



Sen. Heather A. Steans

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1 AMENDMENT TO SENATE BILL 349

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 349 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by changing  
5 Section 13.2 as follows:

6 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

7 Sec. 13.2. Transfers among line item appropriations.

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

14 (a-1) No transfers may be made from one agency to another  
15 agency, nor may transfers be made from one institution of  
16 higher education to another institution of higher education

1 except as provided by subsection (a-4).

2 (a-2) Except as otherwise provided in this Section,  
3 transfers may be made only among the objects of expenditure  
4 enumerated in this Section, except that no funds may be  
5 transferred from any appropriation for personal services, from  
6 any appropriation for State contributions to the State  
7 Employees' Retirement System, from any separate appropriation  
8 for employee retirement contributions paid by the employer, nor  
9 from any appropriation for State contribution for employee  
10 group insurance. During State fiscal year 2005, an agency may  
11 transfer amounts among its appropriations within the same  
12 treasury fund for personal services, employee retirement  
13 contributions paid by employer, and State Contributions to  
14 retirement systems; notwithstanding and in addition to the  
15 transfers authorized in subsection (c) of this Section, the  
16 fiscal year 2005 transfers authorized in this sentence may be  
17 made in an amount not to exceed 2% of the aggregate amount  
18 appropriated to an agency within the same treasury fund. During  
19 State fiscal year 2007, the Departments of Children and Family  
20 Services, Corrections, Human Services, and Juvenile Justice  
21 may transfer amounts among their respective appropriations  
22 within the same treasury fund for personal services, employee  
23 retirement contributions paid by employer, and State  
24 contributions to retirement systems. During State fiscal year  
25 2010, the Department of Transportation may transfer amounts  
26 among their respective appropriations within the same treasury

1 fund for personal services, employee retirement contributions  
2 paid by employer, and State contributions to retirement  
3 systems. During State fiscal year 2010 only, an agency may  
4 transfer amounts among its respective appropriations within  
5 the same treasury fund for personal services, employee  
6 retirement contributions paid by employer, and State  
7 contributions to retirement systems. Notwithstanding, and in  
8 addition to, the transfers authorized in subsection (c) of this  
9 Section, these transfers may be made in an amount not to exceed  
10 2% of the aggregate amount appropriated to an agency within the  
11 same treasury fund.

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

20 (a-4) Long-Term Care Rebalancing. The Governor may  
21 designate amounts set aside for institutional services  
22 appropriated from the General Revenue Fund or any other State  
23 fund that receives monies for long-term care services to be  
24 transferred to all State agencies responsible for the  
25 administration of community-based long-term care programs,  
26 including, but not limited to, community-based long-term care

1 programs administered by the Department of Healthcare and  
2 Family Services, the Department of Human Services, and the  
3 Department on Aging, provided that the Director of Healthcare  
4 and Family Services first certifies that the amounts being  
5 transferred are necessary for the purpose of assisting persons  
6 in or at risk of being in institutional care to transition to  
7 community-based settings, including the financial data needed  
8 to prove the need for the transfer of funds. The total amounts  
9 transferred shall not exceed 4% in total of the amounts  
10 appropriated from the General Revenue Fund or any other State  
11 fund that receives monies for long-term care services for each  
12 fiscal year. A notice of the fund transfer must be made to the  
13 General Assembly and posted at a minimum on the Department of  
14 Healthcare and Family Services website, the Governor's Office  
15 of Management and Budget website, and any other website the  
16 Governor sees fit. These postings shall serve as notice to the  
17 General Assembly of the amounts to be transferred. Notice shall  
18 be given at least 30 days prior to transfer.

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

22 The Department of Healthcare and Family Services is  
23 authorized to make transfers representing savings attributable  
24 to not increasing grants due to the births of additional  
25 children from line items for payments of cash grants to line  
26 items for payments for employment and social services for the

1 purposes outlined in subsection (f) of Section 4-2 of the  
2 Illinois Public Aid Code.

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

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

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

24 The State Board of Education is authorized to make  
25 transfers from line item appropriations within the same  
26 treasury fund for General State Aid and General State Aid -

1 Hold Harmless, provided that no such transfer may be made  
2 unless the amount transferred is no longer required for the  
3 purpose for which that appropriation was made, to the line item  
4 appropriation for Transitional Assistance when the balance  
5 remaining in such line item appropriation is insufficient for  
6 the purpose for which the appropriation was made.

7 The State Board of Education is authorized to make  
8 transfers between the following line item appropriations  
9 within the same treasury fund: Disabled Student  
10 Services/Materials (Section 14-13.01 of the School Code),  
11 Disabled Student Transportation Reimbursement (Section  
12 14-13.01 of the School Code), Disabled Student Tuition -  
13 Private Tuition (Section 14-7.02 of the School Code),  
14 Extraordinary Special Education (Section 14-7.02b of the  
15 School Code), Reimbursement for Free Lunch/Breakfast Program,  
16 Summer School Payments (Section 18-4.3 of the School Code), and  
17 Transportation - Regular/Vocational Reimbursement (Section  
18 29-5 of the School Code). Such transfers shall be made only  
19 when the balance remaining in one or more such line item  
20 appropriations is insufficient for the purpose for which the  
21 appropriation was made and provided that no such transfer may  
22 be made unless the amount transferred is no longer required for  
23 the purpose for which that appropriation was made.

24 During State fiscal years 2010, ~~and~~ 2011, and 2012 only,  
25 the Department of Healthcare and Family Services is authorized  
26 to make transfers not exceeding 4% of the aggregate amount

1 appropriated to it, within the same treasury fund, among the  
2 various line items appropriated for Medical Assistance.

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

24 (c-1) Special provisions for State fiscal year 2003.  
25 Notwithstanding any other provision of this Section to the  
26 contrary, for State fiscal year 2003 only, transfers among line

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

19 (c-2) Special provisions for State fiscal year 2005.  
20 Notwithstanding subsections (a), (a-2), and (c), for State  
21 fiscal year 2005 only, transfers may be made among any line  
22 item appropriations from the same or any other treasury fund  
23 for any objects or purposes, without limitation, when the  
24 balance remaining in one or more such line item appropriations  
25 is insufficient for the purpose for which the appropriation was  
26 made, provided that the sum of those transfers by a State



1 agency shall not exceed 4% of the aggregate amount appropriated  
2 to that State agency for fiscal year 2005.

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

17 The officer responsible for approval shall certify that the  
18 transfer is necessary to carry out the programs and purposes  
19 for which the appropriations were made by the General Assembly  
20 and shall transmit to the State Comptroller a certified copy of  
21 the approval which shall set forth the specific amounts  
22 transferred so that the Comptroller may change his records  
23 accordingly. The Comptroller shall furnish the Governor with  
24 information copies of all transfers approved for agencies of  
25 the Legislative and Judicial departments and transfers  
26 approved by the constitutionally elected officials of the

1 Executive branch other than the Governor, showing the amounts  
2 transferred and indicating the dates such changes were entered  
3 on the Comptroller's records.

4 (e) The State Board of Education, in consultation with the  
5 State Comptroller, may transfer line item appropriations for  
6 General State Aid between the Common School Fund and the  
7 Education Assistance Fund. With the advice and consent of the  
8 Governor's Office of Management and Budget, the State Board of  
9 Education, in consultation with the State Comptroller, may  
10 transfer line item appropriations between the General Revenue  
11 Fund and the Education Assistance Fund for the following  
12 programs:

13 (1) Disabled Student Personnel Reimbursement (Section  
14 14-13.01 of the School Code);

15 (2) Disabled Student Transportation Reimbursement  
16 (subsection (b) of Section 14-13.01 of the School Code);

17 (3) Disabled Student Tuition - Private Tuition  
18 (Section 14-7.02 of the School Code);

19 (4) Extraordinary Special Education (Section 14-7.02b  
20 of the School Code);

21 (5) Reimbursement for Free Lunch/Breakfast Programs;

22 (6) Summer School Payments (Section 18-4.3 of the  
23 School Code);

24 (7) Transportation - Regular/Vocational Reimbursement  
25 (Section 29-5 of the School Code);

26 (8) Regular Education Reimbursement (Section 18-3 of

1 the School Code); and

2 (9) Special Education Reimbursement (Section 14-7.03  
3 of the School Code).

4 (Source: P.A. 95-707, eff. 1-11-08; 96-37, eff. 7-13-09;  
5 96-820, eff. 11-18-09; 96-959, eff. 7-1-10; 96-1086, eff.  
6 7-16-10; 96-1501, eff. 1-25-11.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.".