

1 AN ACT to amend the State Finance Act by changing Section  
2 8-3.

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

5 Section 5. The State Finance Act is amended by changing  
6 Section 8.3 as follows:

7 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

8 Sec. 8.3. Money in the Road Fund shall, if and when the  
9 State of Illinois incurs any bonded indebtedness for the  
10 construction of permanent highways, be set aside and used for  
11 the purpose of paying and discharging annually the principal  
12 and interest on that bonded indebtedness then due and  
13 payable, and for no other purpose. The surplus, if any, in  
14 the Road Fund after the payment of principal and interest on  
15 that bonded indebtedness then annually due shall be used as  
16 follows:

17 first -- to pay the cost of administration of  
18 Chapters 2 through 10 of the Illinois Vehicle Code,  
19 except the cost of administration of Articles I and II of  
20 Chapter 3 of that Code; and

21 secondly -- for expenses of the Department of  
22 Transportation for construction, reconstruction,  
23 improvement, repair, maintenance, operation, and  
24 administration of highways in accordance with the  
25 provisions of laws relating thereto, or for any purpose  
26 related or incident to and connected therewith, including  
27 the separation of grades of those highways with railroads  
28 and with highways and including the payment of awards  
29 made by the Industrial Commission under the terms of the  
30 Workers' Compensation Act or Workers' Occupational  
31 Diseases Act for injury or death of an employee of the

1 Division of Highways in the Department of Transportation;  
2 or for the acquisition of land and the erection of  
3 buildings for highway purposes, including the acquisition  
4 of highway right-of-way or for investigations to  
5 determine the reasonably anticipated future highway  
6 needs; or for making of surveys, plans, specifications  
7 and estimates for and in the construction and maintenance  
8 of flight strips and of highways necessary to provide  
9 access to military and naval reservations, to defense  
10 industries and defense-industry sites, and to the sources  
11 of raw materials and for replacing existing highways and  
12 highway connections shut off from general public use at  
13 military and naval reservations and defense-industry  
14 sites, or for the purchase of right-of-way, except that  
15 the State shall be reimbursed in full for any expense  
16 incurred in building the flight strips; or for the  
17 operating and maintaining of highway garages; or for  
18 patrolling and policing the public highways and  
19 conserving the peace; or for any of those purposes or any  
20 other purpose that may be provided by law.

21 Appropriations for any of those purposes are payable from  
22 the Road Fund. Appropriations may also be made from the Road  
23 Fund for the administrative expenses of any State agency that  
24 are related to motor vehicles or arise from the use of motor  
25 vehicles.

26 Beginning with fiscal year 1980 and thereafter, no Road  
27 Fund monies shall be appropriated to the following  
28 Departments or agencies of State government for  
29 administration, grants, or operations; but this limitation is  
30 not a restriction upon appropriating for those purposes any  
31 Road Fund monies that are eligible for federal reimbursement;

- 32 1. Department of Public Health;
- 33 2. Department of Transportation, only with respect  
34 to subsidies for one-half fare Student Transportation and

1 Reduced Fare for Elderly;

2 3. Department of Central Management Services,  
3 except for expenditures incurred for group insurance  
4 premiums of appropriate personnel;

5 4. Judicial Systems and Agencies.

6 Beginning with fiscal year 1981 and thereafter, no Road  
7 Fund monies shall be appropriated to the following  
8 Departments or agencies of State government for  
9 administration, grants, or operations; but this limitation is  
10 not a restriction upon appropriating for those purposes any  
11 Road Fund monies that are eligible for federal reimbursement:

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

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

16 Beginning with fiscal year 1982 and thereafter, no Road  
17 Fund monies shall be appropriated to the following  
18 Departments or agencies of State government for  
19 administration, grants, or operations; but this limitation is  
20 not a restriction upon appropriating for those purposes any  
21 Road Fund monies that are eligible for federal reimbursement:  
22 Department of Central Management Services, except for awards  
23 made by the Industrial Commission under the terms of the  
24 Workers' Compensation Act or Workers' Occupational Diseases  
25 Act for injury or death of an employee of the Division of  
26 Highways in the Department of Transportation.

27 Beginning with fiscal year 1984 and thereafter, no Road  
28 Fund monies shall be appropriated to the following  
29 Departments or agencies of State government for  
30 administration, grants, or operations; but this limitation is  
31 not a restriction upon appropriating for those purposes any  
32 Road Fund monies that are eligible for federal reimbursement:

33 1. Department of State Police, except not more than  
34 40% of the funds appropriated for the Division of

1           Operations;

2                   2. State Officers.

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

13           Money in the Road Fund shall, if and when the State of  
14 Illinois incurs any bonded indebtedness for the construction  
15 of permanent highways, be set aside and used for the purpose  
16 of paying and discharging during each fiscal year the  
17 principal and interest on that bonded indebtedness as it  
18 becomes due and payable as provided in the Transportation  
19 Bond Act, and for no other purpose. The surplus, if any, in  
20 the Road Fund after the payment of principal and interest on  
21 that bonded indebtedness then annually due shall be used as  
22 follows:

23                   first -- to pay the cost of administration of  
24 Chapters 2 through 10 of the Illinois Vehicle Code; and  
25                   secondly -- no Road Fund monies derived from fees,  
26 excises, or license taxes relating to registration,  
27 operation and use of vehicles on public highways or to  
28 fuels used for the propulsion of those vehicles, shall be  
29 appropriated or expended other than for costs of  
30 administering the laws imposing those fees, excises, and  
31 license taxes, statutory refunds and adjustments allowed  
32 thereunder, administrative costs of the Department of  
33 Transportation, payment of debts and liabilities incurred  
34 in construction and reconstruction of public highways and

1 bridges, acquisition of rights-of-way for and the cost of  
2 construction, reconstruction, maintenance, repair, and  
3 operation of public highways and bridges under the  
4 direction and supervision of the State, political  
5 subdivision, or municipality collecting those monies, and  
6 the costs for patrolling and policing the public highways  
7 (by State, political subdivision, or municipality  
8 collecting that money) for enforcement of traffic laws.  
9 The separation of grades of such highways with railroads  
10 and costs associated with protection of at-grade highway  
11 and railroad crossing shall also be permissible.

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

15 Beginning with fiscal year 1991 and thereafter, no Road  
16 Fund monies shall be appropriated to the Department of State  
17 Police for the purposes of this Section in excess of its  
18 total fiscal year 1990 Road Fund appropriations for those  
19 purposes unless otherwise provided in Section 5g of this Act.  
20 It shall not be lawful to circumvent this limitation on  
21 appropriations by governmental reorganization or other  
22 methods unless otherwise provided in Section 5g of this Act.

23 In fiscal year 1994, no Road Fund monies shall be  
24 appropriated to the Secretary of State for the purposes of  
25 this Section in excess of the total fiscal year 1991 Road  
26 Fund appropriations to the Secretary of State for those  
27 purposes, plus \$9,800,000. It shall not be lawful to  
28 circumvent this limitation on appropriations by governmental  
29 reorganization or other method.

30 Beginning with fiscal year 1995 and thereafter, no Road  
31 Fund monies shall be appropriated to the Secretary of State  
32 for the purposes of this Section in excess of the total  
33 fiscal year 1994 Road Fund appropriations to the Secretary of  
34 State for those purposes. It shall not be lawful to

1 circumvent this limitation on appropriations by governmental  
2 reorganization or other methods.

3 Beginning with fiscal year 2000, total Road Fund  
4 appropriations to the Secretary of State for the purposes of  
5 this Section shall not exceed the amounts specified for the  
6 following fiscal years:

7	Fiscal Year 2000		\$80,500,000;
8	Fiscal Year 2001		\$80,500,000;
9	Fiscal Year 2002		\$80,500,000;
10	Fiscal Year 2003	<u>\$64,400,000</u>	<del>\$80,500,000;</del>
11	Fiscal Year 2004	<u>\$48,300,000</u>	
12	<u>Fiscal Year 2005</u>	<u>\$32,200,000</u>	
13	<u>Fiscal Year 2006</u>	<u>\$16,100,000</u>	
14	<u>Fiscal Year 2007</u> and		
15	each year thereafter		<u>\$0</u> <del>\$30,500,000.</del>

16 It shall not be lawful to circumvent this limitation on  
17 appropriations by governmental reorganization or other  
18 methods.

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

23 Nothing in this Section prohibits transfers from the Road  
24 Fund to the State Construction Account Fund under Section 5e  
25 of this Act.

26 Beginning with fiscal year 2003 and thereafter, no Road  
27 Fund moneys may be appropriated to the Department of Central  
28 Management Services, the Department of Employment Security,  
29 the Department of Revenue, the Court of Claims, or any other  
30 State agency (other than the Department of State Police and  
31 the Department of Transportation and, until fiscal year 2007,  
32 the Secretary of State) for the purposes of this Section.  
33 Appropriations to those entities for those purposes shall,  
34 instead, be made from the General Revenue Fund. It shall not

1 be lawful to circumvent this limitation on appropriations by  
2 governmental reorganization or other methods. Nothing in  
3 this paragraph prohibits appropriations from the Road Fund to  
4 the Department of State Police for the purposes of the  
5 highway patrol budget only.

6 Beginning with fiscal year 2007 and thereafter, no Road  
7 Fund moneys may be appropriated to the Secretary of State for  
8 the purposes of this Section. Appropriations to the  
9 Secretary of State for those purposes shall, instead, be made  
10 from the General Revenue Fund. It shall not be lawful to  
11 circumvent this limitation on appropriations by governmental  
12 reorganization or other methods.

13 (Source: P.A. 91-37, eff. 7-1-99; 91-760, eff. 1-1-01.)