adjusted gross receipts in excess of
3 \$100,000,000.

4 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
5 is imposed on persons engaged in the business of conducting
6 riverboat gambling operations, other than licensed managers
7 conducting riverboat gambling operations on behalf of the
8 State, based on the adjusted gross receipts received by a
9 licensed owner from gambling games authorized under this Act at
10 the following rates:

11 15% of annual adjusted gross receipts up to and
12 including \$25,000,000;

13 22.5% of annual adjusted gross receipts in excess of
14 \$25,000,000 but not exceeding \$50,000,000;

15 27.5% of annual adjusted gross receipts in excess of
16 \$50,000,000 but not exceeding \$75,000,000;

17 32.5% of annual adjusted gross receipts in excess of
18 \$75,000,000 but not exceeding \$100,000,000;

19 37.5% of annual adjusted gross receipts in excess of
20 \$100,000,000 but not exceeding \$150,000,000;

21 45% of annual adjusted gross receipts in excess of
22 \$150,000,000 but not exceeding \$200,000,000;

23 50% of annual adjusted gross receipts in excess of
24 \$200,000,000.

25 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
26 persons engaged in the business of conducting riverboat
27 gambling operations, other than licensed managers conducting
28 riverboat gambling operations on behalf of the State, based on
29 the adjusted gross receipts received by a licensed owner from
30 gambling games authorized under this Act at the following
31 rates:

32 15% of annual adjusted gross receipts up to and
33 including \$25,000,000;

34 27.5% of annual adjusted gross receipts in excess of
35 \$25,000,000 but not exceeding \$37,500,000;

36 32.5% of annual adjusted gross receipts in excess of

- 1 \$37,500,000 but not exceeding \$50,000,000;
- 2 37.5% of annual adjusted gross receipts in excess of
- 3 \$50,000,000 but not exceeding \$75,000,000;
- 4 45% of annual adjusted gross receipts in excess of
- 5 \$75,000,000 but not exceeding \$100,000,000;
- 6 50% of annual adjusted gross receipts in excess of
- 7 \$100,000,000 but not exceeding \$250,000,000;
- 8 70% of annual adjusted gross receipts in excess of
- 9 \$250,000,000.

10 An amount equal to the amount of wagering taxes collected

11 under this subsection (a-3) that are in addition to the amount

12 of wagering taxes that would have been collected if the

13 wagering tax rates under subsection (a-2) were in effect shall

14 be paid into the Common School Fund.

15 The privilege tax imposed under this subsection (a-3) shall

16 no longer be imposed beginning on the earlier of (i) July 1,

17 2005; (ii) the first date after June 20, 2003 that riverboat

18 gambling operations are conducted pursuant to a dormant

19 license; or (iii) the first day that riverboat gambling

20 operations are conducted under the authority of an owners

21 license that is in addition to the 10 owners licenses initially

22 authorized under this Act. For the purposes of this subsection

23 (a-3), the term "dormant license" means an owners license that

24 is authorized by this Act under which no riverboat gambling

25 operations are being conducted on June 20, 2003.

26 (a-4) Beginning on the first day on which the tax imposed

27 under subsection (a-3) is no longer imposed, a privilege tax is

28 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

33 the following rates:

- 34 15% of annual adjusted gross receipts up to and
- 35 including \$25,000,000;
- 36 22.5% of annual adjusted gross receipts in excess of

1 \$25,000,000 but not exceeding \$50,000,000;

2 27.5% of annual adjusted gross receipts in excess of
3 \$50,000,000 but not exceeding \$75,000,000;

4 32.5% of annual adjusted gross receipts in excess of
5 \$75,000,000 but not exceeding \$100,000,000;

6 37.5% of annual adjusted gross receipts in excess of
7 \$100,000,000 but not exceeding \$150,000,000;

8 45% of annual adjusted gross receipts in excess of
9 \$150,000,000 but not exceeding \$200,000,000;

10 50% of annual adjusted gross receipts in excess of
11 \$200,000,000.

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

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

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

1 this amendatory Act of the 94th General Assembly that riverboat
2 gambling operations are conducted pursuant to a dormant
3 license, (iii) the first day that riverboat gambling operations
4 are conducted under the authority of an owners license that is
5 in addition to the 10 owners licenses initially authorized
6 under this Act, or (iv) the first day that a licensee under the
7 Illinois Horse Racing Act of 1975 conducts gaming operations
8 with slot machines or other electronic gaming devices. The
9 Board must reduce the obligation imposed under this subsection
10 (a-15) by an amount the Board deems reasonable for any of the
11 following reasons: (A) an act or acts of God, (B) an act of
12 bioterrorism or terrorism or a bioterrorism or terrorism threat
13 that was investigated by a law enforcement agency, or (C) a
14 condition beyond the control of the owners licensee that does
15 not result from any act or omission by the owners licensee or
16 any of its agents and that poses a hazardous threat to the
17 health and safety of patrons. If an owners licensee pays an
18 amount in excess of its liability under this Section, the Board
19 shall apply the overpayment to future payments required under
20 this Section.

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

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

26 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

1 "Net privilege tax" means all privilege taxes paid by a
2 licensed owner to the Board under this Section, less all
3 payments made from the State Gaming Fund pursuant to subsection
4 (b) of this Section.

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

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

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

34 (c-5) After the payments required under subsections (b) and
35 (c) have been made, an amount equal to 15% of the adjusted
36 gross receipts of (1) an owners licensee that relocates

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

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

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

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

29 (c-25) After the payments required under subsections (b),
30 (c), (c-5) and (c-15) have been made, an amount equal to 2% of
31 the adjusted gross receipts of (1) an owners licensee that
32 relocates pursuant to Section 11.2, (2) an owners licensee
33 conducting riverboat gambling operations pursuant to an owners
34 license that is initially issued after June 25, 1999, or (3)
35 the first riverboat gambling operations conducted by a licensed
36 manager on behalf of the State under Section 7.3, whichever

1 comes first, shall be paid from the State Gaming Fund to
2 Chicago State University.

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

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

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

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

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

22 (305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)

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

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

28 (b) The Fund is created for the purpose of receiving moneys
29 in accordance with Section 5A-6 and disbursing moneys only for
30 the following purposes, notwithstanding any other provision of
31 law:

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

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

5 (3) For payment of administrative expenses incurred by
6 the Illinois Department or its agent in performing the
7 activities authorized by this Article.

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

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

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

21 (7) For State fiscal years 2004 and 2005 for making
22 transfers to the Health and Human Services Medicaid Trust
23 Fund, including 20% of the moneys received from hospital
24 providers under Section 5A-4 and transferred into the
25 Hospital Provider Fund under Section 5A-6. For State fiscal
26 year ~~years 2006, 2007 and 2008~~ for making transfers to the
27 Health and Human Services Medicaid Trust Fund of up to
28 \$130,000,000 per year of the moneys received from hospital
29 providers under Section 5A-4 and transferred into the
30 Hospital Provider Fund under Section 5A-6. Transfers under
31 this paragraph shall be made within 7 days after the
32 payments have been received pursuant to the schedule of
33 payments provided in subsection (a) of Section 5A-4.

34 (7.5) For State fiscal years 2007 and 2008 for making
35 transfers of the moneys received from hospital providers
36 under Section 5A-4 and transferred into the Hospital

1 Provider Fund under Section 5A-6 to the designated funds
2 not exceeding the following amounts in any State fiscal
3 year:

4 Health and Human Services

5	<u>Medicaid Trust Fund</u>	<u>.....</u>	<u>\$20,000,000</u>
6	<u>Long-Term Care Provider Fund</u>	<u>.....</u>	<u>\$30,000,000</u>
7	<u>General Revenue Fund</u>	<u>.....</u>	<u>\$80,000,000.</u>

8 Transfers under this paragraph shall be made within 7
9 days after the payments have been received pursuant to the
10 schedule of payments provided in subsection (a) of Section
11 5A-4.

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

14 Disbursements from the Fund, other than transfers
15 authorized under paragraphs (5) and (6) of this subsection,
16 shall be by warrants drawn by the State Comptroller upon
17 receipt of vouchers duly executed and certified by the Illinois
18 Department.

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

20 (1) All moneys collected or received by the Illinois
21 Department from the hospital provider assessment imposed
22 by this Article.

23 (2) All federal matching funds received by the Illinois
24 Department as a result of expenditures made by the Illinois
25 Department that are attributable to moneys deposited in the
26 Fund.

27 (3) Any interest or penalty levied in conjunction with
28 the administration of this Article.

29 (4) Moneys transferred from another fund in the State
30 treasury.

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

33 (d) (Blank).

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

35 Section 5-78. The Illinois Affordable Housing Act is

1 amended by changing Section 8 as follows:

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

3 Sec. 8. Uses of Trust Fund.

4 (a) Subject to annual appropriation to the Funding Agent
5 and subject to the prior dedication, allocation, transfer and
6 use of Trust Fund Moneys as provided in Sections 8(b), 8(c) and
7 9 of this Act, the Trust Fund may be used to make grants,
8 mortgages, or other loans to acquire, construct, rehabilitate,
9 develop, operate, insure, and retain affordable single-family
10 and multi-family housing in this State for low-income and very
11 low-income households. The majority of monies appropriated to
12 the Trust Fund in any given year are to be used for affordable
13 housing for very low-income households. For the fiscal year
14 beginning July 1, 2006 only, the Department of Human Services
15 is authorized to receive appropriations and spend moneys from
16 the Illinois Affordable Housing Trust Fund for the purpose of
17 developing and coordinating public and private resources
18 targeted to meet the affordable housing needs of low-income,
19 very low-income, and special needs households in the State of
20 Illinois.

21 (b) For each fiscal year commencing with fiscal year 1994,
22 the Program Administrator shall certify from time to time to
23 the Funding Agent, the Comptroller and the State Treasurer
24 amounts, up to an aggregate in any fiscal year of \$10,000,000,
25 of Trust Fund Moneys expected to be used or pledged by the
26 Program Administrator during the fiscal year for the purposes
27 and uses specified in Sections 8(c) and 9 of this Act. Subject
28 to annual appropriation, upon receipt of such certification,
29 the Funding Agent and the Comptroller shall dedicate and the
30 State Treasurer shall transfer not less often than monthly to
31 the Program Administrator or its designated payee, without
32 requisition or further request therefor, all amounts
33 accumulated in the Trust Fund within the State Treasury and not
34 already transferred to the Loan Commitment Account prior to the
35 Funding Agent's receipt of such certification, until the

1 Program Administrator has received the aggregate amount
2 certified by the Program Administrator, to be used solely for
3 the purposes and uses authorized and provided in Sections 8(c)
4 and 9 of this Act. Neither the Comptroller nor the Treasurer
5 shall transfer, dedicate or allocate any of the Trust Fund
6 Moneys transferred or certified for transfer by the Program
7 Administrator as provided above to any other fund, nor shall
8 the Governor authorize any such transfer, dedication or
9 allocation, nor shall any of the Trust Fund Moneys so
10 dedicated, allocated or transferred be used, temporarily or
11 otherwise, for interfund borrowing, or be otherwise used or
12 appropriated, except as expressly authorized and provided in
13 Sections 8(c) and 9 of this Act for the purposes and subject to
14 the priorities, limitations and conditions provided for
15 therein until such obligations, uses and dedications as therein
16 provided, have been satisfied.

17 (c) Notwithstanding Section 5(b) of this Act, any Trust
18 Fund Moneys transferred to the Program Administrator pursuant
19 to Section 8(b) of this Act, or otherwise obtained, paid to or
20 held by or for the Program Administrator, or pledged pursuant
21 to resolution of the Program Administrator, for Affordable
22 Housing Program Trust Fund Bonds or Notes under the Illinois
23 Housing Development Act, and all proceeds, payments and
24 receipts from investments or use of such moneys, including any
25 residual or additional funds or moneys generated or obtained in
26 connection with any of the foregoing, may be held, pledged,
27 applied or dedicated by the Program Administrator as follows:

28 (1) as required by the terms of any pledge of or
29 resolution of the Program Administrator authorized under
30 Section 9 of this Act in connection with Affordable Housing
31 Program Trust Fund Bonds or Notes issued pursuant to the
32 Illinois Housing Development Act;

33 (2) to or for costs of issuance and administration and
34 the payments of any principal, interest, premium or other
35 amounts or expenses incurred or accrued in connection with
36 Affordable Housing Program Trust Fund Bonds or Notes,

1 including rate protection contracts and credit support
2 arrangements pertaining thereto, and, provided such
3 expenses, fees and charges are obligations, whether
4 recourse or nonrecourse, and whether financed with or paid
5 from the proceeds of Affordable Housing Program Trust Fund
6 Bonds or Notes, of the developers, mortgagors or other
7 users, the Program Administrator's expenses and servicing,
8 administration and origination fees and charges in
9 connection with any loans, mortgages, or developments
10 funded or financed or expected to be funded or financed, in
11 whole or in part, from the issuance of Affordable Housing
12 Program Trust Fund Bonds or Notes;

13 (3) to or for costs of issuance and administration and
14 the payments of principal, interest, premium, loan fees,
15 and other amounts or other obligations of the Program
16 Administrator, including rate protection contracts and
17 credit support arrangements pertaining thereto, for loans,
18 commercial paper or other notes or bonds issued by the
19 Program Administrator pursuant to the Illinois Housing
20 Development Act, provided that the proceeds of such loans,
21 commercial paper or other notes or bonds are paid or
22 expended in connection with, or refund or repay, loans,
23 commercial paper or other notes or bonds issued or made in
24 connection with bridge loans or loans for the construction,
25 renovation, redevelopment, restructuring, reorganization
26 of Affordable Housing and related expenses, including
27 development costs, technical assistance, or other amounts
28 to construct, preserve, improve, renovate, rehabilitate,
29 refinance, or assist Affordable Housing, including
30 financially troubled Affordable Housing, permanent or
31 other financing for which has been funded or financed or is
32 expected to be funded or financed in whole or in part by
33 the Program Administrator through the issuance of or use of
34 proceeds from Affordable Housing Program Trust Fund Bonds
35 or Notes;

36 (4) to or for direct expenditures or reimbursement for

1 development costs, technical assistance, or other amounts
2 to construct, preserve, improve, renovate, rehabilitate,
3 refinance, or assist Affordable Housing, including
4 financially troubled Affordable Housing, permanent or
5 other financing for which has been funded or financed or is
6 expected to be funded or financed in whole or in part by
7 the Program Administrator through the issuance of or use of
8 proceeds from Affordable Housing Program Trust Fund Bonds
9 or Notes; and

10 (5) for deposit into any residual, sinking, reserve or
11 revolving fund or pool established by the Program
12 Administrator, whether or not pledged to secure Affordable
13 Housing Program Trust Fund Bonds or Notes, to support or be
14 utilized for the issuance, redemption, or payment of the
15 principal, interest, premium or other amounts payable on or
16 with respect to any existing, additional or future
17 Affordable Housing Program Trust Fund Bonds or Notes, or to
18 or for any other expenditure authorized by this Section
19 8(c).

20 (d) All or a portion of the Trust Fund Moneys on deposit or
21 to be deposited in the Trust Fund not already certified for
22 transfer or transferred to the Program Administrator pursuant
23 to Section 8(b) of this Act may be used to secure the repayment
24 of Affordable Housing Program Trust Fund Bonds or Notes, or
25 otherwise to supplement or support Affordable Housing funded or
26 financed or intended to be funded or financed, in whole or in
27 part, by Affordable Housing Program Trust Fund Bonds or Notes.

28 (e) Assisted housing may include housing for special needs
29 populations such as the homeless, single-parent families, the
30 elderly, or the physically and mentally disabled. The Trust
31 Fund shall be used to implement a demonstration congregate
32 housing project for any such special needs population.

33 (f) Grants from the Trust Fund may include, but are not
34 limited to, rental assistance and security deposit subsidies
35 for low and very low-income households.

36 (g) The Trust Fund may be used to pay actual and reasonable

1 costs for Commission members to attend Commission meetings, and
2 any litigation costs and expenses, including legal fees,
3 incurred by the Program Administrator in any litigation related
4 to this Act or its action as Program Administrator.

5 (h) The Trust Fund may be used to make grants for (1) the
6 provision of technical assistance, (2) outreach, and (3)
7 building an organization's capacity to develop affordable
8 housing projects.

9 (i) Amounts on deposit in the Trust Fund may be used to
10 reimburse the Program Administrator and the Funding Agent for
11 costs incurred in the performance of their duties under this
12 Act, excluding costs and fees of the Program Administrator
13 associated with the Program Escrow to the extent withheld
14 pursuant to paragraph (8) of subsection (b) of Section 5.

15 (Source: P.A. 88-93; 89-286, eff. 8-10-95.)

16 Section 5-80. The Illinois Vehicle Code is amended by
17 changing Sections 18c-1603 and 18c-1604 as follows:

18 (625 ILCS 5/18c-1603) (from Ch. 95 1/2, par. 18c-1603)

19 Sec. 18c-1603. Expenditures from the Transportation
20 Regulatory Fund. (1) Authorization of Expenditures from the
21 Fund. Monies deposited in the Transportation Regulatory Fund
22 shall be expended only for the administration and enforcement
23 of this Chapter and Chapter 18a.

24 (2) Allocation of Expenses to the Fund. (a) Expenses
25 Allocated Entirely to the Transportation Regulatory Fund. All
26 expenses of the Transportation Division shall be allocated to
27 the Transportation Regulatory Fund, provided that they were:

28 (i) Incurred by and for staff employed within the
29 Transportation Division and accountable, directly or through a
30 program director or staff supervisor, to the Transportation
31 Division manager;

32 (ii) Incurred exclusively in the administration and
33 enforcement of this Chapter and Chapter 18a; and

34 (iii) Authorized by the Transportation Division manager.

1 (b) Expenses Partially Allocated to the Transportation
2 Regulatory Fund. A portion of expenses for the following
3 persons and activities may be allocated to the Transportation
4 Regulatory Fund:

5 (i) The Executive Director, his deputies and personal
6 assistants, and their clerical support;

7 (ii) The legislative liaison activities of the Office of
8 Legislative Affairs, its constituent elements and successors;

9 (iii) The activities of the Bureau of Planning and
10 Operations on the effective date of this amendatory Act of the
11 94th General Assembly Administrative Services Division on the
12 effective date of this amendatory Act of 1987, exclusive of the
13 Chief Clerk's office;

14 (iv) The payroll expenses of Commissioners' assistants;

15 (v) The internal auditor; ~~and~~

16 (vi) The in-state travel expenses of the Commissioners to
17 and from the offices of the Commission; and.

18 (vii) The Public Affairs Group, its constituent elements,
19 and its successors.

20 (c) Allocation Methodology for Expenses Other Than
21 ~~Administrative Services Division and~~ Commissioners'
22 Assistants. The portion of total expenses (other than
23 ~~Administrative Services Division and~~ commissioners'
24 assistants' expenses) allocated to the Transportation
25 Regulatory Fund under paragraph (b) of this subsection shall be
26 the ~~lessor of: (i) The portion of staff time spent exclusively~~
27 ~~on administration and enforcement of this Chapter and Chapter~~
28 ~~18a, as shown by a time study updated at least once each 6~~
29 ~~months; and (ii) The percentage of total authorized Commission~~
30 ~~staff for the fiscal year which is employed in Transportation~~
31 ~~Division (based on the average for the fiscal year).~~

32 (d) (Blank). ~~Allocation Methodology for Expenses of~~
33 ~~Administration Services Division. The portion of expenses for~~
34 ~~Administrative Services Division allocated to the~~
35 ~~Transportation Regulatory Fund under paragraph (b) of this~~
36 ~~subsection shall not exceed.~~

1 ~~(i) The portion allocable under paragraph (e) of this~~
2 ~~subsection, for staff payroll expenses; and~~

3 ~~(ii) The portion used exclusively in the administration and~~
4 ~~enforcement of this Chapter and Chapter 18a, for other than~~
5 ~~staff payroll expenses.~~

6 (e) Allocation methodology for Commissioners' Assistants
7 Expenses. Five percent of the payroll expenses of
8 commissioners' assistants may be allocated to the
9 Transportation Regulatory Fund.

10 (f) Expenses not allocable to the Transportation
11 Regulatory Fund. No expenses shall be allocated to or paid from
12 the Transportation Regulatory Fund except as expressly
13 authorized in paragraphs (a) through (e) of this subsection. In
14 particular, no expenses shall be allocated to the Fund which
15 were incurred by or in relation to the following persons and
16 activities:

17 (i) Commissioners' travel, except as otherwise provided in
18 paragraphs (b) and (c) of this subsection;

19 (ii) Commissioners' assistants except as otherwise
20 provided in paragraphs (b) and (e) of this subsection;

21 (iii) The Policy Analysis and Research Division, its
22 constituent elements and successors;

23 (iv) The Chief Clerk's office, its constituent elements and
24 successors;

25 (v) The Hearing Examiners Division, its constituent
26 elements and successors, and any hearing examiners or hearings
27 conducted, in whole or in part, outside the Transportation
28 Division;

29 (vi) (Blank); ~~The Public Affairs Group, its constituent~~
30 ~~elements and successors;~~

31 (vii) The Office of General Counsel, its constituent
32 elements and successors, including but not limited to the
33 Office of Public Utility Counsel and any legal staff in the
34 office of the executive director, but not including the
35 personal assistant serving as staff counsel to the executive
36 director as provided in Section 18c-1204(2) and the Office of

1 Transportation Counsel; and

2 (viii) Any other expenses or portion thereof not expressly
3 authorized in this subsection to be allocated to the Fund.

4 The constituent elements of the foregoing shall, for
5 purposes of this Section be their constituent elements on the
6 effective date of this amendatory Act of 1987.

7 (3) (Blank). ~~Allocation of Expenses Within the Fund. (a)~~
8 ~~Monies deposited in the Transportation Regulatory Fund shall be~~
9 ~~expended only in the regulation of that class of persons as~~
10 ~~defined in subsection (2) of Section 18c-1601 of this Chapter~~
11 ~~from or in relation to which the monies were received.~~

12 ~~(b) Expenses incurred exclusively in relation to one class~~
13 ~~shall be allocated to that class and no other.~~

14 ~~(c) A portion of each expense incurred in relation to more~~
15 ~~than one class may be allocated to each of the involved classes~~
16 ~~based on time study or actual use, provided that the portion~~
17 ~~allocated to any class shall not exceed the maximum specified~~
18 ~~in paragraph (d) of this subsection.~~

19 ~~(d) Total expenses allocated to any one class under~~
20 ~~paragraph (c) of this subsection shall not exceed the amount~~
21 ~~which bears the same percentage relationship to expenses~~
22 ~~allocated to that class under paragraph (b) of this subsection~~
23 ~~((c) divided by (b)) as total expenses allocated to all classes~~
24 ~~under paragraph (b) bear to total expenses allocated to all~~
25 ~~classes under paragraph (c) ((c) divided by (b)).~~

26 (4) (Blank). ~~Effective Date of Section. The Commission~~
27 ~~shall have 180 calendar days from the effective date of this~~
28 ~~amendatory Act of 1987 to comply fully with this Section.~~

29 (Source: P.A. 86-1005.)

30 (625 ILCS 5/18c-1604) (from Ch. 95 1/2, par. 18c-1604)

31 Sec. 18c-1604. Annual Report of Expenditures. The
32 Commission shall, within 60 calendar days after the end of the
33 lapse period for each fiscal year, submit to the Governor and
34 the General Assembly a report of the following for such fiscal
35 year:

1 (1) All monies deposited in the Transportation Regulatory
2 Fund, showing the total and subtotals by class as defined in
3 subsection (2) of Section 18c-1601 of this Chapter;

4 (2) All expenditures from the Transportation Regulatory
5 Fund, showing the total and the sub-totals by class as defined
6 in subsection (2) of Section 18c-1601 of this Chapter;

7 (3) A listing and description by function of all staff
8 positions actually funded, in whole or in part, at any time
9 during the fiscal year, from the Transportation Regulatory
10 Fund; and

11 (4) The methods used to allocate expenses between the
12 Transportation Regulatory Fund and other funds, and between
13 classes within the Transportation Regulatory Fund.

14 (Source: P.A. 85-553.)

15 Section 5-85. The Pretrial Services Act is amended by
16 changing Section 33 as follows:

17 (725 ILCS 185/33) (from Ch. 38, par. 333)

18 Sec. 33. The Supreme Court shall pay from funds
19 appropriated to it for this purpose 100% of all approved costs
20 for pretrial services, including pretrial services officers,
21 necessary support personnel, travel costs reasonably related
22 to the delivery of pretrial services, space costs, equipment,
23 telecommunications, postage, commodities, printing and
24 contractual services. Costs shall be reimbursed monthly, based
25 on a plan and budget approved by the Supreme Court. No
26 department may be reimbursed for costs which exceed or are not
27 provided for in the approved plan and budget. For State fiscal
28 years 2004, 2005, and 2006, and 2007 only, the Mandatory
29 Arbitration Fund may be used to reimburse approved costs for
30 pretrial services.

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

33 Section 5-90. The Unified Code of Corrections is amended by

1 changing Sections 3-14-6 and 5-9-1.8 as follows:

2 (730 ILCS 5/3-14-6)

3 Sec. 3-14-6. Transitional jobs; pilot program. Subject to
4 appropriations or other funding, the Department may establish a
5 pilot program at various ~~in 2~~ locations in the State to place
6 persons discharged from a Department facility on parole or
7 mandatory supervised release in jobs or otherwise establish a
8 connection between such persons and the workforce. One such
9 location must be at Waukegan, in Lake County. By rule, the
10 Department shall determine the locations in which the pilot
11 program is to be implemented and the services to be provided.
12 In determining locations for the pilot program, however, the
13 Department shall give priority to areas of the State in which
14 the concentration of released offenders is the highest. The
15 Department may consult with the Department of Human Services in
16 establishing the pilot program.

17 (Source: P.A. 93-208, eff. 7-18-03.)

18 (730 ILCS 5/5-9-1.8)

19 Sec. 5-9-1.8. Child pornography fines. Beginning July 1,
20 2006, 100% ~~One hundred percent~~ of the fines in excess of
21 \$10,000 collected for violations of Section 11-20.1 of the
22 Criminal Code of 1961 shall be deposited into the Child Abuse
23 Prevention Fund ~~Child Sexual Abuse Fund~~ that is created in the
24 State Treasury. Moneys in the Fund resulting from the fines
25 shall be for the use of the Department of Children and Family
26 Services for grants to private entities giving treatment and
27 counseling to victims of child sexual abuse.

28 Notwithstanding any other provision of law, in addition to
29 any other transfers that may be provided by law, on July 1,
30 2006, or as soon thereafter as practical, the State Comptroller
31 shall direct and the State Treasurer shall transfer the
32 remaining balance from the Child Sexual Abuse Fund into the
33 Child Abuse Prevention Fund. Upon completion of the transfer,
34 the Child Sexual Abuse Fund is dissolved, and any future

1 deposits due to that Fund and any outstanding obligations or
2 liabilities of the Fund pass to the Child Abuse Prevention
3 Fund.

4 (Source: P.A. 87-1070; 88-45.)

5 Section 5-95. The Probation and Probation Officers Act is
6 amended by changing Sections 15 and 15.1 as follows:

7 (730 ILCS 110/15) (from Ch. 38, par. 204-7)

8 (Text of Section before amendment by P.A. 94-696)

9 Sec. 15. (1) The Supreme Court of Illinois may establish a
10 Division of Probation Services whose purpose shall be the
11 development, establishment, promulgation, and enforcement of
12 uniform standards for probation services in this State, and to
13 otherwise carry out the intent of this Act. The Division may:

14 (a) establish qualifications for chief probation
15 officers and other probation and court services personnel
16 as to hiring, promotion, and training.

17 (b) make available, on a timely basis, lists of those
18 applicants whose qualifications meet the regulations
19 referred to herein, including on said lists all candidates
20 found qualified.

21 (c) establish a means of verifying the conditions for
22 reimbursement under this Act and develop criteria for
23 approved costs for reimbursement.

24 (d) develop standards and approve employee
25 compensation schedules for probation and court services
26 departments.

27 (e) employ sufficient personnel in the Division to
28 carry out the functions of the Division.

29 (f) establish a system of training and establish
30 standards for personnel orientation and training.

31 (g) develop standards for a system of record keeping
32 for cases and programs, gather statistics, establish a
33 system of uniform forms, and develop research for planning
34 of Probation Services.

1 (h) develop standards to assure adequate support
2 personnel, office space, equipment and supplies, travel
3 expenses, and other essential items necessary for
4 Probation and Court Services Departments to carry out their
5 duties.

6 (i) review and approve annual plans submitted by
7 Probation and Court Services Departments.

8 (j) monitor and evaluate all programs operated by
9 Probation and Court Services Departments, and may include
10 in the program evaluation criteria such factors as the
11 percentage of Probation sentences for felons convicted of
12 Probationable offenses.

13 (k) seek the cooperation of local and State government
14 and private agencies to improve the quality of probation
15 and court services.

16 (l) where appropriate, establish programs and
17 corresponding standards designed to generally improve the
18 quality of probation and court services and reduce the rate
19 of adult or juvenile offenders committed to the Department
20 of Corrections.

21 (m) establish such other standards and regulations and
22 do all acts necessary to carry out the intent and purposes
23 of this Act.

24 The Division shall establish a model list of structured
25 intermediate sanctions that may be imposed by a probation
26 agency for violations of terms and conditions of a sentence of
27 probation, conditional discharge, or supervision.

28 The State of Illinois shall provide for the costs of
29 personnel, travel, equipment, telecommunications, postage,
30 commodities, printing, space, contractual services and other
31 related costs necessary to carry out the intent of this Act.

32 (2) (a) The chief judge of each circuit shall provide
33 full-time probation services for all counties within the
34 circuit, in a manner consistent with the annual probation plan,
35 the standards, policies, and regulations established by the
36 Supreme Court. A probation district of two or more counties

1 within a circuit may be created for the purposes of providing
2 full-time probation services. Every county or group of counties
3 within a circuit shall maintain a probation department which
4 shall be under the authority of the Chief Judge of the circuit
5 or some other judge designated by the Chief Judge. The Chief
6 Judge, through the Probation and Court Services Department
7 shall submit annual plans to the Division for probation and
8 related services.

9 (b) The Chief Judge of each circuit shall appoint the Chief
10 Probation Officer and all other probation officers for his or
11 her circuit from lists of qualified applicants supplied by the
12 Supreme Court. Candidates for chief managing officer and other
13 probation officer positions must apply with both the Chief
14 Judge of the circuit and the Supreme Court.

15 (3) A Probation and Court Service Department shall apply to
16 the Supreme Court for funds for basic services, and may apply
17 for funds for new and expanded programs or Individualized
18 Services and Programs. Costs shall be reimbursed monthly based
19 on a plan and budget approved by the Supreme Court. No
20 Department may be reimbursed for costs which exceed or are not
21 provided for in the approved annual plan and budget. After the
22 effective date of this amendatory Act of 1985, each county must
23 provide basic services in accordance with the annual plan and
24 standards created by the division. No department may receive
25 funds for new or expanded programs or individualized services
26 and programs unless they are in compliance with standards as
27 enumerated in paragraph (h) of subsection (1) of this Section,
28 the annual plan, and standards for basic services.

29 (4) The Division shall reimburse the county or counties for
30 probation services as follows:

31 (a) 100% of the salary of all chief managing officers
32 designated as such by the Chief Judge and the division.

33 (b) 100% of the salary for all probation officer and
34 supervisor positions approved for reimbursement by the
35 division after April 1, 1984, to meet workload standards
36 and to implement intensive sanction and probation

1 supervision programs and other basic services as defined in
2 this Act.

3 (c) 100% of the salary for all secure detention
4 personnel and non-secure group home personnel approved for
5 reimbursement after December 1, 1990. For all such
6 positions approved for reimbursement before December 1,
7 1990, the counties shall be reimbursed \$1,250 per month
8 beginning July 1, 1995, and an additional \$250 per month
9 beginning each July 1st thereafter until the positions
10 receive 100% salary reimbursement. Allocation of such
11 positions will be based on comparative need considering
12 capacity, staff/resident ratio, physical plant and
13 program.

14 (d) \$1,000 per month for salaries for the remaining
15 probation officer positions engaged in basic services and
16 new or expanded services. All such positions shall be
17 approved by the division in accordance with this Act and
18 division standards.

19 (e) 100% of the travel expenses in accordance with
20 Division standards for all Probation positions approved
21 under paragraph (b) of subsection 4 of this Section.

22 (f) If the amount of funds reimbursed to the county
23 under paragraphs (a) through (e) of subsection 4 of this
24 Section on an annual basis is less than the amount the
25 county had received during the 12 month period immediately
26 prior to the effective date of this amendatory Act of 1985,
27 then the Division shall reimburse the amount of the
28 difference to the county. The effect of paragraph (b) of
29 subsection 7 of this Section shall be considered in
30 implementing this supplemental reimbursement provision.

31 (5) The Division shall provide funds beginning on April 1,
32 1987 for the counties to provide Individualized Services and
33 Programs as provided in Section 16 of this Act.

34 (6) A Probation and Court Services Department in order to
35 be eligible for the reimbursement must submit to the Supreme
36 Court an application containing such information and in such a

1 form and by such dates as the Supreme Court may require.
2 Departments to be eligible for funding must satisfy the
3 following conditions:

4 (a) The Department shall have on file with the Supreme
5 Court an annual Probation plan for continuing, improved,
6 and new Probation and Court Services Programs approved by
7 the Supreme Court or its designee. This plan shall indicate
8 the manner in which Probation and Court Services will be
9 delivered and improved, consistent with the minimum
10 standards and regulations for Probation and Court
11 Services, as established by the Supreme Court. In counties
12 with more than one Probation and Court Services Department
13 eligible to receive funds, all Departments within that
14 county must submit plans which are approved by the Supreme
15 Court.

16 (b) The annual probation plan shall seek to generally
17 improve the quality of probation services and to reduce the
18 commitment of adult and juvenile offenders to the
19 Department of Corrections and shall require, when
20 appropriate, coordination with the Department of
21 Corrections and the Department of Children and Family
22 Services in the development and use of community resources,
23 information systems, case review and permanency planning
24 systems to avoid the duplication of services.

25 (c) The Department shall be in compliance with
26 standards developed by the Supreme Court for basic, new and
27 expanded services, training, personnel hiring and
28 promotion.

29 (d) The Department shall in its annual plan indicate
30 the manner in which it will support the rights of crime
31 victims and in which manner it will implement Article I,
32 Section 8.1 of the Illinois Constitution and in what manner
33 it will coordinate crime victims' support services with
34 other criminal justice agencies within its jurisdiction,
35 including but not limited to, the State's Attorney, the
36 Sheriff and any municipal police department.

1 (7) No statement shall be verified by the Supreme Court or
2 its designee or vouchered by the Comptroller unless each of the
3 following conditions have been met:

4 (a) The probation officer is a full-time employee
5 appointed by the Chief Judge to provide probation services.

6 (b) The probation officer, in order to be eligible for
7 State reimbursement, is receiving a salary of at least
8 \$17,000 per year.

9 (c) The probation officer is appointed or was
10 reappointed in accordance with minimum qualifications or
11 criteria established by the Supreme Court; however, all
12 probation officers appointed prior to January 1, 1978,
13 shall be exempted from the minimum requirements
14 established by the Supreme Court. Payments shall be made to
15 counties employing these exempted probation officers as
16 long as they are employed in the position held on the
17 effective date of this amendatory Act of 1985. Promotions
18 shall be governed by minimum qualifications established by
19 the Supreme Court.

20 (d) The Department has an established compensation
21 schedule approved by the Supreme Court. The compensation
22 schedule shall include salary ranges with necessary
23 increments to compensate each employee. The increments
24 shall, within the salary ranges, be based on such factors
25 as bona fide occupational qualifications, performance, and
26 length of service. Each position in the Department shall be
27 placed on the compensation schedule according to job duties
28 and responsibilities of such position. The policy and
29 procedures of the compensation schedule shall be made
30 available to each employee.

31 (8) In order to obtain full reimbursement of all approved
32 costs, each Department must continue to employ at least the
33 same number of probation officers and probation managers as
34 were authorized for employment for the fiscal year which
35 includes January 1, 1985. This number shall be designated as
36 the base amount of the Department. No positions approved by the

1 Division under paragraph (b) of subsection 4 will be included
2 in the base amount. In the event that the Department employs
3 fewer Probation officers and Probation managers than the base
4 amount for a period of 90 days, funding received by the
5 Department under subsection 4 of this Section may be reduced on
6 a monthly basis by the amount of the current salaries of any
7 positions below the base amount.

8 (9) Before the 15th day of each month, the treasurer of any
9 county which has a Probation and Court Services Department, or
10 the treasurer of the most populous county, in the case of a
11 Probation or Court Services Department funded by more than one
12 county, shall submit an itemized statement of all approved
13 costs incurred in the delivery of Basic Probation and Court
14 Services under this Act to the Supreme Court. The treasurer may
15 also submit an itemized statement of all approved costs
16 incurred in the delivery of new and expanded Probation and
17 Court Services as well as Individualized Services and Programs.
18 The Supreme Court or its designee shall verify compliance with
19 this Section and shall examine and audit the monthly statement
20 and, upon finding them to be correct, shall forward them to the
21 Comptroller for payment to the county treasurer. In the case of
22 payment to a treasurer of a county which is the most populous
23 of counties sharing the salary and expenses of a Probation and
24 Court Services Department, the treasurer shall divide the money
25 between the counties in a manner that reflects each county's
26 share of the cost incurred by the Department.

27 (10) The county treasurer must certify that funds received
28 under this Section shall be used solely to maintain and improve
29 Probation and Court Services. The county or circuit shall
30 remain in compliance with all standards, policies and
31 regulations established by the Supreme Court. If at any time
32 the Supreme Court determines that a county or circuit is not in
33 compliance, the Supreme Court shall immediately notify the
34 Chief Judge, county board chairman and the Director of Court
35 Services Chief Probation Officer. If after 90 days of written
36 notice the noncompliance still exists, the Supreme Court shall

1 be required to reduce the amount of monthly reimbursement by
2 10%. An additional 10% reduction of monthly reimbursement shall
3 occur for each consecutive month of noncompliance. Except as
4 provided in subsection 5 of Section 15, funding to counties
5 shall commence on April 1, 1986. Funds received under this Act
6 shall be used to provide for Probation Department expenses
7 including those required under Section 13 of this Act. For
8 State fiscal years 2004, 2005, ~~and 2006,~~ and 2007 only, the
9 Mandatory Arbitration Fund may be used to provide for Probation
10 Department expenses, including those required under Section 13
11 of this Act.

12 (11) The respective counties shall be responsible for
13 capital and space costs, fringe benefits, clerical costs,
14 equipment, telecommunications, postage, commodities and
15 printing.

16 (12) For purposes of this Act only, probation officers
17 shall be considered peace officers. In the exercise of their
18 official duties, probation officers, sheriffs, and police
19 officers may, anywhere within the State, arrest any probationer
20 who is in violation of any of the conditions of his or her
21 probation, conditional discharge, or supervision, and it shall
22 be the duty of the officer making the arrest to take the
23 probationer before the Court having jurisdiction over the
24 probationer for further order.

25 (Source: P.A. 93-25, eff. 6-20-03; 93-576, eff. 1-1-04; 93-839,
26 eff. 7-30-04; 94-91, eff. 7-1-05.)

27 (Text of Section after amendment by P.A. 94-696)

28 Sec. 15. (1) The Supreme Court of Illinois may establish a
29 Division of Probation Services whose purpose shall be the
30 development, establishment, promulgation, and enforcement of
31 uniform standards for probation services in this State, and to
32 otherwise carry out the intent of this Act. The Division may:

33 (a) establish qualifications for chief probation
34 officers and other probation and court services personnel
35 as to hiring, promotion, and training.

1 (b) make available, on a timely basis, lists of those
2 applicants whose qualifications meet the regulations
3 referred to herein, including on said lists all candidates
4 found qualified.

5 (c) establish a means of verifying the conditions for
6 reimbursement under this Act and develop criteria for
7 approved costs for reimbursement.

8 (d) develop standards and approve employee
9 compensation schedules for probation and court services
10 departments.

11 (e) employ sufficient personnel in the Division to
12 carry out the functions of the Division.

13 (f) establish a system of training and establish
14 standards for personnel orientation and training.

15 (g) develop standards for a system of record keeping
16 for cases and programs, gather statistics, establish a
17 system of uniform forms, and develop research for planning
18 of Probation Services.

19 (h) develop standards to assure adequate support
20 personnel, office space, equipment and supplies, travel
21 expenses, and other essential items necessary for
22 Probation and Court Services Departments to carry out their
23 duties.

24 (i) review and approve annual plans submitted by
25 Probation and Court Services Departments.

26 (j) monitor and evaluate all programs operated by
27 Probation and Court Services Departments, and may include
28 in the program evaluation criteria such factors as the
29 percentage of Probation sentences for felons convicted of
30 Probationable offenses.

31 (k) seek the cooperation of local and State government
32 and private agencies to improve the quality of probation
33 and court services.

34 (l) where appropriate, establish programs and
35 corresponding standards designed to generally improve the
36 quality of probation and court services and reduce the rate

1 of adult or juvenile offenders committed to the Department
2 of Corrections.

3 (m) establish such other standards and regulations and
4 do all acts necessary to carry out the intent and purposes
5 of this Act.

6 The Division shall establish a model list of structured
7 intermediate sanctions that may be imposed by a probation
8 agency for violations of terms and conditions of a sentence of
9 probation, conditional discharge, or supervision.

10 The State of Illinois shall provide for the costs of
11 personnel, travel, equipment, telecommunications, postage,
12 commodities, printing, space, contractual services and other
13 related costs necessary to carry out the intent of this Act.

14 (2) (a) The chief judge of each circuit shall provide
15 full-time probation services for all counties within the
16 circuit, in a manner consistent with the annual probation plan,
17 the standards, policies, and regulations established by the
18 Supreme Court. A probation district of two or more counties
19 within a circuit may be created for the purposes of providing
20 full-time probation services. Every county or group of counties
21 within a circuit shall maintain a probation department which
22 shall be under the authority of the Chief Judge of the circuit
23 or some other judge designated by the Chief Judge. The Chief
24 Judge, through the Probation and Court Services Department
25 shall submit annual plans to the Division for probation and
26 related services.

27 (b) The Chief Judge of each circuit shall appoint the Chief
28 Probation Officer and all other probation officers for his or
29 her circuit from lists of qualified applicants supplied by the
30 Supreme Court. Candidates for chief managing officer and other
31 probation officer positions must apply with both the Chief
32 Judge of the circuit and the Supreme Court.

33 (3) A Probation and Court Service Department shall apply to
34 the Supreme Court for funds for basic services, and may apply
35 for funds for new and expanded programs or Individualized
36 Services and Programs. Costs shall be reimbursed monthly based

1 on a plan and budget approved by the Supreme Court. No
2 Department may be reimbursed for costs which exceed or are not
3 provided for in the approved annual plan and budget. After the
4 effective date of this amendatory Act of 1985, each county must
5 provide basic services in accordance with the annual plan and
6 standards created by the division. No department may receive
7 funds for new or expanded programs or individualized services
8 and programs unless they are in compliance with standards as
9 enumerated in paragraph (h) of subsection (1) of this Section,
10 the annual plan, and standards for basic services.

11 (4) The Division shall reimburse the county or counties for
12 probation services as follows:

13 (a) 100% of the salary of all chief managing officers
14 designated as such by the Chief Judge and the division.

15 (b) 100% of the salary for all probation officer and
16 supervisor positions approved for reimbursement by the
17 division after April 1, 1984, to meet workload standards
18 and to implement intensive sanction and probation
19 supervision programs and other basic services as defined in
20 this Act.

21 (c) 100% of the salary for all secure detention
22 personnel and non-secure group home personnel approved for
23 reimbursement after December 1, 1990. For all such
24 positions approved for reimbursement before December 1,
25 1990, the counties shall be reimbursed \$1,250 per month
26 beginning July 1, 1995, and an additional \$250 per month
27 beginning each July 1st thereafter until the positions
28 receive 100% salary reimbursement. Allocation of such
29 positions will be based on comparative need considering
30 capacity, staff/resident ratio, physical plant and
31 program.

32 (d) \$1,000 per month for salaries for the remaining
33 probation officer positions engaged in basic services and
34 new or expanded services. All such positions shall be
35 approved by the division in accordance with this Act and
36 division standards.

1 (e) 100% of the travel expenses in accordance with
2 Division standards for all Probation positions approved
3 under paragraph (b) of subsection 4 of this Section.

4 (f) If the amount of funds reimbursed to the county
5 under paragraphs (a) through (e) of subsection 4 of this
6 Section on an annual basis is less than the amount the
7 county had received during the 12 month period immediately
8 prior to the effective date of this amendatory Act of 1985,
9 then the Division shall reimburse the amount of the
10 difference to the county. The effect of paragraph (b) of
11 subsection 7 of this Section shall be considered in
12 implementing this supplemental reimbursement provision.

13 (5) The Division shall provide funds beginning on April 1,
14 1987 for the counties to provide Individualized Services and
15 Programs as provided in Section 16 of this Act.

16 (6) A Probation and Court Services Department in order to
17 be eligible for the reimbursement must submit to the Supreme
18 Court an application containing such information and in such a
19 form and by such dates as the Supreme Court may require.
20 Departments to be eligible for funding must satisfy the
21 following conditions:

22 (a) The Department shall have on file with the Supreme
23 Court an annual Probation plan for continuing, improved,
24 and new Probation and Court Services Programs approved by
25 the Supreme Court or its designee. This plan shall indicate
26 the manner in which Probation and Court Services will be
27 delivered and improved, consistent with the minimum
28 standards and regulations for Probation and Court
29 Services, as established by the Supreme Court. In counties
30 with more than one Probation and Court Services Department
31 eligible to receive funds, all Departments within that
32 county must submit plans which are approved by the Supreme
33 Court.

34 (b) The annual probation plan shall seek to generally
35 improve the quality of probation services and to reduce the
36 commitment of adult offenders to the Department of

1 Corrections and to reduce the commitment of juvenile
2 offenders to the Department of Juvenile Justice and shall
3 require, when appropriate, coordination with the
4 Department of Corrections, the Department of Juvenile
5 Justice, and the Department of Children and Family Services
6 in the development and use of community resources,
7 information systems, case review and permanency planning
8 systems to avoid the duplication of services.

9 (c) The Department shall be in compliance with
10 standards developed by the Supreme Court for basic, new and
11 expanded services, training, personnel hiring and
12 promotion.

13 (d) The Department shall in its annual plan indicate
14 the manner in which it will support the rights of crime
15 victims and in which manner it will implement Article I,
16 Section 8.1 of the Illinois Constitution and in what manner
17 it will coordinate crime victims' support services with
18 other criminal justice agencies within its jurisdiction,
19 including but not limited to, the State's Attorney, the
20 Sheriff and any municipal police department.

21 (7) No statement shall be verified by the Supreme Court or
22 its designee or vouchered by the Comptroller unless each of the
23 following conditions have been met:

24 (a) The probation officer is a full-time employee
25 appointed by the Chief Judge to provide probation services.

26 (b) The probation officer, in order to be eligible for
27 State reimbursement, is receiving a salary of at least
28 \$17,000 per year.

29 (c) The probation officer is appointed or was
30 reappointed in accordance with minimum qualifications or
31 criteria established by the Supreme Court; however, all
32 probation officers appointed prior to January 1, 1978,
33 shall be exempted from the minimum requirements
34 established by the Supreme Court. Payments shall be made to
35 counties employing these exempted probation officers as
36 long as they are employed in the position held on the

1 effective date of this amendatory Act of 1985. Promotions
2 shall be governed by minimum qualifications established by
3 the Supreme Court.

4 (d) The Department has an established compensation
5 schedule approved by the Supreme Court. The compensation
6 schedule shall include salary ranges with necessary
7 increments to compensate each employee. The increments
8 shall, within the salary ranges, be based on such factors
9 as bona fide occupational qualifications, performance, and
10 length of service. Each position in the Department shall be
11 placed on the compensation schedule according to job duties
12 and responsibilities of such position. The policy and
13 procedures of the compensation schedule shall be made
14 available to each employee.

15 (8) In order to obtain full reimbursement of all approved
16 costs, each Department must continue to employ at least the
17 same number of probation officers and probation managers as
18 were authorized for employment for the fiscal year which
19 includes January 1, 1985. This number shall be designated as
20 the base amount of the Department. No positions approved by the
21 Division under paragraph (b) of subsection 4 will be included
22 in the base amount. In the event that the Department employs
23 fewer Probation officers and Probation managers than the base
24 amount for a period of 90 days, funding received by the
25 Department under subsection 4 of this Section may be reduced on
26 a monthly basis by the amount of the current salaries of any
27 positions below the base amount.

28 (9) Before the 15th day of each month, the treasurer of any
29 county which has a Probation and Court Services Department, or
30 the treasurer of the most populous county, in the case of a
31 Probation or Court Services Department funded by more than one
32 county, shall submit an itemized statement of all approved
33 costs incurred in the delivery of Basic Probation and Court
34 Services under this Act to the Supreme Court. The treasurer may
35 also submit an itemized statement of all approved costs
36 incurred in the delivery of new and expanded Probation and

1 Court Services as well as Individualized Services and Programs.
2 The Supreme Court or its designee shall verify compliance with
3 this Section and shall examine and audit the monthly statement
4 and, upon finding them to be correct, shall forward them to the
5 Comptroller for payment to the county treasurer. In the case of
6 payment to a treasurer of a county which is the most populous
7 of counties sharing the salary and expenses of a Probation and
8 Court Services Department, the treasurer shall divide the money
9 between the counties in a manner that reflects each county's
10 share of the cost incurred by the Department.

11 (10) The county treasurer must certify that funds received
12 under this Section shall be used solely to maintain and improve
13 Probation and Court Services. The county or circuit shall
14 remain in compliance with all standards, policies and
15 regulations established by the Supreme Court. If at any time
16 the Supreme Court determines that a county or circuit is not in
17 compliance, the Supreme Court shall immediately notify the
18 Chief Judge, county board chairman and the Director of Court
19 Services Chief Probation Officer. If after 90 days of written
20 notice the noncompliance still exists, the Supreme Court shall
21 be required to reduce the amount of monthly reimbursement by
22 10%. An additional 10% reduction of monthly reimbursement shall
23 occur for each consecutive month of noncompliance. Except as
24 provided in subsection 5 of Section 15, funding to counties
25 shall commence on April 1, 1986. Funds received under this Act
26 shall be used to provide for Probation Department expenses
27 including those required under Section 13 of this Act. For
28 State fiscal years 2004, 2005, ~~and~~ 2006, and 2007 only, the
29 Mandatory Arbitration Fund may be used to provide for Probation
30 Department expenses, including those required under Section 13
31 of this Act.

32 (11) The respective counties shall be responsible for
33 capital and space costs, fringe benefits, clerical costs,
34 equipment, telecommunications, postage, commodities and
35 printing.

36 (12) For purposes of this Act only, probation officers

1 shall be considered peace officers. In the exercise of their
2 official duties, probation officers, sheriffs, and police
3 officers may, anywhere within the State, arrest any probationer
4 who is in violation of any of the conditions of his or her
5 probation, conditional discharge, or supervision, and it shall
6 be the duty of the officer making the arrest to take the
7 probationer before the Court having jurisdiction over the
8 probationer for further order.

9 (Source: P.A. 93-25, eff. 6-20-03; 93-576, eff. 1-1-04; 93-839,
10 eff. 7-30-04; 94-91, eff. 7-1-05; 94-696, eff. 6-1-06.)

11 (730 ILCS 110/15.1) (from Ch. 38, par. 204-7.1)

12 Sec. 15.1. Probation and Court Services Fund.

13 (a) The county treasurer in each county shall establish a
14 probation and court services fund consisting of fees collected
15 pursuant to subsection (i) of Section 5-6-3 and subsection (i)
16 of Section 5-6-3.1 of the Unified Code of Corrections,
17 subsection (10) of Section 5-615 and subsection (5) of Section
18 5-715 of the Juvenile Court Act of 1987, and paragraph 14.3 of
19 subsection (b) of Section 110-10 of the Code of Criminal
20 Procedure of 1963. The county treasurer shall disburse monies
21 from the fund only at the direction of the chief judge of the
22 circuit court in such circuit where the county is located. The
23 county treasurer of each county shall, on or before January 10
24 of each year, submit an annual report to the Supreme Court.

25 (b) Monies in the probation and court services fund shall
26 be appropriated by the county board to be used within the
27 county or jurisdiction where collected in accordance with
28 policies and guidelines approved by the Supreme Court for the
29 costs of operating the probation and court services department
30 or departments; however, except as provided in subparagraph
31 (g), monies in the probation and court services fund shall not
32 be used for the payment of salaries of probation and court
33 services personnel.

34 (c) Monies expended from the probation and court services
35 fund shall be used to supplement, not supplant, county

1 appropriations for probation and court services.

2 (d) Interest earned on monies deposited in a probation and
3 court services fund may be used by the county for its ordinary
4 and contingent expenditures.

5 (e) The county board may appropriate moneys from the
6 probation and court services fund, upon the direction of the
7 chief judge, to support programs that are part of the continuum
8 of juvenile delinquency intervention programs which are or may
9 be developed within the county. The grants from the probation
10 and court services fund shall be for no more than one year and
11 may be used for any expenses attributable to the program
12 including administration and oversight of the program by the
13 probation department.

14 (f) The county board may appropriate moneys from the
15 probation and court services fund, upon the direction of the
16 chief judge, to support practices endorsed or required under
17 the Sex Offender Management Board Act, including but not
18 limited to sex offender evaluation, treatment, and monitoring
19 programs that are or may be developed within the county.

20 (g) For the State Fiscal Years 2005, ~~and~~ 2006, and 2007
21 only, the Administrative Office of the Illinois Courts may
22 permit a county or circuit to use its probation and court
23 services fund for the payment of salaries of probation officers
24 and other court services personnel whose salaries are
25 reimbursed under this Act if the State's FY2005, ~~or~~ FY2006, or
26 FY2007 appropriation to the Supreme Court for reimbursement to
27 counties for probation salaries and services is less than the
28 amount appropriated to the Supreme Court for these purposes for
29 State Fiscal Year 2004. The Administrative Office of the
30 Illinois Courts shall take into account each county's or
31 circuit's probation fee collections and expenditures when
32 apportioning the total reimbursement for each county or
33 circuit.

34 (Source: P.A. 93-616, eff. 1-1-04; 93-839, eff. 7-30-04; 94-91,
35 eff. 7-1-05.)

1 Section 5-100. The Code of Civil Procedure is amended by
2 changing Section 2-1009A as follows:

3 (735 ILCS 5/2-1009A) (from Ch. 110, par. 2-1009A)

4 Sec. 2-1009A. Filing Fees. In each county authorized by the
5 Supreme Court to utilize mandatory arbitration, the clerk of
6 the circuit court shall charge and collect, in addition to any
7 other fees, an arbitration fee of \$8, except in counties with
8 3,000,000 or more inhabitants the fee shall be \$10, at the time
9 of filing the first pleading, paper or other appearance filed
10 by each party in all civil cases, but no additional fee shall
11 be required if more than one party is represented in a single
12 pleading, paper or other appearance. Arbitration fees received
13 by the clerk of the circuit court pursuant to this Section
14 shall be remitted within one month after receipt to the State
15 Treasurer for deposit into the Mandatory Arbitration Fund, a
16 special fund in the State treasury for the purpose of funding
17 mandatory arbitration programs and such other alternative
18 dispute resolution programs as may be authorized by circuit
19 court rule for operation in counties that have implemented
20 mandatory arbitration, with a separate account being
21 maintained for each county. Notwithstanding any other
22 provision of this Section to the contrary, and for State fiscal
23 years 2004, 2005, ~~and~~ 2006, and 2007 only, the Mandatory
24 Arbitration Fund may be used for any other purpose authorized
25 by the Supreme Court.

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

28 Section 5-110. The Workers' Compensation Act is amended by
29 changing Section 4 as follows:

30 (820 ILCS 305/4) (from Ch. 48, par. 138.4)

31 Sec. 4. (a) Any employer, including but not limited to
32 general contractors and their subcontractors, who shall come
33 within the provisions of Section 3 of this Act, and any other

1 employer who shall elect to provide and pay the compensation
2 provided for in this Act shall:

3 (1) File with the Commission annually an application
4 for approval as a self-insurer which shall include a
5 current financial statement, and annually, thereafter, an
6 application for renewal of self-insurance, which shall
7 include a current financial statement. Said application
8 and financial statement shall be signed and sworn to by the
9 president or vice president and secretary or assistant
10 secretary of the employer if it be a corporation, or by all
11 of the partners, if it be a copartnership, or by the owner
12 if it be neither a copartnership nor a corporation. All
13 initial applications and all applications for renewal of
14 self-insurance must be submitted at least 60 days prior to
15 the requested effective date of self-insurance. An
16 employer may elect to provide and pay compensation as
17 provided for in this Act as a member of a group workers'
18 compensation pool under Article V 3/4 of the Illinois
19 Insurance Code. If an employer becomes a member of a group
20 workers' compensation pool, the employer shall not be
21 relieved of any obligations imposed by this Act.

22 If the sworn application and financial statement of any
23 such employer does not satisfy the Commission of the
24 financial ability of the employer who has filed it, the
25 Commission shall require such employer to,

26 (2) Furnish security, indemnity or a bond guaranteeing
27 the payment by the employer of the compensation provided
28 for in this Act, provided that any such employer whose
29 application and financial statement shall not have
30 satisfied the commission of his or her financial ability
31 and who shall have secured his liability in part by excess
32 liability insurance shall be required to furnish to the
33 Commission security, indemnity or bond guaranteeing his or
34 her payment up to the effective limits of the excess
35 coverage, or

36 (3) Insure his entire liability to pay such

1 compensation in some insurance carrier authorized,
2 licensed, or permitted to do such insurance business in
3 this State. Every policy of an insurance carrier, insuring
4 the payment of compensation under this Act shall cover all
5 the employees and the entire compensation liability of the
6 insured: Provided, however, that any employer may insure
7 his or her compensation liability with 2 or more insurance
8 carriers or may insure a part and qualify under subsection
9 1, 2, or 4 for the remainder of his or her liability to pay
10 such compensation, subject to the following two
11 provisions:

12 Firstly, the entire compensation liability of the
13 employer to employees working at or from one location
14 shall be insured in one such insurance carrier or shall
15 be self-insured, and

16 Secondly, the employer shall submit evidence
17 satisfactorily to the Commission that his or her entire
18 liability for the compensation provided for in this Act
19 will be secured. Any provisions in any policy, or in
20 any endorsement attached thereto, attempting to limit
21 or modify in any way, the liability of the insurance
22 carriers issuing the same except as otherwise provided
23 herein shall be wholly void.

24 Nothing herein contained shall apply to policies of
25 excess liability carriage secured by employers who have
26 been approved by the Commission as self-insurers, or

27 (4) Make some other provision, satisfactory to the
28 Commission, for the securing of the payment of compensation
29 provided for in this Act, and

30 (5) Upon becoming subject to this Act and thereafter as
31 often as the Commission may in writing demand, file with
32 the Commission in form prescribed by it evidence of his or
33 her compliance with the provision of this Section.

34 (a-1) Regardless of its state of domicile or its principal
35 place of business, an employer shall make payments to its
36 insurance carrier or group self-insurance fund, where

1 applicable, based upon the premium rates of the situs where the
2 work or project is located in Illinois if:

3 (A) the employer is engaged primarily in the building
4 and construction industry; and

5 (B) subdivision (a)(3) of this Section applies to the
6 employer or the employer is a member of a group
7 self-insurance plan as defined in subsection (1) of Section
8 4a.

9 The Illinois Workers' Compensation Commission shall impose
10 a penalty upon an employer for violation of this subsection
11 (a-1) if:

12 (i) the employer is given an opportunity at a hearing
13 to present evidence of its compliance with this subsection
14 (a-1); and

15 (ii) after the hearing, the Commission finds that the
16 employer failed to make payments upon the premium rates of
17 the situs where the work or project is located in Illinois.

18 The penalty shall not exceed \$1,000 for each day of work
19 for which the employer failed to make payments upon the premium
20 rates of the situs where the work or project is located in
21 Illinois, but the total penalty shall not exceed \$50,000 for
22 each project or each contract under which the work was
23 performed.

24 Any penalty under this subsection (a-1) must be imposed not
25 later than one year after the expiration of the applicable
26 limitation period specified in subsection (d) of Section 6 of
27 this Act. Penalties imposed under this subsection (a-1) shall
28 be deposited into the Illinois Workers' Compensation
29 Commission Operations Fund, a special fund that is created in
30 the State treasury. Subject to appropriation, moneys in the
31 Fund shall be used solely for the operations of the Illinois
32 Workers' Compensation Commission and by the Department of
33 Financial and Professional Regulation for the purposes
34 authorized in subsection (c) of Section 25.5 of this Act.

35 (b) The sworn application and financial statement, or
36 security, indemnity or bond, or amount of insurance, or other

1 provisions, filed, furnished, carried, or made by the employer,
2 as the case may be, shall be subject to the approval of the
3 Commission.

4 Deposits under escrow agreements shall be cash, negotiable
5 United States government bonds or negotiable general
6 obligation bonds of the State of Illinois. Such cash or bonds
7 shall be deposited in escrow with any State or National Bank or
8 Trust Company having trust authority in the State of Illinois.

9 Upon the approval of the sworn application and financial
10 statement, security, indemnity or bond or amount of insurance,
11 filed, furnished or carried, as the case may be, the Commission
12 shall send to the employer written notice of its approval
13 thereof. The certificate of compliance by the employer with the
14 provisions of subparagraphs (2) and (3) of paragraph (a) of
15 this Section shall be delivered by the insurance carrier to the
16 Illinois Workers' Compensation Commission within five days
17 after the effective date of the policy so certified. The
18 insurance so certified shall cover all compensation liability
19 occurring during the time that the insurance is in effect and
20 no further certificate need be filed in case such insurance is
21 renewed, extended or otherwise continued by such carrier. The
22 insurance so certified shall not be cancelled or in the event
23 that such insurance is not renewed, extended or otherwise
24 continued, such insurance shall not be terminated until at
25 least 10 days after receipt by the Illinois Workers'
26 Compensation Commission of notice of the cancellation or
27 termination of said insurance; provided, however, that if the
28 employer has secured insurance from another insurance carrier,
29 or has otherwise secured the payment of compensation in
30 accordance with this Section, and such insurance or other
31 security becomes effective prior to the expiration of the 10
32 days, cancellation or termination may, at the option of the
33 insurance carrier indicated in such notice, be effective as of
34 the effective date of such other insurance or security.

35 (c) Whenever the Commission shall find that any
36 corporation, company, association, aggregation of individuals,

1 reciprocal or interinsurers exchange, or other insurer
2 effecting workers' compensation insurance in this State shall
3 be insolvent, financially unsound, or unable to fully meet all
4 payments and liabilities assumed or to be assumed for
5 compensation insurance in this State, or shall practice a
6 policy of delay or unfairness toward employees in the
7 adjustment, settlement, or payment of benefits due such
8 employees, the Commission may after reasonable notice and
9 hearing order and direct that such corporation, company,
10 association, aggregation of individuals, reciprocal or
11 interinsurers exchange, or insurer, shall from and after a date
12 fixed in such order discontinue the writing of any such
13 workers' compensation insurance in this State. Subject to such
14 modification of the order as the Commission may later make on
15 review of the order, as herein provided, it shall thereupon be
16 unlawful for any such corporation, company, association,
17 aggregation of individuals, reciprocal or interinsurers
18 exchange, or insurer to effect any workers' compensation
19 insurance in this State. A copy of the order shall be served
20 upon the Director of Insurance by registered mail. Whenever the
21 Commission finds that any service or adjustment company used or
22 employed by a self-insured employer or by an insurance carrier
23 to process, adjust, investigate, compromise or otherwise
24 handle claims under this Act, has practiced or is practicing a
25 policy of delay or unfairness toward employees in the
26 adjustment, settlement or payment of benefits due such
27 employees, the Commission may after reasonable notice and
28 hearing order and direct that such service or adjustment
29 company shall from and after a date fixed in such order be
30 prohibited from processing, adjusting, investigating,
31 compromising or otherwise handling claims under this Act.

32 Whenever the Commission finds that any self-insured
33 employer has practiced or is practicing delay or unfairness
34 toward employees in the adjustment, settlement or payment of
35 benefits due such employees, the Commission may, after
36 reasonable notice and hearing, order and direct that after a

1 date fixed in the order such self-insured employer shall be
2 disqualified to operate as a self-insurer and shall be required
3 to insure his entire liability to pay compensation in some
4 insurance carrier authorized, licensed and permitted to do such
5 insurance business in this State, as provided in subparagraph 3
6 of paragraph (a) of this Section.

7 All orders made by the Commission under this Section shall
8 be subject to review by the courts, said review to be taken in
9 the same manner and within the same time as provided by Section
10 19 of this Act for review of awards and decisions of the
11 Commission, upon the party seeking the review filing with the
12 clerk of the court to which said review is taken a bond in an
13 amount to be fixed and approved by the court to which the
14 review is taken, conditioned upon the payment of all
15 compensation awarded against the person taking said review
16 pending a decision thereof and further conditioned upon such
17 other obligations as the court may impose. Upon the review the
18 Circuit Court shall have power to review all questions of fact
19 as well as of law. The penalty hereinafter provided for in this
20 paragraph shall not attach and shall not begin to run until the
21 final determination of the order of the Commission.

22 (d) Whenever a panel of 3 Commissioners comprised of one
23 member of the employing class, one member of the employee
24 class, and one member not identified with either the employing
25 or employee class, with due process and after a hearing,
26 determines an employer has knowingly failed to provide coverage
27 as required by paragraph (a) of this Section, the failure shall
28 be deemed an immediate serious danger to public health, safety,
29 and welfare sufficient to justify service by the Commission of
30 a work-stop order on such employer, requiring the cessation of
31 all business operations of such employer at the place of
32 employment or job site. Any law enforcement agency in the State
33 shall, at the request of the Commission, render any assistance
34 necessary to carry out the provisions of this Section,
35 including, but not limited to, preventing any employee of such
36 employer from remaining at a place of employment or job site

1 after a work-stop order has taken effect. Any work-stop order
2 shall be lifted upon proof of insurance as required by this
3 Act. Any orders under this Section are appealable under Section
4 19(f) to the Circuit Court.

5 Any individual employer, corporate officer or director of a
6 corporate employer, partner of an employer partnership, or
7 member of an employer limited liability company who knowingly
8 fails to provide coverage as required by paragraph (a) of this
9 Section is guilty of a Class 4 felony. This provision shall not
10 apply to any corporate officer or director of any
11 publicly-owned corporation. Each day's violation constitutes a
12 separate offense. The State's Attorney of the county in which
13 the violation occurred, or the Attorney General, shall bring
14 such actions in the name of the People of the State of
15 Illinois, or may, in addition to other remedies provided in
16 this Section, bring an action for an injunction to restrain the
17 violation or to enjoin the operation of any such employer.

18 Any individual employer, corporate officer or director of a
19 corporate employer, partner of an employer partnership, or
20 member of an employer limited liability company who negligently
21 fails to provide coverage as required by paragraph (a) of this
22 Section is guilty of a Class A misdemeanor. This provision
23 shall not apply to any corporate officer or director of any
24 publicly-owned corporation. Each day's violation constitutes a
25 separate offense. The State's Attorney of the county in which
26 the violation occurred, or the Attorney General, shall bring
27 such actions in the name of the People of the State of
28 Illinois.

29 The criminal penalties in this subsection (d) shall not
30 apply where there exists a good faith dispute as to the
31 existence of an employment relationship. Evidence of good faith
32 shall include, but not be limited to, compliance with the
33 definition of employee as used by the Internal Revenue Service.

34 Employers who are subject to and who knowingly fail to
35 comply with this Section shall not be entitled to the benefits
36 of this Act during the period of noncompliance, but shall be

1 liable in an action under any other applicable law of this
2 State. In the action, such employer shall not avail himself or
3 herself of the defenses of assumption of risk or negligence or
4 that the injury was due to a co-employee. In the action, proof
5 of the injury shall constitute prima facie evidence of
6 negligence on the part of such employer and the burden shall be
7 on such employer to show freedom of negligence resulting in the
8 injury. The employer shall not join any other defendant in any
9 such civil action. Nothing in this amendatory Act of the 94th
10 General Assembly shall affect the employee's rights under
11 subdivision (a)3 of Section 1 of this Act. Any employer or
12 carrier who makes payments under subdivision (a)3 of Section 1
13 of this Act shall have a right of reimbursement from the
14 proceeds of any recovery under this Section.

15 An employee of an uninsured employer, or the employee's
16 dependents in case death ensued, may, instead of proceeding
17 against the employer in a civil action in court, file an
18 application for adjustment of claim with the Commission in
19 accordance with the provisions of this Act and the Commission
20 shall hear and determine the application for adjustment of
21 claim in the manner in which other claims are heard and
22 determined before the Commission.

23 All proceedings under this subsection (d) shall be reported
24 on an annual basis to the Workers' Compensation Advisory Board.

25 Upon a finding by the Commission, after reasonable notice
26 and hearing, of the knowing and wilful failure or refusal of an
27 employer to comply with any of the provisions of paragraph (a)
28 of this Section or the failure or refusal of an employer,
29 service or adjustment company, or an insurance carrier to
30 comply with any order of the Illinois Workers' Compensation
31 Commission pursuant to paragraph (c) of this Section
32 disqualifying him or her to operate as a self insurer and
33 requiring him or her to insure his or her liability, the
34 Commission may assess a civil penalty of up to \$500 per day for
35 each day of such failure or refusal after the effective date of
36 this amendatory Act of 1989. The minimum penalty under this

1 Section shall be the sum of \$10,000. Each day of such failure
2 or refusal shall constitute a separate offense. The Commission
3 may assess the civil penalty personally and individually
4 against the corporate officers and directors of a corporate
5 employer, the partners of an employer partnership, and the
6 members of an employer limited liability company, after a
7 finding of a knowing and willful refusal or failure of each
8 such named corporate officer, director, partner, or member to
9 comply with this Section. The liability for the assessed
10 penalty shall be against the named employer first, and if the
11 named employer fails or refuses to pay the penalty to the
12 Commission within 30 days after the final order of the
13 Commission, then the named corporate officers, directors,
14 partners, or members who have been found to have knowingly and
15 willfully refused or failed to comply with this Section shall
16 be liable for the unpaid penalty or any unpaid portion of the
17 penalty. Upon investigation by the insurance non-compliance
18 unit of the Commission, the Attorney General shall have the
19 authority to prosecute all proceedings to enforce the civil and
20 administrative provisions of this Section before the
21 Commission. The Commission shall promulgate procedural rules
22 for enforcing this Section.

23 Upon the failure or refusal of any employer, service or
24 adjustment company or insurance carrier to comply with the
25 provisions of this Section and with the orders of the
26 Commission under this Section, or the order of the court on
27 review after final adjudication, the Commission may bring a
28 civil action to recover the amount of the penalty in Cook
29 County or in Sangamon County in which litigation the Commission
30 shall be represented by the Attorney General. The Commission
31 shall send notice of its finding of non-compliance and
32 assessment of the civil penalty to the Attorney General. It
33 shall be the duty of the Attorney General within 30 days after
34 receipt of the notice, to institute prosecutions and promptly
35 prosecute all reported violations of this Section.

36 Any individual employer, corporate officer or director of a

1 corporate employer, partner of an employer partnership, or
2 member of an employer limited liability company who, with the
3 intent to avoid payment of compensation under this Act to an
4 injured employee or the employee's dependents, knowingly
5 transfers, sells, encumbers, assigns, or in any manner disposes
6 of, conceals, secretes, or destroys any property belonging to
7 the employer, officer, director, partner, or member is guilty
8 of a Class 4 felony.

9 Penalties and fines collected pursuant to this paragraph
10 (d) shall be deposited upon receipt into a special fund which
11 shall be designated the Injured Workers' Benefit Fund, of which
12 the State Treasurer is ex-officio custodian, such special fund
13 to be held and disbursed in accordance with this paragraph (d)
14 for the purposes hereinafter stated in this paragraph (d), upon
15 the final order of the Commission. The Injured Workers' Benefit
16 Fund shall be deposited the same as are State funds and any
17 interest accruing thereon shall be added thereto every 6
18 months. The Injured Workers' Benefit Fund is subject to audit
19 the same as State funds and accounts and is protected by the
20 general bond given by the State Treasurer. The Injured Workers'
21 Benefit Fund is considered always appropriated for the purposes
22 of disbursements as provided in this paragraph, and shall be
23 paid out and disbursed as herein provided and shall not at any
24 time be appropriated or diverted to any other use or purpose.
25 Moneys in the Injured Workers' Benefit Fund shall be used only
26 for payment of workers' compensation benefits for injured
27 employees when the employer has failed to provide coverage as
28 determined under this paragraph (d) and has failed to pay the
29 benefits due to the injured employee. The Commission shall have
30 the right to obtain reimbursement from the employer for
31 compensation obligations paid by the Injured Workers' Benefit
32 Fund. Any such amounts obtained shall be deposited by the
33 Commission into the Injured Workers' Benefit Fund. If an
34 injured employee or his or her personal representative receives
35 payment from the Injured Workers' Benefit Fund, the State of
36 Illinois has the same rights under paragraph (b) of Section 5

1 that the employer who failed to pay the benefits due to the
2 injured employee would have had if the employer had paid those
3 benefits, and any moneys recovered by the State as a result of
4 the State's exercise of its rights under paragraph (b) of
5 Section 5 shall be deposited into the Injured Workers' Benefit
6 Fund. The custodian of the Injured Workers' Benefit Fund shall
7 be joined with the employer as a party respondent in the
8 application for adjustment of claim. After July 1, 2006, the
9 Commission shall make disbursements from the Fund once each
10 year to each eligible claimant. An eligible claimant is an
11 injured worker who has within the previous fiscal year obtained
12 a final award for benefits from the Commission against the
13 employer and the Injured Workers' Benefit Fund and has notified
14 the Commission within 90 days of receipt of such award. Within
15 a reasonable time after the end of each fiscal year, the
16 Commission shall make a disbursement to each eligible claimant.
17 At the time of disbursement, if there are insufficient moneys
18 in the Fund to pay all claims, each eligible claimant shall
19 receive a pro-rata share, as determined by the Commission, of
20 the available moneys in the Fund for that year. Payment from
21 the Injured Workers' Benefit Fund to an eligible claimant
22 pursuant to this provision shall discharge the obligations of
23 the Injured Workers' Benefit Fund regarding the award entered
24 by the Commission.

25 (e) This Act shall not affect or disturb the continuance of
26 any existing insurance, mutual aid, benefit, or relief
27 association or department, whether maintained in whole or in
28 part by the employer or whether maintained by the employees,
29 the payment of benefits of such association or department being
30 guaranteed by the employer or by some person, firm or
31 corporation for him or her: Provided, the employer contributes
32 to such association or department an amount not less than the
33 full compensation herein provided, exclusive of the cost of the
34 maintenance of such association or department and without any
35 expense to the employee. This Act shall not prevent the
36 organization and maintaining under the insurance laws of this

1 State of any benefit or insurance company for the purpose of
2 insuring against the compensation provided for in this Act, the
3 expense of which is maintained by the employer. This Act shall
4 not prevent the organization or maintaining under the insurance
5 laws of this State of any voluntary mutual aid, benefit or
6 relief association among employees for the payment of
7 additional accident or sick benefits.

8 (f) No existing insurance, mutual aid, benefit or relief
9 association or department shall, by reason of anything herein
10 contained, be authorized to discontinue its operation without
11 first discharging its obligations to any and all persons
12 carrying insurance in the same or entitled to relief or
13 benefits therein.

14 (g) Any contract, oral, written or implied, of employment
15 providing for relief benefit, or insurance or any other device
16 whereby the employee is required to pay any premium or premiums
17 for insurance against the compensation provided for in this Act
18 shall be null and void. Any employer withholding from the wages
19 of any employee any amount for the purpose of paying any such
20 premium shall be guilty of a Class B misdemeanor.

21 In the event the employer does not pay the compensation for
22 which he or she is liable, then an insurance company,
23 association or insurer which may have insured such employer
24 against such liability shall become primarily liable to pay to
25 the employee, his or her personal representative or beneficiary
26 the compensation required by the provisions of this Act to be
27 paid by such employer. The insurance carrier may be made a
28 party to the proceedings in which the employer is a party and
29 an award may be entered jointly against the employer and the
30 insurance carrier.

31 (h) It shall be unlawful for any employer, insurance
32 company or service or adjustment company to interfere with,
33 restrain or coerce an employee in any manner whatsoever in the
34 exercise of the rights or remedies granted to him or her by
35 this Act or to discriminate, attempt to discriminate, or
36 threaten to discriminate against an employee in any way because

1 of his or her exercise of the rights or remedies granted to him
2 or her by this Act.

3 It shall be unlawful for any employer, individually or
4 through any insurance company or service or adjustment company,
5 to discharge or to threaten to discharge, or to refuse to
6 rehire or recall to active service in a suitable capacity an
7 employee because of the exercise of his or her rights or
8 remedies granted to him or her by this Act.

9 (i) If an employer elects to obtain a life insurance policy
10 on his employees, he may also elect to apply such benefits in
11 satisfaction of all or a portion of the death benefits payable
12 under this Act, in which case, the employer's compensation
13 premium shall be reduced accordingly.

14 (j) Within 45 days of receipt of an initial application or
15 application to renew self-insurance privileges the
16 Self-Insurers Advisory Board shall review and submit for
17 approval by the Chairman of the Commission recommendations of
18 disposition of all initial applications to self-insure and all
19 applications to renew self-insurance privileges filed by
20 private self-insurers pursuant to the provisions of this
21 Section and Section 4a-9 of this Act. Each private self-insurer
22 shall submit with its initial and renewal applications the
23 application fee required by Section 4a-4 of this Act.

24 The Chairman of the Commission shall promptly act upon all
25 initial applications and applications for renewal in full
26 accordance with the recommendations of the Board or, should the
27 Chairman disagree with any recommendation of disposition of the
28 Self-Insurer's Advisory Board, he shall within 30 days of
29 receipt of such recommendation provide to the Board in writing
30 the reasons supporting his decision. The Chairman shall also
31 promptly notify the employer of his decision within 15 days of
32 receipt of the recommendation of the Board.

33 If an employer is denied a renewal of self-insurance
34 privileges pursuant to application it shall retain said
35 privilege for 120 days after receipt of a notice of
36 cancellation of the privilege from the Chairman of the

1 Commission.

2 All orders made by the Chairman under this Section shall be
3 subject to review by the courts, such review to be taken in the
4 same manner and within the same time as provided by subsection
5 (f) of Section 19 of this Act for review of awards and
6 decisions of the Commission, upon the party seeking the review
7 filing with the clerk of the court to which such review is
8 taken a bond in an amount to be fixed and approved by the court
9 to which the review is taken, conditioned upon the payment of
10 all compensation awarded against the person taking such review
11 pending a decision thereof and further conditioned upon such
12 other obligations as the court may impose. Upon the review the
13 Circuit Court shall have power to review all questions of fact
14 as well as of law.

15 (Source: P.A. 93-721, eff. 1-1-05; 94-277, eff. 7-20-05.)

16 ARTICLE 10. STATE POLICE VEHICLES

17 Section 10-5. If and only if Senate Bill 1089 of the 94th
18 General Assembly becomes law in the form in which it appears in
19 the engrossed bill, the State Finance Act is amended by adding
20 Section 5.664 as follows:

21 (30 ILCS 105/5.664 new)

22 Sec. 5.664. The State Police Vehicle Maintenance Fund.

23 Section 10-10. If and only if Senate Bill 1089 of the 94th
24 General Assembly becomes law in the form in which it appears in
25 the engrossed bill, the State Property Control Act is amended
26 by changing Section 7b and by adding Section 7c as follows:

27 (30 ILCS 605/7b)

28 Sec. 7b. Maintenance and operation of State Police
29 vehicles. All proceeds received by the Department of Central
30 Management Services under this Act from the sale of vehicles
31 operated by the Department of State Police, except for a \$500

1 handling fee to be retained by the Department of Central
2 Management Services for each vehicle sold, shall be deposited
3 into the State Police Vehicle Maintenance Fund. However, in
4 lieu of the \$500 handling fee as provided by this paragraph,
5 the Department of Central Management Services shall retain all
6 proceeds from the sale of any vehicle for which \$500 or a
7 lesser amount is collected.

8 The State Police Vehicle Maintenance Fund is created as a
9 special fund in the State treasury. All moneys in the State
10 Police Vehicle Maintenance Fund, subject to appropriation,
11 shall be used by the Department of State Police for the
12 maintenance and operation ~~acquisition~~ of vehicles for that
13 Department.

14 (Source: P.A. 89-54, eff. 6-30-95.)

15 (30 ILCS 605/7c new)

16 Sec. 7c. Acquisition of State Police vehicles. The State
17 Police Vehicle Fund is created as a special fund in the State
18 treasury. The Fund shall consist of fees received pursuant to
19 Section 16-104c of the Illinois Vehicle Code. All moneys in the
20 Fund, subject to appropriation, shall be used by the Department
21 of State Police:

22 (1) for the acquisition of vehicles for that
23 Department; or

24 (2) for debt service on bonds issued to finance the
25 acquisition of vehicles for that Department.

26 ARTICLE 15. TRANSIT AUTHORITY PENSION FUNDING

27 Section 15-5. The Illinois Pension Code is amended by
28 changing Section 22-101 and adding Section 22-103 as follows:

29 (40 ILCS 5/22-101) (from Ch. 108 1/2, par. 22-101)

30 Sec. 22-101. Metropolitan Transit Authority (CTA) Pension
31 Fund.

32 (a) There shall be established and maintained by the

1 Authority created by the "Metropolitan Transit Authority Act",
2 approved April 12, 1945, as amended, a financially sound
3 pension and retirement system adequate to provide for all
4 payments when due under such established system or as modified
5 from time to time by ordinance of the Chicago Transit Board.
6 For this purpose, ~~both~~ the Board must make contributions to the
7 established system as required under this Section and may make
8 any additional contributions provided for by Board ordinance or
9 collective bargaining agreement. The ~~and the~~ participating
10 employees shall make such periodic payments to the established
11 system as may be determined by Board ~~such~~ ordinance or
12 collective bargaining agreement. The Board, in lieu of social
13 security payments required to be paid by private corporations
14 engaged in similar activity, shall make payments into such
15 established system at least equal in amount to the amount so
16 required to be paid by such private corporations.

17 Provisions shall be made by the Board for all Board
18 members, officers and employees of the Authority appointed
19 pursuant to the "Metropolitan Transit Authority Act" to become,
20 subject to reasonable rules and regulations, members or
21 beneficiaries of the pension or retirement system with uniform
22 rights, privileges, obligations and status as to the class in
23 which such officers and employees belong. The terms, conditions
24 and provisions of any pension or retirement system or of any
25 amendment or modification thereof affecting employees who are
26 members of any labor organization may be established, amended
27 or modified by agreement with such labor organization, but must
28 be consistent with the requirements of this Section.

29 (b) Beginning January 1, 2009, the Authority shall make
30 contributions to the retirement system in an amount which,
31 together with the contributions of participants, interest
32 earned on investments, and other income, will meet the cost of
33 maintaining and administering the retirement plan in
34 accordance with applicable actuarial recommendations and
35 assumptions and the requirements of this Section. These
36 contributions may be paid on a payroll or other periodic basis,

1 but shall in any case be paid at least monthly.

2 For retirement system fiscal years 2009 through 2058, the
3 minimum contribution to the retirement system to be made by the
4 Authority for each fiscal year shall be an amount determined
5 jointly by the Authority and the trustee of the retirement
6 system to be sufficient to bring the total assets of the
7 retirement system up to 90% of its total actuarial liabilities
8 by the end of fiscal year 2058. In making these determinations,
9 the required Authority contribution shall be calculated each
10 year as a level percentage of payroll over the years remaining
11 to and including fiscal year 2058 and shall be determined under
12 the projected unit credit actuarial cost method. Beginning in
13 retirement system fiscal year 2059, the minimum Authority
14 contribution for each fiscal year shall be the amount needed to
15 maintain the total assets of the retirement system at 90% of
16 the total actuarial liabilities of the system.

17 For purposes of determining employer contributions and
18 actuarial liabilities under this subsection, contributions and
19 liabilities relating to health care benefits shall not be
20 included. As used in this Section, "retirement system fiscal
21 year" means the calendar year, or such other plan year as may
22 be defined from time to time in the agreement known as the
23 Retirement Plan for Chicago Transit Authority Employees, or its
24 successor agreement.

25 (c) The Authority and the trustee shall jointly certify to
26 the Governor, the General Assembly, and the Board of the
27 Regional Transportation Authority on or before November 15 of
28 2008 and of each year thereafter the amount of the required
29 Authority contributions to the retirement system for the next
30 retirement system fiscal year under subsection (b). The
31 certification shall include a copy of the actuarial
32 recommendations upon which it is based. In addition, copies of
33 the certification shall be sent to the Commission on Government
34 Forecasting and Accountability, the Mayor of Chicago, the
35 Chicago City Council, and the Cook County Board.

36 (d) The Authority shall take all actions lawfully available

1 to it to separate the funding of health care benefits for
2 retirees and their dependents and survivors from the funding
3 for its retirement system. The Authority shall endeavor to
4 achieve this separation as soon as possible, and in any event
5 no later than January 1, 2009.

6 (e) This amendatory Act of the 94th General Assembly does
7 not affect or impair the right of either the Authority or its
8 employees to collectively bargain the amount or level of
9 employee contributions to the retirement system.

10 (Source: Laws 1963, p. 161.)

11 (40 ILCS 5/22-103 new)

12 Sec. 22-103. Regional Transportation Authority and related
13 pension plans.

14 (a) As used in this Section:

15 "Affected pension plan" means a defined-benefit pension
16 plan supported in whole or in part by employer contributions
17 and maintained by the Regional Transportation Authority, the
18 Suburban Bus Division, or the Commuter Rail Division, or any
19 combination thereof, under the general authority of the
20 Regional Transportation Authority Act, including but not
21 limited to any such plan that has been established under or is
22 subject to a collective bargaining agreement or is limited to
23 employees covered by a collective bargaining agreement.

24 "Affected pension plan" does not include any pension fund or
25 retirement system subject to Section 22-101 of this Section.

26 "Authority" means the Regional Transportation Authority
27 created under the Regional Transportation Authority Act.

28 "Contributing employer" means an employer that is required
29 to make contributions to an affected pension plan under the
30 terms of that plan.

31 "Funding ratio" means the ratio of an affected pension
32 plan's assets to the present value of its actuarial
33 liabilities, as determined at its latest actuarial valuation in
34 accordance with applicable actuarial assumptions and
35 recommendations.

1 "Under-funded pension plan" or "under-funded" means an
2 affected pension plan that, at the time of its last actuarial
3 valuation, has a funding ratio of less than 90%.

4 (b) The contributing employers of each affected pension
5 plan have a general duty to make the required employer
6 contributions to the affected pension plan in a timely manner
7 in accordance with the terms of the plan. A contributing
8 employer must make contributions to the affected pension plan
9 as required under this subsection and, if applicable,
10 subsection (c); a contributing employer may make any additional
11 contributions provided for by the board of the employer or
12 collective bargaining agreement.

13 (c) In the case of an affected pension plan that is
14 under-funded on January 1, 2009 or becomes under-funded at any
15 time after that date, the contributing employers shall
16 contribute to the affected pension plan, in addition to all
17 amounts otherwise required, amounts sufficient to bring the
18 funding ratio of the affected pension plan up to 90% in
19 accordance with an amortization schedule adopted jointly by the
20 contributing employers and the trustee of the affected pension
21 plan. The amortization schedule may extend for any period up to
22 a maximum of 50 years and shall provide for additional employer
23 contributions in substantially equal annual amounts over the
24 selected period. If the contributing employers and the trustee
25 of the affected pension plan do not agree on an appropriate
26 period for the amortization schedule within 6 months of the
27 date of determination that the plan is under-funded, then the
28 amortization schedule shall be based on a period of 50 years.

29 In the case of an affected pension plan that has more than
30 one contributing employer, each contributing employer's share
31 of the total additional employer contributions required under
32 this subsection shall be determined: (i) in proportion to the
33 amounts, if any, by which the respective contributing employers
34 have failed to meet their contribution obligations under the
35 terms of the affected pension plan; or (ii) if all of the
36 contributing employers have met their contribution obligations

1 under the terms of the affected pension plan, then in the same
2 proportion as they are required to contribute under the terms
3 of that plan. In the case of an affected pension plan that has
4 only one contributing employer, that contributing employer is
5 responsible for all of the additional employer contributions
6 required under this subsection.

7 If an under-funded pension plan is determined to have
8 achieved a funding ratio of at least 90% during the period when
9 an amortization schedule is in force under this Section, the
10 contributing employers and the trustee of the affected pension
11 plan, acting jointly, may cancel the amortization schedule and
12 the contributing employers may cease making additional
13 contributions under this subsection for as long as the affected
14 pension plan retains a funding ratio of at least 90%.

15 (d) Beginning January 1, 2009, if the Authority fails to
16 pay to an affected pension fund within 30 days after it is due
17 (i) any employer contribution that it is required to make as a
18 contributing employer, (ii) any additional employer
19 contribution that it is required to pay under subsection (c),
20 or (iii) any payment that it is required to make under Section
21 4.02a or 4.02b of the Regional Transportation Authority Act,
22 the trustee of the affected pension fund shall promptly so
23 notify the Commission on Government Forecasting and
24 Accountability, the Mayor of Chicago, the Governor, and the
25 General Assembly.

26 (e) For purposes of determining employer contributions,
27 assets, and actuarial liabilities under this subsection,
28 contributions, assets, and liabilities relating to health care
29 benefits shall not be included.

30 (f) This amendatory Act of the 94th General Assembly does
31 not affect or impair the right of any contributing employer or
32 its employees to collectively bargain the amount or level of
33 employee contributions to an affected pension plan, to the
34 extent that the plan includes employees subject to collective
35 bargaining.

1 Section 15-10. The Regional Transportation Authority Act
2 is amended by changing Section 4.02 and by adding Sections
3 4.02a and 4.02b as follows:

4 (70 ILCS 3615/4.02) (from Ch. 111 2/3, par. 704.02)

5 Sec. 4.02. Federal, State and Other Funds.

6 (a) The Authority shall have the power to apply for,
7 receive and expend grants, loans or other funds from the State
8 of Illinois or any department or agency thereof, from any unit
9 of local government, from the federal government or any
10 department or agency thereof, for use in connection with any of
11 the powers or purposes of the Authority as set forth in this
12 Act. The Authority shall have power to make such studies as may
13 be necessary and to enter into contracts or agreements with the
14 State of Illinois or any department or agency thereof, with any
15 unit of local government, or with the federal government or any
16 department or agency thereof, concerning such grants, loans or
17 other funds, or any conditions relating thereto, including
18 obligations to repay such funds. The Authority may make such
19 covenants concerning such grants, loans and funds as it deems
20 proper and necessary in carrying out its responsibilities,
21 purposes and powers as provided in this Act.

22 (b) The Authority shall be the primary public body in the
23 metropolitan region with authority to apply for and receive any
24 grants, loans or other funds relating to public transportation
25 programs from the State of Illinois or any department or agency
26 thereof, or from the federal government or any department or
27 agency thereof. Any unit of local government, Service Board or
28 transportation agency may apply for and receive any such
29 federal or state capital grants, loans or other funds,
30 provided, however that a Service Board may not apply for or
31 receive any grant or loan which is not identified in the
32 Five-Year Program. Any Service Board, unit of local government
33 or transportation agency shall notify the Authority prior to
34 making any such application and shall file a copy thereof with
35 the Authority. Nothing in this Section shall be construed to

1 impose any limitation on the ability of the State of Illinois
2 or any department or agency thereof, any unit of local
3 government or Service Board or transportation agency to make
4 any grants or to enter into any agreement or contract with the
5 National Rail Passenger Corporation. Nor shall anything in this
6 Section impose any limitation on the ability of any school
7 district to apply for or receive any grant, loan or other funds
8 for transportation of school children.

9 (c) The Authority shall provide to the Service Board any
10 monies received relating to public transportation services
11 under the jurisdiction of the Service Boards as follows:

12 (1) As soon as may be practicable after the Authority
13 receives payment, under Section 4.03(m) or Section
14 4.03.1(d), of the proceeds of those taxes levied by the
15 Authority, the Authority shall transfer to each Service
16 Board the amount to which it is entitled under Section
17 4.01(d);

18 (2) The Authority by ordinance adopted by 9 of its then
19 Directors shall establish a formula apportioning any
20 federal funds for operating assistance purposes the
21 Authority receives to each Service Board. In establishing
22 the formula, the Board shall consider, among other factors:
23 ridership levels, the efficiency with which the service is
24 provided, the degree of transit dependence of the area
25 served and the cost of service. That portion of any federal
26 funds for operating assistance received by the Authority
27 shall be paid to each Service Board as soon as may be
28 practicable upon their receipt provided the Authority has
29 adopted a balanced budget as required by Section 4.01 and
30 further provided that the Service Boards are in compliance
31 with the requirements in Section 4.11.

32 (3) The Authority by ordinance adopted by 9 of its then
33 Directors shall apportion to the Service Boards funds
34 provided by the State of Illinois under Section 4.09 and
35 shall make payment of said funds to each Service Board as
36 soon as may be practicable upon their receipt provided the

1 Authority has adopted a balanced budget as required by
2 Section 4.01 and further provided the Service Board is in
3 compliance with the requirements in Section 4.11.

4 (4) Beginning January 1, 2009, before making any
5 payments, transfers, or expenditures under this subsection
6 to a Service Board, the Authority must first comply with
7 Section 4.02a or 4.02b of this Act, whichever may be
8 applicable.

9 (Source: P.A. 83-885; 83-886.)

10 (70 ILCS 3615/4.02a new)

11 Sec. 4.02a. Chicago Transit Authority contributions to
12 pension funds.

13 (a) The Authority shall continually review the Chicago
14 Transit Authority's payment of the required contributions to
15 its retirement system under Section 22-101 of the Illinois
16 Pension Code.

17 (b) Beginning January 1, 2009, if at any time the Authority
18 determines that the Chicago Transit Authority's payment of any
19 portion of the required contributions to its retirement system
20 under Section 22-101 of the Illinois Pension Code is more than
21 one month overdue, it shall as soon as possible pay the amount
22 of those overdue contributions to the trustee of the retirement
23 system on behalf of the Chicago Transit Authority out of moneys
24 otherwise payable to the Chicago Transit Authority under
25 subsection (c) of Section 4.02 of this Act. The Authority shall
26 thereafter have no liability to the Chicago Transit Authority
27 for amounts paid to the trustee of the retirement system under
28 this Section.

29 (c) Whenever the Authority acts or determines that it is
30 required to act under subsection (b), it shall so notify the
31 Chicago Transit Authority, the Mayor of Chicago, the Governor,
32 and the General Assembly.

33 (70 ILCS 3615/4.02b new)

34 Sec. 4.02b. Other contributions to pension funds.

1 (a) The Authority shall continually review the payment of
2 the required employer contributions to affected pension plans
3 under Section 22-103 of the Illinois Pension Code.

4 (b) Beginning January 1, 2009, if at any time the Authority
5 determines that the Commuter Rail Board's or Suburban Bus
6 Board's payment of any portion of the required contributions to
7 an affected pension plan under Section 22-103 of the Illinois
8 Pension Code is more than one month overdue, it shall as soon
9 as possible pay the amount of those overdue contributions to
10 the trustee of the affected pension plan on behalf of that
11 Service Board out of moneys otherwise payable to that Service
12 Board under subsection (c) of Section 4.02 of this Act. The
13 Authority shall thereafter have no liability to the Service
14 Board for amounts paid to the trustee of the affected pension
15 plan under this Section.

16 (c) Whenever the Authority acts or determines that it is
17 required to act under subsection (b), it shall so notify the
18 affected Service Board, the Mayor of Chicago, the Governor, and
19 the General Assembly.

20 (d) Beginning January 1, 2009, if the Authority fails to
21 pay to an affected pension fund within 30 days after it is due
22 any employer contribution that it is required to make as a
23 contributing employer under Section 22-103 of the Illinois
24 Pension Code, it shall promptly so notify the Commission on
25 Government Forecasting and Accountability, the Mayor of
26 Chicago, the Governor, and the General Assembly, and it shall
27 promptly pay the overdue amount out of the first money
28 available to the Authority for its administrative expenses, as
29 that term is defined in Section 4.01(c).

30 ARTICLE 99. NO ACCELERATION; EFFECTIVE DATE

31 Section 99-95. No acceleration or delay. Where this Act
32 makes changes in a statute that is represented in this Act by
33 text that is not yet or no longer in effect (for example, a
34 Section represented by multiple versions), the use of that text

1 does not accelerate or delay the taking effect of (i) the
2 changes made by this Act or (ii) provisions derived from any
3 other Public Act.

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