

HB0045



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0045

by Rep. Lou Lang

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-5

Amends the State Budget Law of the Civil Administrative Code of Illinois. Makes a technical change concerning submission of the State budget.

LRB099 00299 JLK 20304 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The State Budget Law of the Civil Administrative
5 Code of Illinois is amended by changing Section 50-5 as
6 follows:

7 (15 ILCS 20/50-5)

8 Sec. 50-5. Governor to submit State budget.

9 (a) The Governor shall, as soon as possible and ~~and~~ not
10 later than the second Wednesday in March in 2010 (March 10,
11 2010), the third Wednesday in February in 2011, the fourth
12 Wednesday in February in 2012 (February 22, 2012), the first
13 Wednesday in March in 2013 (March 6, 2013), the fourth
14 Wednesday in March in 2014 (March 26, 2014), and the third
15 Wednesday in February of each year thereafter, except as
16 otherwise provided in this Section, submit a State budget,
17 embracing therein the amounts recommended by the Governor to be
18 appropriated to the respective departments, offices, and
19 institutions, and for all other public purposes, the estimated
20 revenues from taxation, and the estimated revenues from sources
21 other than taxation. Except with respect to the capital
22 development provisions of the State budget, beginning with the
23 revenue estimates prepared for fiscal year 2012, revenue

1 estimates shall be based solely on: (i) revenue sources
2 (including non-income resources), rates, and levels that exist
3 as of the date of the submission of the State budget for the
4 fiscal year and (ii) revenue sources (including non-income
5 resources), rates, and levels that have been passed by the
6 General Assembly as of the date of the submission of the State
7 budget for the fiscal year and that are authorized to take
8 effect in that fiscal year. Except with respect to the capital
9 development provisions of the State budget, the Governor shall
10 determine available revenue, deduct the cost of essential
11 government services, including, but not limited to, pension
12 payments and debt service, and assign a percentage of the
13 remaining revenue to each statewide prioritized goal, as
14 established in Section 50-25 of this Law, taking into
15 consideration the proposed goals set forth in the report of the
16 Commission established under that Section. The Governor shall
17 also demonstrate how spending priorities for the fiscal year
18 fulfill those statewide goals. The amounts recommended by the
19 Governor for appropriation to the respective departments,
20 offices and institutions shall be formulated according to each
21 department's, office's, and institution's ability to
22 effectively deliver services that meet the established
23 statewide goals. The amounts relating to particular functions
24 and activities shall be further formulated in accordance with
25 the object classification specified in Section 13 of the State
26 Finance Act. In addition, the amounts recommended by the

1 Governor for appropriation shall take into account each State
2 agency's effectiveness in achieving its prioritized goals for
3 the previous fiscal year, as set forth in Section 50-25 of this
4 Law, giving priority to agencies and programs that have
5 demonstrated a focus on the prevention of waste and the maximum
6 yield from resources.

7 Beginning in fiscal year 2011, the Governor shall
8 distribute written quarterly financial reports on operating
9 funds, which may include general, State, or federal funds and
10 may include funds related to agencies that have significant
11 impacts on State operations, and budget statements on all
12 appropriated funds to the General Assembly and the State
13 Comptroller. The reports shall be submitted no later than 45
14 days after the last day of each quarter of the fiscal year and
15 shall be posted on the Governor's Office of Management and
16 Budget's website on the same day. The reports shall be prepared
17 and presented for each State agency and on a statewide level in
18 an executive summary format that may include, for the fiscal
19 year to date, individual itemizations for each significant
20 revenue type as well as itemizations of expenditures and
21 obligations, by agency, with an appropriate level of detail.
22 The reports shall include a calculation of the actual total
23 budget surplus or deficit for the fiscal year to date. The
24 Governor shall also present periodic budget addresses
25 throughout the fiscal year at the invitation of the General
26 Assembly.

1 The Governor shall not propose expenditures and the General
2 Assembly shall not enact appropriations that exceed the
3 resources estimated to be available, as provided in this
4 Section. Appropriations may be adjusted during the fiscal year
5 by means of one or more supplemental appropriation bills if any
6 State agency either fails to meet or exceeds the goals set
7 forth in Section 50-25 of this Law.

8 For the purposes of Article VIII, Section 2 of the 1970
9 Illinois Constitution, the State budget for the following funds
10 shall be prepared on the basis of revenue and expenditure
11 measurement concepts that are in concert with generally
12 accepted accounting principles for governments:

- 13 (1) General Revenue Fund.
- 14 (2) Common School Fund.
- 15 (3) Educational Assistance Fund.
- 16 (4) Road Fund.
- 17 (5) Motor Fuel Tax Fund.
- 18 (6) Agricultural Premium Fund.

19 These funds shall be known as the "budgeted funds". The
20 revenue estimates used in the State budget for the budgeted
21 funds shall include the estimated beginning fund balance, plus
22 revenues estimated to be received during the budgeted year,
23 plus the estimated receipts due the State as of June 30 of the
24 budgeted year that are expected to be collected during the
25 lapse period following the budgeted year, minus the receipts
26 collected during the first 2 months of the budgeted year that

1 became due to the State in the year before the budgeted year.
2 Revenues shall also include estimated federal reimbursements
3 associated with the recognition of Section 25 of the State
4 Finance Act liabilities. For any budgeted fund for which
5 current year revenues are anticipated to exceed expenditures,
6 the surplus shall be considered to be a resource available for
7 expenditure in the budgeted fiscal year.

8 Expenditure estimates for the budgeted funds included in
9 the State budget shall include the costs to be incurred by the
10 State for the budgeted year, to be paid in the next fiscal
11 year, excluding costs paid in the budgeted year which were
12 carried over from the prior year, where the payment is
13 authorized by Section 25 of the State Finance Act. For any
14 budgeted fund for which expenditures are expected to exceed
15 revenues in the current fiscal year, the deficit shall be
16 considered as a use of funds in the budgeted fiscal year.

17 Revenues and expenditures shall also include transfers
18 between funds that are based on revenues received or costs
19 incurred during the budget year.

20 Appropriations for expenditures shall also include all
21 anticipated statutory continuing appropriation obligations
22 that are expected to be incurred during the budgeted fiscal
23 year.

24 By March 15 of each year, the Commission on Government
25 Forecasting and Accountability shall prepare revenue and fund
26 transfer estimates in accordance with the requirements of this

1 Section and report those estimates to the General Assembly and
2 the Governor.

3 For all funds other than the budgeted funds, the proposed
4 expenditures shall not exceed funds estimated to be available
5 for the fiscal year as shown in the budget. Appropriation for a
6 fiscal year shall not exceed funds estimated by the General
7 Assembly to be available during that year.

8 (b) By February 24, 2010, the Governor must file a written
9 report with the Secretary of the Senate and the Clerk of the
10 House of Representatives containing the following:

11 (1) for fiscal year 2010, the revenues for all budgeted
12 funds, both actual to date and estimated for the full
13 fiscal year;

14 (2) for fiscal year 2010, the expenditures for all
15 budgeted funds, both actual to date and estimated for the
16 full fiscal year;

17 (3) for fiscal year 2011, the estimated revenues for
18 all budgeted funds, including without limitation the
19 affordable General Revenue Fund appropriations, for the
20 full fiscal year; and

21 (4) for fiscal year 2011, an estimate of the
22 anticipated liabilities for all budgeted funds, including
23 without limitation the affordable General Revenue Fund
24 appropriations, debt service on bonds issued, and the
25 State's contributions to the pension systems, for the full
26 fiscal year.

1 Between July 1 and August 31 of each fiscal year, the
2 members of the General Assembly and members of the public may
3 make written budget recommendations to the Governor.

4 Beginning with budgets prepared for fiscal year 2013, the
5 budgets submitted by the Governor and appropriations made by
6 the General Assembly for all executive branch State agencies
7 must adhere to a method of budgeting where each priority must
8 be justified each year according to merit rather than according
9 to the amount appropriated for the preceding year.

10 (Source: P.A. 97-669, eff. 1-13-12; 97-813, eff. 7-13-12; 98-2,
11 eff. 2-19-13; 98-626, eff. 2-5-14.)