

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 FY2013 Budget Implementation (Supplemental) Act.

7 Section 1-5. Purpose. It is the purpose of this Act to make
8 changes in State programs that are necessary to implement the
9 Governor's fiscal year 2013 budget recommendations.

10 ARTICLE 5. AMENDATORY PROVISIONS

11 Section 5-5. The Department of Commerce and Economic
12 Opportunity Law of the Civil Administrative Code of Illinois is
13 amended by changing Sections 605-705 and 605-707 as follows:

14 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

15 Sec. 605-705. Grants to local tourism and convention
16 bureaus.

17 (a) To establish a grant program for local tourism and
18 convention bureaus. The Department will develop and implement a
19 program for the use of funds, as authorized under this Act, by

1 local tourism and convention bureaus. For the purposes of this
2 Act, bureaus eligible to receive funds are those local tourism
3 and convention bureaus that are (i) either units of local
4 government or incorporated as not-for-profit organizations;
5 (ii) in legal existence for a minimum of 2 years before July 1,
6 2001; (iii) operating with a paid, full-time staff whose sole
7 purpose is to promote tourism in the designated service area;
8 and (iv) affiliated with one or more municipalities or counties
9 that support the bureau with local hotel-motel taxes. After
10 July 1, 2001, bureaus requesting certification in order to
11 receive funds for the first time must be local tourism and
12 convention bureaus that are (i) either units of local
13 government or incorporated as not-for-profit organizations;
14 (ii) in legal existence for a minimum of 2 years before the
15 request for certification; (iii) operating with a paid,
16 full-time staff whose sole purpose is to promote tourism in the
17 designated service area; and (iv) affiliated with multiple
18 municipalities or counties that support the bureau with local
19 hotel-motel taxes. Each bureau receiving funds under this Act
20 will be certified by the Department as the designated recipient
21 to serve an area of the State. Notwithstanding the criteria set
22 forth in this subsection (a), or any rule adopted under this
23 subsection (a), the Director of the Department may provide for
24 the award of grant funds to one or more entities if in the
25 Department's judgment that action is necessary in order to
26 prevent a loss of funding critical to promoting tourism in a

1 designated geographic area of the State.

2 (b) To distribute grants to local tourism and convention
3 bureaus from appropriations made from the Local Tourism Fund
4 for that purpose. Of the amounts appropriated annually to the
5 Department for expenditure under this Section prior to July 1,
6 2011, one-third of those monies shall be used for grants to
7 convention and tourism bureaus in cities with a population
8 greater than 500,000. The remaining two-thirds of the annual
9 appropriation prior to July 1, 2011 shall be used for grants to
10 convention and tourism bureaus in the remainder of the State,
11 in accordance with a formula based upon the population served.
12 Of the amounts appropriated annually to the Department for
13 expenditure under this Section beginning July 1, 2011, 18% of
14 such moneys shall be used for grants to convention and tourism
15 bureaus in cities with a population greater than 500,000. Of
16 the amounts appropriated annually to the Department for
17 expenditure under this Section beginning July 1, 2011, 82% of
18 such moneys shall be used for grants to convention bureaus in
19 the remainder of the State, in accordance with a formula based
20 upon the population served. The Department may reserve up to
21 10% of total local tourism funds available for costs of
22 administering the program to conduct audits of grants, to
23 provide incentive funds to those bureaus that will conduct
24 promotional activities designed to further the Department's
25 statewide advertising campaign, to fund special statewide
26 promotional activities, and to fund promotional activities

1 that support an increased use of the State's parks or historic
2 sites. During fiscal year 2013, the Department shall require
3 that any convention and tourism bureau receiving a grant under
4 this Section that requires matching funds shall provide
5 matching funds equal to no less than 50% of the grant amount.
6 During fiscal year 2013, the Department shall reserve
7 \$2,000,000 of the available local tourism funds for
8 appropriation to the Historic Preservation Agency for the
9 operation of the Abraham Lincoln Presidential Library and
10 Museum and State historic sites.

11 (Source: P.A. 97-617, eff. 10-26-11.)

12 (20 ILCS 605/605-707) (was 20 ILCS 605/46.6d)

13 Sec. 605-707. International Tourism Program.

14 (a) The Department of Commerce and Economic Opportunity
15 must establish a program for international tourism. The
16 Department shall develop and implement the program on January
17 1, 2000 by rule. As part of the program, the Department may
18 work in cooperation with local convention and tourism bureaus
19 in Illinois in the coordination of international tourism
20 efforts at the State and local level. The Department may (i)
21 work in cooperation with local convention and tourism bureaus
22 for efficient use of their international tourism marketing
23 resources, (ii) promote Illinois in international meetings and
24 tourism markets, (iii) work with convention and tourism bureaus
25 throughout the State to increase the number of international

1 tourists to Illinois, (iv) provide training, research,
2 technical support, and grants to certified convention and
3 tourism bureaus, (v) provide staff, administration, and
4 related support required to manage the programs under this
5 Section, and (vi) provide grants for the development of or the
6 enhancement of international tourism attractions.

7 (b) The Department shall make grants for expenses related
8 to international tourism and pay for the staffing,
9 administration, and related support from the International
10 Tourism Fund, a special fund created in the State Treasury. Of
11 the amounts deposited into the Fund in fiscal year 2000 after
12 January 1, 2000 through fiscal year 2011, 55% shall be used for
13 grants to convention and tourism bureaus in Chicago (other than
14 the City of Chicago's Office of Tourism) and 45% shall be used
15 for development of international tourism in areas outside of
16 Chicago. Of the amounts deposited into the Fund in fiscal year
17 2001 and thereafter, 55% shall be used for grants to convention
18 and tourism bureaus in Chicago, and of that amount not less
19 than 27.5% shall be used for grants to convention and tourism
20 bureaus in Chicago other than the City of Chicago's Office of
21 Tourism, and 45% shall be used for administrative expenses and
22 grants authorized under this Section and development of
23 international tourism in areas outside of Chicago, of which not
24 less than \$1,000,000 shall be used annually to make grants to
25 convention and tourism bureaus in cities other than Chicago
26 that demonstrate their international tourism appeal and

1 request to develop or expand their international tourism
2 marketing program, and may also be used to provide grants under
3 item (vi) of subsection (a) of this Section. All of the amounts
4 deposited into the Fund in fiscal year 2012 and thereafter
5 shall be used for administrative expenses and grants authorized
6 under this Section and development of international tourism in
7 areas outside of Chicago, of which not less than \$1,000,000
8 shall be used annually to make grants to convention and tourism
9 bureaus in cities other than Chicago that demonstrate their
10 international tourism appeal and request to develop or expand
11 their international tourism marketing program, and may also be
12 used to provide grants under item (vi) of subsection (a) of
13 this Section. Amounts appropriated to the State Comptroller for
14 administrative expenses and grants authorized by the Illinois
15 Global Partnership Act are payable from the International
16 Tourism Fund.

17 (c) A convention and tourism bureau is eligible to receive
18 grant moneys under this Section if the bureau is certified to
19 receive funds under Title 14 of the Illinois Administrative
20 Code, Section 550.35. To be eligible for a grant, a convention
21 and tourism bureau must provide matching funds equal to the
22 grant amount. During fiscal year 2013, the Department shall
23 require that any convention and tourism bureau receiving a
24 grant under this Section that requires matching funds shall
25 provide matching funds equal to no less than 50% of the grant
26 amount. In certain circumstances as determined by the Director

1 of Commerce and Economic Opportunity, however, the City of
2 Chicago's Office of Tourism or any other convention and tourism
3 bureau may provide matching funds equal to no less than 50% of
4 the grant amount to be eligible to receive the grant. One-half
5 of this 50% may be provided through in-kind contributions.
6 Grants received by the City of Chicago's Office of Tourism and
7 by convention and tourism bureaus in Chicago may be expended
8 for the general purposes of promoting conventions and tourism.
9 (Source: P.A. 97-617, eff. 10-26-11.)

10 Section 5-10. The Illinois Promotion Act is amended by
11 changing Section 4a as follows:

12 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

13 Sec. 4a. Funds.

14 (1) All moneys deposited in the Tourism Promotion Fund
15 pursuant to this subsection are allocated to the Department for
16 utilization, as appropriated, in the performance of its powers
17 under Section 4; except that during fiscal year 2013, the
18 Department shall reserve \$9,800,000 of the total funds
19 available for appropriation in the Tourism Promotion Fund for
20 appropriation to the Historic Preservation Agency for the
21 operation of the Abraham Lincoln Presidential Library and
22 Museum and State historic sites.

23 As soon as possible after the first day of each month,
24 beginning July 1, 1997, upon certification of the Department of

1 Revenue, the Comptroller shall order transferred and the
2 Treasurer shall transfer from the General Revenue Fund to the
3 Tourism Promotion Fund an amount equal to 13% of the net
4 revenue realized from the Hotel Operators' Occupation Tax Act
5 plus an amount equal to 13% of the net revenue realized from
6 any tax imposed under Section 4.05 of the Chicago World's
7 Fair-1992 Authority Act during the preceding month. "Net
8 revenue realized for a month" means the revenue collected by
9 the State under that Act during the previous month less the
10 amount paid out during that same month as refunds to taxpayers
11 for overpayment of liability under that Act.

12 (1.1) (Blank).

13 (2) As soon as possible after the first day of each month,
14 beginning July 1, 1997, upon certification of the Department of
15 Revenue, the Comptroller shall order transferred and the
16 Treasurer shall transfer from the General Revenue Fund to the
17 Tourism Promotion Fund an amount equal to 8% of the net revenue
18 realized from the Hotel Operators' Occupation Tax plus an
19 amount equal to 8% of the net revenue realized from any tax
20 imposed under Section 4.05 of the Chicago World's Fair-1992
21 Authority Act during the preceding month. "Net revenue realized
22 for a month" means the revenue collected by the State under
23 that Act during the previous month less the amount paid out
24 during that same month as refunds to taxpayers for overpayment
25 of liability under that Act.

26 All monies deposited in the Tourism Promotion Fund under

1 this subsection (2) shall be used solely as provided in this
2 subsection to advertise and promote tourism throughout
3 Illinois. Appropriations of monies deposited in the Tourism
4 Promotion Fund pursuant to this subsection (2) shall be used
5 solely for advertising to promote tourism, including but not
6 limited to advertising production and direct advertisement
7 costs, but shall not be used to employ any additional staff,
8 finance any individual event, or lease, rent or purchase any
9 physical facilities. The Department shall coordinate its
10 advertising under this subsection (2) with other public and
11 private entities in the State engaged in similar promotion
12 activities. Print or electronic media production made pursuant
13 to this subsection (2) for advertising promotion shall not
14 contain or include the physical appearance of or reference to
15 the name or position of any public officer. "Public officer"
16 means a person who is elected to office pursuant to statute, or
17 who is appointed to an office which is established, and the
18 qualifications and duties of which are prescribed, by statute,
19 to discharge a public duty for the State or any of its
20 political subdivisions.

21 (3) Notwithstanding anything in this Section to the
22 contrary, amounts transferred from the General Revenue Fund to
23 the Tourism Promotion Fund pursuant to this Section shall not
24 exceed \$26,300,000 in State fiscal year 2012.

25 (Source: P.A. 97-641, eff. 12-19-11.)

1 Section 5-15. The Mental Health and Developmental
2 Disabilities Administrative Act is amended by adding Section
3 18.7 as follows:

4 (20 ILCS 1705/18.7 new)

5 Sec. 18.7. Home Services Medicaid Trust Fund.

6 (a) The Home Services Medicaid Trust Fund is hereby created
7 as a special fund in the State treasury.

8 (b) Amounts paid to the State during each State fiscal year
9 by the federal government under Title XIX or Title XXI of the
10 Social Security Act for services delivered in relation to the
11 Department's Home Services Program established pursuant to
12 Section 3 of the Disabled Persons Rehabilitation Act, and any
13 interest earned thereon, shall be deposited into the Fund.

14 (c) Moneys in the Fund may be used by the Department for
15 the purchase of services, and operational and administrative
16 expenses, in relation to the Home Services Program.

17 Section 5-20. The Disabled Persons Rehabilitation Act is
18 amended by changing Section 3 as follows:

19 (20 ILCS 2405/3) (from Ch. 23, par. 3434)

20 Sec. 3. Powers and duties. The Department shall have the
21 powers and duties enumerated herein:

22 (a) To co-operate with the federal government in the
23 administration of the provisions of the federal Rehabilitation

1 Act of 1973, as amended, of the Workforce Investment Act of
2 1998, and of the federal Social Security Act to the extent and
3 in the manner provided in these Acts.

4 (b) To prescribe and supervise such courses of vocational
5 training and provide such other services as may be necessary
6 for the habilitation and rehabilitation of persons with one or
7 more disabilities, including the administrative activities
8 under subsection (e) of this Section, and to co-operate with
9 State and local school authorities and other recognized
10 agencies engaged in habilitation, rehabilitation and
11 comprehensive rehabilitation services; and to cooperate with
12 the Department of Children and Family Services regarding the
13 care and education of children with one or more disabilities.

14 (c) (Blank).

15 (d) To report in writing, to the Governor, annually on or
16 before the first day of December, and at such other times and
17 in such manner and upon such subjects as the Governor may
18 require. The annual report shall contain (1) a statement of the
19 existing condition of comprehensive rehabilitation services,
20 habilitation and rehabilitation in the State; (2) a statement
21 of suggestions and recommendations with reference to the
22 development of comprehensive rehabilitation services,
23 habilitation and rehabilitation in the State; and (3) an
24 itemized statement of the amounts of money received from
25 federal, State and other sources, and of the objects and
26 purposes to which the respective items of these several amounts

1 have been devoted.

2 (e) (Blank).

3 (f) To establish a program of services to prevent
4 unnecessary institutionalization of persons with Alzheimer's
5 disease and related disorders or persons in need of long term
6 care who are established as blind or disabled as defined by the
7 Social Security Act, thereby enabling them to remain in their
8 own homes or other living arrangements. Such preventive
9 services may include, but are not limited to, any or all of the
10 following:

- 11 (1) home health services;
- 12 (2) home nursing services;
- 13 (3) homemaker services;
- 14 (4) chore and housekeeping services;
- 15 (5) day care services;
- 16 (6) home-delivered meals;
- 17 (7) education in self-care;
- 18 (8) personal care services;
- 19 (9) adult day health services;
- 20 (10) habilitation services;
- 21 (11) respite care; or
- 22 (12) other nonmedical social services that may enable
23 the person to become self-supporting.

24 The Department shall establish eligibility standards for
25 such services taking into consideration the unique economic and
26 social needs of the population for whom they are to be

1 provided. Such eligibility standards may be based on the
2 recipient's ability to pay for services; provided, however,
3 that any portion of a person's income that is equal to or less
4 than the "protected income" level shall not be considered by
5 the Department in determining eligibility. The "protected
6 income" level shall be determined by the Department, shall
7 never be less than the federal poverty standard, and shall be
8 adjusted each year to reflect changes in the Consumer Price
9 Index For All Urban Consumers as determined by the United
10 States Department of Labor. The standards must provide that a
11 person may have not more than \$10,000 in assets to be eligible
12 for the services, and the Department may increase the asset
13 limitation by rule. Additionally, in determining the amount and
14 nature of services for which a person may qualify,
15 consideration shall not be given to the value of cash, property
16 or other assets held in the name of the person's spouse
17 pursuant to a written agreement dividing marital property into
18 equal but separate shares or pursuant to a transfer of the
19 person's interest in a home to his spouse, provided that the
20 spouse's share of the marital property is not made available to
21 the person seeking such services.

22 The services shall be provided to eligible persons to
23 prevent unnecessary or premature institutionalization, to the
24 extent that the cost of the services, together with the other
25 personal maintenance expenses of the persons, are reasonably
26 related to the standards established for care in a group

1 facility appropriate to their condition. These
2 non-institutional services, pilot projects or experimental
3 facilities may be provided as part of or in addition to those
4 authorized by federal law or those funded and administered by
5 the Illinois Department on Aging. The Department shall set
6 rates and fees for services in a fair and equitable manner.
7 Services identical to those offered by the Department on Aging
8 shall be paid at the same rate.

9 Personal care attendants shall be paid:

10 (i) A \$5 per hour minimum rate beginning July 1, 1995.

11 (ii) A \$5.30 per hour minimum rate beginning July 1,
12 1997.

13 (iii) A \$5.40 per hour minimum rate beginning July 1,
14 1998.

15 Solely for the purposes of coverage under the Illinois
16 Public Labor Relations Act (5 ILCS 315/), personal care
17 attendants and personal assistants providing services under
18 the Department's Home Services Program shall be considered to
19 be public employees and the State of Illinois shall be
20 considered to be their employer as of the effective date of
21 this amendatory Act of the 93rd General Assembly, but not
22 before. The State shall engage in collective bargaining with an
23 exclusive representative of personal care attendants and
24 personal assistants working under the Home Services Program
25 concerning their terms and conditions of employment that are
26 within the State's control. Nothing in this paragraph shall be

1 understood to limit the right of the persons receiving services
2 defined in this Section to hire and fire personal care
3 attendants and personal assistants or supervise them within the
4 limitations set by the Home Services Program. The State shall
5 not be considered to be the employer of personal care
6 attendants and personal assistants for any purposes not
7 specifically provided in this amendatory Act of the 93rd
8 General Assembly, including but not limited to, purposes of
9 vicarious liability in tort and purposes of statutory
10 retirement or health insurance benefits. Personal care
11 attendants and personal assistants shall not be covered by the
12 State Employees Group Insurance Act of 1971 (5 ILCS 375/).

13 The Department shall execute, relative to the nursing home
14 prescreening project, as authorized by Section 4.03 of the
15 Illinois Act on the Aging, written inter-agency agreements with
16 the Department on Aging and the Department of Public Aid (now
17 Department of Healthcare and Family Services), to effect the
18 following: (i) intake procedures and common eligibility
19 criteria for those persons who are receiving non-institutional
20 services; and (ii) the establishment and development of
21 non-institutional services in areas of the State where they are
22 not currently available or are undeveloped. On and after July
23 1, 1996, all nursing home prescreenings for individuals 18
24 through 59 years of age shall be conducted by the Department.

25 The Department is authorized to establish a system of
26 recipient cost-sharing for services provided under this

1 Section. The cost-sharing shall be based upon the recipient's
2 ability to pay for services, but in no case shall the
3 recipient's share exceed the actual cost of the services
4 provided. Protected income shall not be considered by the
5 Department in its determination of the recipient's ability to
6 pay a share of the cost of services. The level of cost-sharing
7 shall be adjusted each year to reflect changes in the
8 "protected income" level. The Department shall deduct from the
9 recipient's share of the cost of services any money expended by
10 the recipient for disability-related expenses.

11 The Department, or the Department's authorized
12 representative, shall recover the amount of moneys expended for
13 services provided to or in behalf of a person under this
14 Section by a claim against the person's estate or against the
15 estate of the person's surviving spouse, but no recovery may be
16 had until after the death of the surviving spouse, if any, and
17 then only at such time when there is no surviving child who is
18 under age 21, blind, or permanently and totally disabled. This
19 paragraph, however, shall not bar recovery, at the death of the
20 person, of moneys for services provided to the person or in
21 behalf of the person under this Section to which the person was
22 not entitled; provided that such recovery shall not be enforced
23 against any real estate while it is occupied as a homestead by
24 the surviving spouse or other dependent, if no claims by other
25 creditors have been filed against the estate, or, if such
26 claims have been filed, they remain dormant for failure of

1 prosecution or failure of the claimant to compel administration
2 of the estate for the purpose of payment. This paragraph shall
3 not bar recovery from the estate of a spouse, under Sections
4 1915 and 1924 of the Social Security Act and Section 5-4 of the
5 Illinois Public Aid Code, who precedes a person receiving
6 services under this Section in death. All moneys for services
7 paid to or in behalf of the person under this Section shall be
8 claimed for recovery from the deceased spouse's estate.
9 "Homestead", as used in this paragraph, means the dwelling
10 house and contiguous real estate occupied by a surviving spouse
11 or relative, as defined by the rules and regulations of the
12 Department of Healthcare and Family Services, regardless of the
13 value of the property.

14 The Department and the Department on Aging shall cooperate
15 in the development and submission of an annual report on
16 programs and services provided under this Section. Such joint
17 report shall be filed with the Governor and the General
18 Assembly on or before March 30 each year.

19 The requirement for reporting to the General Assembly shall
20 be satisfied by filing copies of the report with the Speaker,
21 the Minority Leader and the Clerk of the House of
22 Representatives and the President, the Minority Leader and the
23 Secretary of the Senate and the Legislative Research Unit, as
24 required by Section 3.1 of the General Assembly Organization
25 Act, and filing additional copies with the State Government
26 Report Distribution Center for the General Assembly as required

1 under paragraph (t) of Section 7 of the State Library Act.

2 (g) To establish such subdivisions of the Department as
3 shall be desirable and assign to the various subdivisions the
4 responsibilities and duties placed upon the Department by law.

5 (h) To cooperate and enter into any necessary agreements
6 with the Department of Employment Security for the provision of
7 job placement and job referral services to clients of the
8 Department, including job service registration of such clients
9 with Illinois Employment Security offices and making job
10 listings maintained by the Department of Employment Security
11 available to such clients.

12 (i) To possess all powers reasonable and necessary for the
13 exercise and administration of the powers, duties and
14 responsibilities of the Department which are provided for by
15 law.

16 (j) To establish a procedure whereby new providers of
17 personal care attendant services shall submit vouchers to the
18 State for payment two times during their first month of
19 employment and one time per month thereafter. In no case shall
20 the Department pay personal care attendants an hourly wage that
21 is less than the federal minimum wage.

22 (k) To provide adequate notice to providers of chore and
23 housekeeping services informing them that they are entitled to
24 an interest payment on bills which are not promptly paid
25 pursuant to Section 3 of the State Prompt Payment Act.

26 (l) To establish, operate and maintain a Statewide Housing

1 Clearinghouse of information on available, government
2 subsidized housing accessible to disabled persons and
3 available privately owned housing accessible to disabled
4 persons. The information shall include but not be limited to
5 the location, rental requirements, access features and
6 proximity to public transportation of available housing. The
7 Clearinghouse shall consist of at least a computerized database
8 for the storage and retrieval of information and a separate or
9 shared toll free telephone number for use by those seeking
10 information from the Clearinghouse. Department offices and
11 personnel throughout the State shall also assist in the
12 operation of the Statewide Housing Clearinghouse. Cooperation
13 with local, State and federal housing managers shall be sought
14 and extended in order to frequently and promptly update the
15 Clearinghouse's information.

16 (m) To assure that the names and case records of persons
17 who received or are receiving services from the Department,
18 including persons receiving vocational rehabilitation, home
19 services, or other services, and those attending one of the
20 Department's schools or other supervised facility shall be
21 confidential and not be open to the general public. Those case
22 records and reports or the information contained in those
23 records and reports shall be disclosed by the Director only to
24 proper law enforcement officials, individuals authorized by a
25 court, the General Assembly or any committee or commission of
26 the General Assembly, and other persons and for reasons as the

1 Director designates by rule. Disclosure by the Director may be
2 only in accordance with other applicable law.

3 (Source: P.A. 94-252, eff. 1-1-06; 95-331, eff. 8-21-07.)

4 Section 5-25. The State Finance Act is amended by changing
5 Sections 6z-21, 6z-27, 6z-30, 6z-45, 6z-81, 6z-82, 8.3, and 25
6 and by adding Sections 5.811, 5.812, 5.813, 6z-93, and 8g-1 as
7 follows:

8 (30 ILCS 105/5.811 new)

9 Sec. 5.811. The Home Services Medicaid Trust Fund.

10 (30 ILCS 105/5.812 new)

11 Sec. 5.812. The Estate Tax Refund Fund.

12 (30 ILCS 105/5.813 new)

13 Sec. 5.813. The FY13 Backlog Payment Fund.

14 (30 ILCS 105/6z-21) (from Ch. 127, par. 142z-21)

15 Sec. 6z-21. Education Assistance Fund; transfers to and
16 from the Education Assistance Fund. All monies deposited into
17 the Education Assistance Fund, a special fund in the State
18 treasury which is hereby created, shall be appropriated to
19 provide financial assistance for elementary and secondary
20 education programs including, among others, distributions
21 under Section 18-19 of The School Code, and for higher

1 education programs. During fiscal years 2012 and 2013 only, the
 2 State Comptroller may order transferred and the State Treasurer
 3 may transfer from the General Revenue Fund to the Education
 4 Assistance Fund, or the State Comptroller may order transferred
 5 and the State Treasurer may transfer from the Education
 6 Assistance Fund to the General Revenue Fund, such amounts as
 7 may be required to honor the vouchers presented by the State
 8 Universities Retirement System, by a public institution of
 9 higher education, as defined in Section 1 of the Board of
 10 Higher Education Act, or by the State Board of Education
 11 pursuant to Sections 18-3, 18-4.3, 18-5, 18-6, and 18-7 of the
 12 School Code.

13 (Source: P.A. 86-18.)

14 (30 ILCS 105/6z-27)

15 Sec. 6z-27. All moneys in the Audit Expense Fund shall be
 16 transferred, appropriated and used only for the purposes
 17 authorized by, and subject to the limitations and conditions
 18 prescribed by, the State Auditing Act.

19 Within 30 days after the effective date of this amendatory
 20 Act of 2012 ~~2011~~, the State Comptroller shall order transferred
 21 and the State Treasurer shall transfer from the following funds
 22 moneys in the specified amounts for deposit into the Audit
 23 Expense Fund:

24 Adeline Jay Geo-Karis Illinois

25 Beach Marina Fund..... 4,825 ~~517~~

1	<u>Aggregate Operations Regulatory Fund</u>	<u>507</u>
2	<u>Agricultural Premium Fund.....</u>	<u>17,505</u>
3	<u>Alternate Fuels Fund</u>	<u>641</u>
4	<u>Appraisal Administration Fund.....</u>	<u>2,555</u>
5	<u>Asbestos Abatement Fund.....</u>	<u>3,563</u>
6	<u>Attorney General Court Ordered and Voluntary</u>	
7	<u>Compliance Payment Projects Fund</u>	<u>9,010</u>
8	<u>Attorney General Whistleblower Reward and</u>	
9	<u>Protection Fund.....</u>	<u>7,878</u>
10	<u>Bank and Trust Company Fund.....</u>	<u>114,670</u>
11	<u>Brownfields Redevelopment Fund</u>	<u>2,874</u>
12	<u>Build Illinois Capital Revolving Loan Fund</u>	<u>966</u>
13	<u>Capital Development Board Revolving Fund</u>	<u>3,163</u>
14	Assisted Living and Shared Housing Regulatory Fund	532
15	Care Provider Fund for Persons with	
16	Developmental Disability	<u>3,939</u> 12,370
17	<u>Clean Air Act (CAA) Permit Fund.....</u>	<u>9,789</u>
18	Carolyn Adams Ticket for the Cure Grant Fund	687
19	CDLIS/AAMVA Net Trust Fund	609
20	Coal Mining Regulatory Fund.....	<u>8,334</u> 884
21	<u>Coal Technology Development Assistance Fund.....</u>	<u>10,321</u>
22	Common School Fund	<u>250,850</u> 162,681
23	The Communications Revolving Fund.....	<u>33,809</u> 79,373
24	Community Health Center Care Fund.....	599
25	Community Mental Health Medicaid Trust Fund.....	<u>7,539</u> 20,824
26	<u>Corporate Franchise Tax Refund Fund.....</u>	<u>532</u>

1	<u>Corporate Headquarters Relocation Assistance Fund.....</u>	<u>2,093</u>
2	<u>Credit Union Fund.....</u>	<u>17,110</u>
3	<u>Cycle Rider Safety Training Fund</u>	<u>546</u>
4	<u>DCFS Children's Services Fund.....</u>	<u>186,660</u>
5	Death Certificate Surcharge Fund	1,917
6	Department of Business Services Special	
7	Operations Fund.....	<u>1,983</u> 4,088
8	<u>Department of Corrections Reimbursement and</u>	
9	<u>Education Fund</u>	<u>29,617</u>
10	<u>Design Professionals Administration and</u>	
11	<u>Investigation Fund</u>	<u>6,341</u>
12	<u>Digital Divide Elimination Fund.....</u>	<u>3,314</u>
13	The Downstate Public Transportation Fund	<u>19,258</u> 6,423
14	Drivers Education Fund	<u>1,491</u> 676
15	The Education Assistance Fund.....	<u>40,564</u> 40,799
16	<u>Energy Efficiency Trust Fund</u>	<u>1,946</u>
17	Emergency Public Health Fund	4,934
18	Environmental Protection Permit and	
19	Inspection Fund.....	<u>4,620</u> 913
20	Estate Tax Collection Distributive Fund.....	1,315
21	Facilities Management Revolving Fund	<u>59,124</u> 146,649
22	<u>Fair and Exposition Fund</u>	<u>789</u>
23	<u>Federal Workforce Training Fund.....</u>	<u>141,336</u>
24	<u>Feed Control Fund.....</u>	<u>1,133</u>
25	The Fire Prevention Fund	<u>216,465</u> 4,110
26	Food and Drug Safety Fund.....	2,216

1	General Professions Dedicated Fund	<u>28,411</u>	7,978
2	The General Revenue Fund	<u>16,043,536</u>	17,684,627
3	Grade Crossing Protection Fund	<u>4,345</u>	1,188
4	Hazardous Waste Fund	<u>5,183</u>	1,295
5	Health Facility Plan Review Fund	2,063
6	Health and Human Services		
7	Medicaid Trust Fund.....	<u>5,758</u>	11,590
8	Healthcare Provider Relief Fund.....	<u>26,311</u>	16,458
9	<u>Home Inspector Administration Fund</u>	<u>876</u>	
10	Home Care Services Agency Licensure Fund	1,025
11	Illinois Affordable Housing Trust Fund	<u>763</u>	799
12	<u>Illinois Charity Bureau Fund</u>	<u>2,011</u>	
13	Illinois Clean Water Fund.....	<u>8,592</u>	1,420
14	<u>Illinois Department of Agriculture Laboratory Services</u>		
15	<u>Revolving Fund</u>	<u>665</u>	
16	<u>Illinois Fire Fighters' Memorial Fund.....</u>	<u>1,814</u>	
17	<u>Illinois Forestry Development Fund</u>	<u>2,642</u>	
18	<u>Illinois Gaming Law Enforcement Fund</u>	<u>1,674</u>	
19	<u>Illinois Habitat Fund.....</u>	<u>4,192</u>	
20	Illinois Health Facilities Planning Fund	2,572
21	Illinois Power Agency Trust Fund	46,305
22	Illinois Power Agency Operations Fund.....	<u>110,651</u>	30,960
23	<u>Illinois Standardbred Breeders Fund.....</u>	<u>1,132</u>	
24	<u>Illinois State Dental Disciplinary Fund.....</u>	<u>6,888</u>	
25	<u>Illinois State Fair Fund</u>	<u>4,673</u>	
26	<u>Illinois State Medical Disciplinary Fund</u>	<u>27,524</u>	

1	<u>Illinois State Pharmacy Disciplinary Fund.....</u>	<u>8,373</u>
2	Illinois School Asbestos Abatement Fund.....	1,368
3	Illinois Tax Increment Fund.....	<u>1,390</u> 751
4	<u>Illinois Thoroughbred Breeders Fund.....</u>	<u>1,808</u>
5	<u>Illinois Wildlife Preservation Fund.....</u>	<u>1,282</u>
6	Illinois Veterans Rehabilitation Fund.....	1,134
7	Illinois Workers' Compensation Commission	
8	Operations Fund.....	<u>2,212</u> 70,049
9	IMSA Income Fund	<u>5,326</u> 7,588
10	Income Tax Refund Fund	<u>109,482</u> 55,211
11	<u>Insurance Financial Regulation Fund.....</u>	<u>96,074</u>
12	<u>Insurance Premium Tax Refund Fund.....</u>	<u>7,589</u>
13	<u>Insurance Producer Administration Fund</u>	<u>75,222</u>
14	<u>International Tourism Fund</u>	<u>2,814</u>
15	Innovations in Long-term Care Quality Demonstration	
16	 Grants Fund.....	3,140
17	Lead Poisoning, Screening, Prevention and	
18	 Abatement Fund	5,025
19	Live and Learn Fund.....	<u>9,516</u> 18,166
20	The Local Government Distributive Fund	<u>81,356</u> 49,520
21	<u>Local Tourism Fund</u>	<u>7,095</u>
22	Long Term Care Monitor/Receiver Fund	2,365
23	Long Term Care Provider Fund	2,214
24	Low Level Radioactive Waste Facility Development and	
25	 Operation Fund	3,880
26	Mandatory Arbitration Fund	2,926

1	Mental Health Fund	<u>2,806</u>	6,210
2	Metabolic Screening and Treatment Fund	19,342	
3	Monitoring Device Driving Permit Administration Fee Fund	645	
4	The Motor Fuel Tax Fund.....	<u>80,083</u>	31,806
5	Motor Vehicle License Plate Fund	<u>4,763</u>	8,027
6	Motor Vehicle Theft Prevention Trust Fund.....	59,407	
7	Multiple Sclerosis Research Fund	1,830	
8	Natural Areas Acquisition Fund	<u>16,001</u>	1,776
9	Nuclear Safety Emergency Preparedness Fund	216,920	
10	Nursing Dedicated and Professional Fund.....	<u>10,167</u>	2,180
11	<u>Off-Highway Vehicle Trails Fund.....</u>	<u>794</u>	
12	Open Space Lands Acquisition and		
13	Development Fund	<u>58,827</u>	7,009
14	<u>Optometric Licensing and Disciplinary Board Fund</u>	<u>1,408</u>	
15	Park and Conservation Fund	<u>47,464</u>	4,857
16	Partners for Conservation Fund	<u>11,901</u>	759
17	<u>Pawnbroker Regulation Fund</u>	<u>757</u>	
18	The Personal Property Tax Replacement Fund	<u>142,488</u>	47,871
19	<u>Pesticide Control Fund</u>	<u>3,903</u>	
20	<u>Prisoner Review Board Vehicle and Equipment Fund</u>	<u>2,621</u>	
21	Plumbing Licensure and Program Fund.....	3,065	
22	Professional Services Fund	<u>2,029</u>	8,811
23	<u>Professions Indirect Cost Fund</u>	<u>191,548</u>	
24	<u>Public Pension Regulation Fund</u>	<u>7,519</u>	
25	Public Health Laboratory Services Revolving Fund	1,420	
26	The Public Transportation Fund	<u>52,905</u>	18,837

1	<u>Real Estate License Administration Fund.....</u>	<u>26,119</u>
2	<u>Registered Certified Public Accountants' Administration</u>	
3	<u>and Disciplinary Fund.....</u>	<u>1,547</u>
4	<u>Renewable Energy Resources Trust Fund.....</u>	<u>1,601</u>
5	Radiation Protection Fund.....	65,921
6	Rental Housing Support Program Fund.....	<u>865</u> 681
7	The Road Fund.....	<u>289,575</u> 203,659
8	Regional Transportation Authority Occupation and	
9	Use Tax Replacement Fund	<u>1,833</u> 1,010
10	<u>Savings and Residential Finance Regulatory Fund.....</u>	<u>30,756</u>
11	Secretary of State DUI Administration Fund	<u>765</u> 1,350
12	Secretary of State Identification	
13	Security and Theft Prevention Fund	<u>1,757</u> 1,219
14	Secretary of State Special License Plate Fund....	<u>2,304</u> 3,194
15	Secretary of State Special Services Fund	<u>10,045</u> 14,404
16	Securities Audit and Enforcement Fund.....	<u>3,211</u> 4,743
17	Securities Investors Education Fund.....	882
18	September 11th Fund.....	1,062
19	Solid Waste Management Fund.....	<u>9,494</u> 1,348
20	State and Local Sales Tax Reform Fund.....	<u>3,638</u> 1,984
21	State Boating Act Fund	<u>38,425</u> 3,155
22	State Construction Account Fund.....	<u>79,336</u> 34,102
23	The State Garage Revolving Fund.....	<u>11,541</u> 30,345
24	The State Lottery Fund	<u>68,197</u> 17,959
25	<u>State Migratory Waterfowl Stamp Fund</u>	<u>4,757</u>
26	State Parks Fund	<u>29,249</u> 2,483

1	<u>State Pensions Fund</u>	<u>1,000,000</u>
2	<u>State Pheasant Fund</u>	<u>723</u>
3	State Surplus Property Revolving Fund.....	<u>1,078</u> 2,090
4	The Statistical Services Revolving Fund.....	<u>40,944</u> 105,824
5	<u>Subtitle D Management Fund</u>	<u>989</u>
6	<u>Supplemental Low Income Energy Assistance Fund</u>	<u>48,768</u>
7	Tobacco Settlement Recovery Fund	<u>2,501</u> 30,157
8	<u>Tourism Promotion Fund</u>	<u>14,362</u>
9	<u>Underground Resources Conservation Enforcement Fund</u>	<u>1,722</u>
10	Trauma Center Fund	6,569
11	Underground Storage Tank Fund.....	<u>69,453</u> 7,216
12	The Vehicle Inspection Fund.....	<u>14,322</u> 5,050
13	<u>Violent Crime Victims Assistance Fund</u>	<u>10,629</u>
14	<u>Weights and Measures Fund</u>	<u>3,408</u>
15	±	
16	Wildlife and Fish Fund	<u>164,990</u> 16,553
17	The Working Capital Revolving Fund	<u>281,376</u> 31,272

18 Notwithstanding any provision of the law to the contrary,
19 the General Assembly hereby authorizes the use of such funds
20 for the purposes set forth in this Section.

21 These provisions do not apply to funds classified by the
22 Comptroller as federal trust funds or State trust funds. The
23 Audit Expense Fund may receive transfers from those trust funds
24 only as directed herein, except where prohibited by the terms
25 of the trust fund agreement. The Auditor General shall notify
26 the trustees of those funds of the estimated cost of the audit

1 to be incurred under the Illinois State Auditing Act for the
2 fund. The trustees of those funds shall direct the State
3 Comptroller and Treasurer to transfer the estimated amount to
4 the Audit Expense Fund.

5 The Auditor General may bill entities that are not subject
6 to the above transfer provisions, including private entities,
7 related organizations and entities whose funds are
8 locally-held, for the cost of audits, studies, and
9 investigations incurred on their behalf. Any revenues received
10 under this provision shall be deposited into the Audit Expense
11 Fund.

12 In the event that moneys on deposit in any fund are
13 unavailable, by reason of deficiency or any other reason
14 preventing their lawful transfer, the State Comptroller shall
15 order transferred and the State Treasurer shall transfer the
16 amount deficient or otherwise unavailable from the General
17 Revenue Fund for deposit into the Audit Expense Fund.

18 On or before December 1, 1992, and each December 1
19 thereafter, the Auditor General shall notify the Governor's
20 Office of Management and Budget (formerly Bureau of the Budget)
21 of the amount estimated to be necessary to pay for audits,
22 studies, and investigations in accordance with the Illinois
23 State Auditing Act during the next succeeding fiscal year for
24 each State fund for which a transfer or reimbursement is
25 anticipated.

26 Beginning with fiscal year 1994 and during each fiscal year

1 thereafter, the Auditor General may direct the State
2 Comptroller and Treasurer to transfer moneys from funds
3 authorized by the General Assembly for that fund. In the event
4 funds, including federal and State trust funds but excluding
5 the General Revenue Fund, are transferred, during fiscal year
6 1994 and during each fiscal year thereafter, in excess of the
7 amount to pay actual costs attributable to audits, studies, and
8 investigations as permitted or required by the Illinois State
9 Auditing Act or specific action of the General Assembly, the
10 Auditor General shall, on September 30, or as soon thereafter
11 as is practicable, direct the State Comptroller and Treasurer
12 to transfer the excess amount back to the fund from which it
13 was originally transferred.

14 (Source: P.A. 96-476, eff. 8-14-09; 96-976, eff. 7-2-10; 97-66,
15 eff. 6-30-11; revised 7-13-11.)

16 (30 ILCS 105/6z-30)

17 Sec. 6z-30. University of Illinois Hospital Services Fund.

18 (a) The University of Illinois Hospital Services Fund is
19 created as a special fund in the State Treasury. The following
20 moneys shall be deposited into the Fund:

21 (1) As soon as possible after the beginning of fiscal
22 year 2010, and in no event later than July 30, the State
23 Comptroller and the State Treasurer shall automatically
24 transfer \$30,000,000 from the General Revenue Fund to the
25 University of Illinois Hospital Services Fund.

1 (1.5) Starting in fiscal year 2011, as soon as possible
2 after the beginning of each fiscal year, and in no event
3 later than July 30, the State Comptroller and the State
4 Treasurer shall automatically transfer \$45,000,000 from
5 the General Revenue Fund to the University of Illinois
6 Hospital Services Fund; except that, in fiscal year 2012
7 only, the State Comptroller and the State Treasurer shall
8 transfer \$90,000,000 from the General Revenue Fund to the
9 University of Illinois Hospital Services Fund under this
10 paragraph, and, in fiscal year 2013 only, the State
11 Comptroller and the State Treasurer shall transfer no
12 amounts from the General Revenue Fund to the University of
13 Illinois Hospital Services Fund under this paragraph.

14 (2) All intergovernmental transfer payments to the
15 Department of Healthcare and Family Services by the
16 University of Illinois made pursuant to an
17 intergovernmental agreement under subsection (b) or (c) of
18 Section 5A-3 of the Illinois Public Aid Code.

19 (3) All federal matching funds received by the
20 Department of Healthcare and Family Services (formerly
21 Illinois Department of Public Aid) as a result of
22 expenditures made by the Department that are attributable
23 to moneys that were deposited in the Fund.

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

26 (b) Moneys in the fund may be used by the Department of

1 Healthcare and Family Services, subject to appropriation and to
2 an interagency agreement between that Department and the Board
3 of Trustees of the University of Illinois, to reimburse the
4 University of Illinois Hospital for hospital and pharmacy
5 services, to reimburse practitioners who are employed by the
6 University of Illinois, to reimburse other health care
7 facilities operated by the University of Illinois, and to pass
8 through to the University of Illinois federal financial
9 participation earned by the State as a result of expenditures
10 made by the University of Illinois.

11 (c) (Blank).

12 (Source: P.A. 95-331, eff. 8-21-07; 95-744, eff. 7-18-08;
13 96-45, eff. 7-15-09; 96-959, eff. 7-1-10.)

14 (30 ILCS 105/6z-45)

15 Sec. 6z-45. The School Infrastructure Fund.

16 (a) The School Infrastructure Fund is created as a special
17 fund in the State Treasury.

18 In addition to any other deposits authorized by law,
19 beginning January 1, 2000, on the first day of each month, or
20 as soon thereafter as may be practical, the State Treasurer and
21 State Comptroller shall transfer the sum of \$5,000,000 from the
22 General Revenue Fund to the School Infrastructure Fund, except
23 that, notwithstanding any other provision of law, and in
24 addition to any other transfers that may be provided for by
25 law, before June 30, 2012, the Comptroller and the Treasurer

1 shall transfer \$45,000,000 from the General Revenue Fund into
2 the School Infrastructure Fund, and, for fiscal year 2013 only,
3 the Treasurer and the Comptroller shall transfer \$1,250,000
4 from the General Revenue Fund to the School Infrastructure Fund
5 on the first day of each month; provided, however, that no such
6 transfers shall be made from July 1, 2001 through June 30,
7 2003.

8 (b) Subject to the transfer provisions set forth below,
9 money in the School Infrastructure Fund shall, if and when the
10 State of Illinois incurs any bonded indebtedness for the
11 construction of school improvements under the School
12 Construction Law, be set aside and used for the purpose of
13 paying and discharging annually the principal and interest on
14 that bonded indebtedness then due and payable, and for no other
15 purpose.

16 In addition to other transfers to the General Obligation
17 Bond Retirement and Interest Fund made pursuant to Section 15
18 of the General Obligation Bond Act, upon each delivery of bonds
19 issued for construction of school improvements under the School
20 Construction Law, the State Comptroller shall compute and
21 certify to the State Treasurer the total amount of principal
22 of, interest on, and premium, if any, on such bonds during the
23 then current and each succeeding fiscal year. With respect to
24 the interest payable on variable rate bonds, such
25 certifications shall be calculated at the maximum rate of
26 interest that may be payable during the fiscal year, after

1 taking into account any credits permitted in the related
2 indenture or other instrument against the amount of such
3 interest required to be appropriated for that period.

4 On or before the last day of each month, the State
5 Treasurer and State Comptroller shall transfer from the School
6 Infrastructure Fund to the General Obligation Bond Retirement
7 and Interest Fund an amount sufficient to pay the aggregate of
8 the principal of, interest on, and premium, if any, on the
9 bonds payable on their next payment date, divided by the number
10 of monthly transfers occurring between the last previous
11 payment date (or the delivery date if no payment date has yet
12 occurred) and the next succeeding payment date. Interest
13 payable on variable rate bonds shall be calculated at the
14 maximum rate of interest that may be payable for the relevant
15 period, after taking into account any credits permitted in the
16 related indenture or other instrument against the amount of
17 such interest required to be appropriated for that period.
18 Interest for which moneys have already been deposited into the
19 capitalized interest account within the General Obligation
20 Bond Retirement and Interest Fund shall not be included in the
21 calculation of the amounts to be transferred under this
22 subsection.

23 (c) The surplus, if any, in the School Infrastructure Fund
24 after the payment of principal and interest on that bonded
25 indebtedness then annually due shall, subject to
26 appropriation, be used as follows:

1 First - to make 3 payments to the School Technology
2 Revolving Loan Fund as follows:

3 Transfer of \$30,000,000 in fiscal year 1999;

4 Transfer of \$20,000,000 in fiscal year 2000; and

5 Transfer of \$10,000,000 in fiscal year 2001.

6 Second - to pay the expenses of the State Board of
7 Education and the Capital Development Board in administering
8 programs under the School Construction Law, the total expenses
9 not to exceed \$1,200,000 in any fiscal year.

10 Third - to pay any amounts due for grants for school
11 construction projects and debt service under the School
12 Construction Law.

13 Fourth - to pay any amounts due for grants for school
14 maintenance projects under the School Construction Law.

15 (Source: P.A. 92-11, eff. 6-11-01; 92-600, eff. 6-28-02; 93-9,
16 eff. 6-3-03.)

17 (30 ILCS 105/6z-81)

18 Sec. 6z-81. Healthcare Provider Relief Fund.

19 (a) There is created in the State treasury a special fund
20 to be known as the Healthcare Provider Relief Fund.

21 (b) The Fund is created for the purpose of receiving and
22 disbursing moneys in accordance with this Section.
23 Disbursements from the Fund shall be made only as follows:

24 (1) Subject to appropriation, for payment by the
25 Department of Healthcare and Family Services or by the

1 Department of Human Services of medical bills and related
2 expenses, including administrative expenses, for which the
3 State is responsible under Titles XIX and XXI of the Social
4 Security Act, the Illinois Public Aid Code, the Children's
5 Health Insurance Program Act, the Covering ALL KIDS Health
6 Insurance Act, and the Senior Citizens and Disabled Persons
7 Property Tax Relief and Pharmaceutical Assistance Act.

8 (2) For repayment of funds borrowed from other State
9 funds or from outside sources, including interest thereon.

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

11 (1) Moneys received by the State from short-term
12 borrowing pursuant to the Short Term Borrowing Act on or
13 after the effective date of this amendatory Act of the 96th
14 General Assembly.

15 (2) All federal matching funds received by the Illinois
16 Department of Healthcare and Family Services as a result of
17 expenditures made by the Department that are attributable
18 to moneys deposited in the Fund.

19 (3) All federal matching funds received by the Illinois
20 Department of Healthcare and Family Services as a result of
21 federal approval of Title XIX State plan amendment
22 transmittal number 07-09.

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

25 (d) In addition to any other transfers that may be provided
26 for by law, on the effective date of this amendatory Act of the

1 97th General Assembly, or as soon thereafter as practical, the
2 State Comptroller shall direct and the State Treasurer shall
3 transfer the sum of \$365,000,000 from the General Revenue Fund
4 into the Healthcare Provider Relief Fund.

5 (e) In addition to any other transfers that may be provided
6 for by law, on July 1, 2011, or as soon thereafter as
7 practical, the State Comptroller shall direct and the State
8 Treasurer shall transfer the sum of \$160,000,000 from the
9 General Revenue Fund to the Healthcare Provider Relief Fund.

10 (f) Notwithstanding any other State law to the contrary,
11 and in addition to any other transfers that may be provided for
12 by law, the State Comptroller shall order transferred and the
13 State Treasurer shall transfer \$500,000,000 to the Healthcare
14 Provider Relief Fund from the General Revenue Fund in equal
15 monthly installments of \$100,000,000, with the first transfer
16 to be made on July 1, 2012, or as soon thereafter as practical,
17 and with each of the remaining transfers to be made on August
18 1, 2012, September 1, 2012, October 1, 2012, and November 1,
19 2012, or as soon thereafter as practical. This transfer may
20 assist the Department of Healthcare and Family Services in
21 improving Medical Assistance bill processing timeframes or in
22 meeting the possible requirements of Senate Bill 3397, or other
23 similar legislation, of the 97th General Assembly should it
24 become law.

25 (Source: P.A. 96-820, eff. 11-18-09; 96-1100, eff. 1-1-11;
26 97-44, eff. 6-28-11; 97-641, eff. 12-19-11.)

1 (30 ILCS 105/6z-82)

2 Sec. 6z-82. State Police Operations Assistance Fund.

3 (a) There is created in the State treasury a special fund
4 known as the State Police Operations Assistance Fund. The Fund
5 shall receive revenue pursuant to Section 27.3a of the Clerks
6 of Courts Act. The Fund may also receive revenue from grants,
7 donations, appropriations, and any other legal source.

8 (b) The Department of State Police may use moneys in the
9 Fund to finance any of its lawful purposes or functions.

10 (c) Expenditures may be made from the Fund only as
11 appropriated by the General Assembly by law.

12 (d) Investment income that is attributable to the
13 investment of moneys in the Fund shall be retained in the Fund
14 for the uses specified in this Section.

15 (e) The State Police Operations Assistance Fund shall not
16 be subject to administrative chargebacks.

17 (f) Notwithstanding any other provision of State law to the
18 contrary, on or after July 1, 2012, and until June 30, 2013, 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 Director of State Police, the State Comptroller shall direct
22 and the State Treasurer shall transfer amounts into the State
23 Police Operations Assistance Fund from the designated funds not
24 exceeding the following totals:

25 State Police Vehicle Fund \$2,250,000

1	<u>State Police Wireless Service</u>	
2	<u>Emergency Fund</u>	<u>\$2,500,000</u>
3	<u>State Police Services Fund</u>	<u>\$3,500,000</u>

4 (Source: P.A. 96-1029, eff. 7-13-10; 97-333, eff. 8-12-11.)

5 (30 ILCS 105/6z-93 new)

6 Sec. 6z-93. FY 13 Backlog Payment Fund. The FY 13 Backlog
7 Payment Fund is created as a special fund in the State
8 treasury. Beginning July 1, 2012 and on or before December 31,
9 2012, the State Comptroller shall direct and the State
10 Treasurer shall transfer funds from the FY 13 Backlog Payment
11 Fund to the General Revenue Fund as needed for the payment of
12 vouchers and transfers to other State funds obligated in State
13 fiscal year 2012, other than costs incurred for claims under
14 the Medical Assistance Program.

15 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

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

24 first -- to pay the cost of administration of Chapters

1 2 through 10 of the Illinois Vehicle Code, except the cost
2 of administration of Articles I and II of Chapter 3 of that
3 Code; and

4 secondly -- for expenses of the Department of
5 Transportation for construction, reconstruction,
6 improvement, repair, maintenance, operation, and
7 administration of highways in accordance with the
8 provisions of laws relating thereto, or for any purpose
9 related or incident to and connected therewith, including
10 the separation of grades of those highways with railroads
11 and with highways and including the payment of awards made
12 by the Illinois Workers' Compensation Commission under the
13 terms of the Workers' Compensation Act or Workers'
14 Occupational Diseases Act for injury or death of an
15 employee of the Division of Highways in the Department of
16 Transportation; or for the acquisition of land and the
17 erection of buildings for highway purposes, including the
18 acquisition of highway right-of-way or for investigations
19 to determine the reasonably anticipated future highway
20 needs; or for making of surveys, plans, specifications and
21 estimates for and in the construction and maintenance of
22 flight strips and of highways necessary to provide access
23 to military and naval reservations, to defense industries
24 and defense-industry sites, and to the sources of raw
25 materials and for replacing existing highways and highway
26 connections shut off from general public use at military

1 and naval reservations and defense-industry sites, or for
2 the purchase of right-of-way, except that the State shall
3 be reimbursed in full for any expense incurred in building
4 the flight strips; or for the operating and maintaining of
5 highway garages; or for patrolling and policing the public
6 highways and conserving the peace; or for the operating
7 expenses of the Department relating to the administration
8 of public transportation programs; or, during fiscal year
9 2012 only, for the purposes of a grant not to exceed
10 \$8,500,000 to the Regional Transportation Authority on
11 behalf of PACE for the purpose of ADA/Para-transit
12 expenses; or, during fiscal year 2013 only, for the
13 purposes of a grant not to exceed \$3,825,000 to the
14 Regional Transportation Authority on behalf of PACE for the
15 purpose of ADA/Para-transit expenses; or for any of those
16 purposes or any other purpose that may be provided by law.

17 Appropriations for any of those purposes are payable from
18 the Road Fund. Appropriations may also be made from the Road
19 Fund for the administrative expenses of any State agency that
20 are related to motor vehicles or arise from the use of motor
21 vehicles.

22 Beginning with fiscal year 1980 and thereafter, no Road
23 Fund monies shall be appropriated to the following Departments
24 or agencies of State government for administration, grants, or
25 operations; but this limitation is not a restriction upon
26 appropriating for those purposes any Road Fund monies that are

1 eligible for federal reimbursement;

2 1. Department of Public Health;

3 2. Department of Transportation, only with respect to
4 subsidies for one-half fare Student Transportation and
5 Reduced Fare for Elderly, except during fiscal year 2012
6 only when no more than \$40,000,000 may be expended and
7 except during fiscal year 2013 only when no more than
8 \$17,570,300 may be expended;

9 3. Department of Central Management Services, except
10 for expenditures incurred for group insurance premiums of
11 appropriate personnel;

12 4. Judicial Systems and Agencies.

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

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

21 2. Department of Transportation, only with respect to
22 Intercity Rail Subsidies, except during fiscal year 2012
23 only when no more than \$40,000,000 may be expended and
24 except during fiscal year 2013 only when no more than
25 \$26,000,000 may be expended, and Rail Freight Services.

26 Beginning with fiscal year 1982 and thereafter, no Road

1 Fund monies shall be appropriated to the following Departments
2 or agencies of State government for administration, grants, or
3 operations; but this limitation is not a restriction upon
4 appropriating for those purposes any Road Fund monies that are
5 eligible for federal reimbursement: Department of Central
6 Management Services, except for awards made by the Illinois
7 Workers' Compensation Commission under the terms of the
8 Workers' Compensation Act or Workers' Occupational Diseases
9 Act for injury or death of an employee of the Division of
10 Highways in the Department of Transportation.

11 Beginning with fiscal year 1984 and thereafter, no Road
12 Fund monies shall be appropriated to the following Departments
13 or agencies of State government for administration, grants, or
14 operations; but this limitation is not a restriction upon
15 appropriating for those purposes any Road Fund monies that are
16 eligible for federal reimbursement:

- 17 1. Department of State Police, except not more than 40%
- 18 of the funds appropriated for the Division of Operations;
- 19 2. State Officers.

20 Beginning with fiscal year 1984 and thereafter, no Road
21 Fund monies shall be appropriated to any Department or agency
22 of State government for administration, grants, or operations
23 except as provided hereafter; but this limitation is not a
24 restriction upon appropriating for those purposes any Road Fund
25 monies that are eligible for federal reimbursement. It shall
26 not be lawful to circumvent the above appropriation limitations

1 by governmental reorganization or other methods.
2 Appropriations shall be made from the Road Fund only in
3 accordance with the provisions of this Section.

4 Money in the Road Fund shall, if and when the State of
5 Illinois incurs any bonded indebtedness for the construction of
6 permanent highways, be set aside and used for the purpose of
7 paying and discharging during each fiscal year the principal
8 and interest on that bonded indebtedness as it becomes due and
9 payable as provided in the Transportation Bond Act, and for no
10 other purpose. The surplus, if any, in the Road Fund after the
11 payment of principal and interest on that bonded indebtedness
12 then annually due shall be used as follows:

13 first -- to pay the cost of administration of Chapters
14 2 through 10 of the Illinois Vehicle Code; and

15 secondly -- no Road Fund monies derived from fees,
16 excises, or license taxes relating to registration,
17 operation and use of vehicles on public highways or to
18 fuels used for the propulsion of those vehicles, shall be
19 appropriated or expended other than for costs of
20 administering the laws imposing those fees, excises, and
21 license taxes, statutory refunds and adjustments allowed
22 thereunder, administrative costs of the Department of
23 Transportation, including, but not limited to, the
24 operating expenses of the Department relating to the
25 administration of public transportation programs, payment
26 of debts and liabilities incurred in construction and

1 reconstruction of public highways and bridges, acquisition
2 of rights-of-way for and the cost of construction,
3 reconstruction, maintenance, repair, and operation of
4 public highways and bridges under the direction and
5 supervision of the State, political subdivision, or
6 municipality collecting those monies, or during fiscal
7 year 2012 only for the purposes of a grant not to exceed
8 \$8,500,000 to the Regional Transportation Authority on
9 behalf of PACE for the purpose of ADA/Para-transit
10 expenses, and the costs for patrolling and policing the
11 public highways (by State, political subdivision, or
12 municipality collecting that money) for enforcement of
13 traffic laws. The separation of grades of such highways
14 with railroads and costs associated with protection of
15 at-grade highway and railroad crossing shall also be
16 permissible.

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

20 Except as provided in this paragraph, beginning with fiscal
21 year 1991 and thereafter, no Road Fund monies shall be
22 appropriated to the Department of State Police for the purposes
23 of this Section in excess of its total fiscal year 1990 Road
24 Fund appropriations for those purposes unless otherwise
25 provided in Section 5g of this Act. For fiscal years 2003,
26 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be

1 appropriated to the Department of State Police for the purposes
2 of this Section in excess of \$97,310,000. For fiscal year 2008
3 only, no Road Fund monies shall be appropriated to the
4 Department of State Police for the purposes of this Section in
5 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund
6 monies shall be appropriated to the Department of State Police
7 for the purposes of this Section in excess of \$114,700,000.
8 Beginning in fiscal year 2010, no road fund moneys shall be
9 appropriated to the Department of State Police. It shall not be
10 lawful to circumvent this limitation on appropriations by
11 governmental reorganization or other methods unless otherwise
12 provided in Section 5g of this Act.

13 In fiscal year 1994, no Road Fund monies shall be
14 appropriated to the Secretary of State for the purposes of this
15 Section in excess of the total fiscal year 1991 Road Fund
16 appropriations to the Secretary of State for those purposes,
17 plus \$9,800,000. It shall not be lawful to circumvent this
18 limitation on appropriations by governmental reorganization or
19 other method.

20 Beginning with fiscal year 1995 and thereafter, no Road
21 Fund monies shall be appropriated to the Secretary of State for
22 the purposes of this Section in excess of the total fiscal year
23 1994 Road Fund appropriations to the Secretary of State for
24 those purposes. It shall not be lawful to circumvent this
25 limitation on appropriations by governmental reorganization or
26 other methods.

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

5 Fiscal Year 2000	\$80,500,000;
6 Fiscal Year 2001	\$80,500,000;
7 Fiscal Year 2002	\$80,500,000;
8 Fiscal Year 2003	\$130,500,000;
9 Fiscal Year 2004	\$130,500,000;
10 Fiscal Year 2005	\$130,500,000;
11 Fiscal Year 2006	\$130,500,000;
12 Fiscal Year 2007	\$130,500,000;
13 Fiscal Year 2008	\$130,500,000;
14 Fiscal Year 2009	\$130,500,000.

15 For fiscal year 2010, no road fund moneys shall be
16 appropriated to the Secretary of State.

17 Beginning in fiscal year 2011, moneys in the Road Fund
18 shall be appropriated to the Secretary of State for the
19 exclusive purpose of paying refunds due to overpayment of fees
20 related to Chapter 3 of the Illinois Vehicle Code unless
21 otherwise provided for by law.

22 It shall not be lawful to circumvent this limitation on
23 appropriations by governmental reorganization or other
24 methods.

25 No new program may be initiated in fiscal year 1991 and
26 thereafter that is not consistent with the limitations imposed

1 by this Section for fiscal year 1984 and thereafter, insofar as
2 appropriation of Road Fund monies is concerned.

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

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

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

22 (Source: P.A. 96-34, eff. 7-13-09; 96-959, eff. 7-1-10; 97-72,
23 eff. 7-1-11.)

24 (30 ILCS 105/8g-1 new)

25 Sec. 8g-1. FY13 fund transfers. In addition to any other

1 transfers that may be provided for by law, on and after July 1,
2 2012 and until May 1, 2013, at the direction of and upon
3 notification from the Governor, the State Comptroller shall
4 direct and the State Treasurer shall transfer amounts not
5 exceeding a total of \$80,000,000 from the General Revenue Fund
6 to the Tobacco Settlement Recovery Fund. Any amounts so
7 transferred shall be retransferred by the State Comptroller and
8 the State Treasurer from the Tobacco Settlement Recovery Fund
9 to the General Revenue Fund at the direction of and upon
10 notification from the Governor, but in any event on or before
11 June 30, 2013.

12 (30 ILCS 105/25) (from Ch. 127, par. 161)

13 Sec. 25. Fiscal year limitations.

14 (a) All appropriations shall be available for expenditure
15 for the fiscal year or for a lesser period if the Act making
16 that appropriation so specifies. A deficiency or emergency
17 appropriation shall be available for expenditure only through
18 June 30 of the year when the Act making that appropriation is
19 enacted unless that Act otherwise provides.

20 (b) Outstanding liabilities as of June 30, payable from
21 appropriations which have otherwise expired, may be paid out of
22 the expiring appropriations during the 2-month period ending at
23 the close of business on August 31. Any service involving
24 professional or artistic skills or any personal services by an
25 employee whose compensation is subject to income tax

1 withholding must be performed as of June 30 of the fiscal year
2 in order to be considered an "outstanding liability as of June
3 30" that is thereby eligible for payment out of the expiring
4 appropriation.

5 (b-1) However, payment of tuition reimbursement claims
6 under Section 14-7.03 or 18-3 of the School Code may be made by
7 the State Board of Education from its appropriations for those
8 respective purposes for any fiscal year, even though the claims
9 reimbursed by the payment may be claims attributable to a prior
10 fiscal year, and payments may be made at the direction of the
11 State Superintendent of Education from the fund from which the
12 appropriation is made without regard to any fiscal year
13 limitations, except as required by subsection (j) of this
14 Section. Beginning on June 30, 2021, payment of tuition
15 reimbursement claims under Section 14-7.03 or 18-3 of the
16 School Code as of June 30, payable from appropriations that
17 have otherwise expired, may be paid out of the expiring
18 appropriation during the 4-month period ending at the close of
19 business on October 31.

20 (b-2) All outstanding liabilities as of June 30, 2010,
21 payable from appropriations that would otherwise expire at the
22 conclusion of the lapse period for fiscal year 2010, and
23 interest penalties payable on those liabilities under the State
24 Prompt Payment Act, may be paid out of the expiring
25 appropriations until December 31, 2010, without regard to the
26 fiscal year in which the payment is made, as long as vouchers

1 for the liabilities are received by the Comptroller no later
2 than August 31, 2010.

3 (b-2.5) All outstanding liabilities as of June 30, 2011,
4 payable from appropriations that would otherwise expire at the
5 conclusion of the lapse period for fiscal year 2011, and
6 interest penalties payable on those liabilities under the State
7 Prompt Payment Act, may be paid out of the expiring
8 appropriations until December 31, 2011, without regard to the
9 fiscal year in which the payment is made, as long as vouchers
10 for the liabilities are received by the Comptroller no later
11 than August 31, 2011.

12 (b-2.6) All outstanding liabilities as of June 30, 2012,
13 payable from appropriations that would otherwise expire at the
14 conclusion of the lapse period for fiscal year 2012, and
15 interest penalties payable on those liabilities under the State
16 Prompt Payment Act, may be paid out of the expiring
17 appropriations until December 31, 2012, without regard to the
18 fiscal year in which the payment is made, as long as vouchers
19 for the liabilities are received by the Comptroller no later
20 than August 31, 2012.

21 (b-3) Medical payments may be made by the Department of
22 Veterans' Affairs from its appropriations for those purposes
23 for any fiscal year, without regard to the fact that the
24 medical services being compensated for by such payment may have
25 been rendered in a prior fiscal year, except as required by
26 subsection (j) of this Section. Beginning on June 30, 2021,

1 medical payments payable from appropriations that have
2 otherwise expired may be paid out of the expiring appropriation
3 during the 4-month period ending at the close of business on
4 October 31.

5 (b-4) Medical payments may be made by the Department of
6 Healthcare and Family Services and medical payments and child
7 care payments may be made by the Department of Human Services
8 (as successor to the Department of Public Aid) from
9 appropriations for those purposes for any fiscal year, without
10 regard to the fact that the medical or child care services
11 being compensated for by such payment may have been rendered in
12 a prior fiscal year; and payments may be made at the direction
13 of the Department of Healthcare and Family Services from the
14 Health Insurance Reserve Fund and the Local Government Health
15 Insurance Reserve Fund without regard to any fiscal year
16 limitations, except as required by subsection (j) of this
17 Section. Beginning on June 30, 2021, medical payments made by
18 the Department of Healthcare and Family Services, child care
19 payments made by the Department of Human Services, and payments
20 made at the discretion of the Department of Healthcare and
21 Family Services from the Health Insurance Reserve Fund and the
22 Local Government Health Insurance Reserve Fund payable from
23 appropriations that have otherwise expired may be paid out of
24 the expiring appropriation during the 4-month period ending at
25 the close of business on October 31.

26 (b-5) Medical payments may be made by the Department of

1 Human Services from its appropriations relating to substance
2 abuse treatment services for any fiscal year, without regard to
3 the fact that the medical services being compensated for by
4 such payment may have been rendered in a prior fiscal year,
5 provided the payments are made on a fee-for-service basis
6 consistent with requirements established for Medicaid
7 reimbursement by the Department of Healthcare and Family
8 Services, except as required by subsection (j) of this Section.
9 Beginning on June 30, 2021, medical payments made by the
10 Department of Human Services relating to substance abuse
11 treatment services payable from appropriations that have
12 otherwise expired may be paid out of the expiring appropriation
13 during the 4-month period ending at the close of business on
14 October 31.

15 (b-6) Additionally, payments may be made by the Department
16 of Human Services from its appropriations, or any other State
17 agency from its appropriations with the approval of the
18 Department of Human Services, from the Immigration Reform and
19 Control Fund for purposes authorized pursuant to the
20 Immigration Reform and Control Act of 1986, without regard to
21 any fiscal year limitations, except as required by subsection
22 (j) of this Section. Beginning on June 30, 2021, payments made
23 by the Department of Human Services from the Immigration Reform
24 and Control Fund for purposes authorized pursuant to the
25 Immigration Reform and Control Act of 1986 payable from
26 appropriations that have otherwise expired may be paid out of

1 the expiring appropriation during the 4-month period ending at
2 the close of business on October 31.

3 (b-7) Payments may be made in accordance with a plan
4 authorized by paragraph (11) or (12) of Section 405-105 of the
5 Department of Central Management Services Law from
6 appropriations for those payments without regard to fiscal year
7 limitations.

8 (c) Further, payments may be made by the Department of
9 Public Health, the Department of Human Services (acting as
10 successor to the Department of Public Health under the
11 Department of Human Services Act), and the Department of
12 Healthcare and Family Services from their respective
13 appropriations for grants for medical care to or on behalf of
14 persons suffering from chronic renal disease, persons
15 suffering from hemophilia, rape victims, and premature and
16 high-mortality risk infants and their mothers and for grants
17 for supplemental food supplies provided under the United States
18 Department of Agriculture Women, Infants and Children
19 Nutrition Program, for any fiscal year without regard to the
20 fact that the services being compensated for by such payment
21 may have been rendered in a prior fiscal year, except as
22 required by subsection (j) of this Section. Beginning on June
23 30, 2021, payments made by the Department of Public Health, the
24 Department of Human Services, and the Department of Healthcare
25 and Family Services from their respective appropriations for
26 grants for medical care to or on behalf of persons suffering

1 from chronic renal disease, persons suffering from hemophilia,
2 rape victims, and premature and high-mortality risk infants and
3 their mothers and for grants for supplemental food supplies
4 provided under the United States Department of Agriculture
5 Women, Infants and Children Nutrition Program payable from
6 appropriations that have otherwise expired may be paid out of
7 the expiring appropriations during the 4-month period ending at
8 the close of business on October 31.

9 (d) The Department of Public Health and the Department of
10 Human Services (acting as successor to the Department of Public
11 Health under the Department of Human Services Act) shall each
12 annually submit to the State Comptroller, Senate President,
13 Senate Minority Leader, Speaker of the House, House Minority
14 Leader, and the respective Chairmen and Minority Spokesmen of
15 the Appropriations Committees of the Senate and the House, on
16 or before December 31, a report of fiscal year funds used to
17 pay for services provided in any prior fiscal year. This report
18 shall document by program or service category those
19 expenditures from the most recently completed fiscal year used
20 to pay for services provided in prior fiscal years.

21 (e) The Department of Healthcare and Family Services, the
22 Department of Human Services (acting as successor to the
23 Department of Public Aid), and the Department of Human Services
24 making fee-for-service payments relating to substance abuse
25 treatment services provided during a previous fiscal year shall
26 each annually submit to the State Comptroller, Senate

1 President, Senate Minority Leader, Speaker of the House, House
2 Minority Leader, the respective Chairmen and Minority
3 Spokesmen of the Appropriations Committees of the Senate and
4 the House, on or before November 30, a report that shall
5 document by program or service category those expenditures from
6 the most recently completed fiscal year used to pay for (i)
7 services provided in prior fiscal years and (ii) services for
8 which claims were received in prior fiscal years.

9 (f) The Department of Human Services (as successor to the
10 Department of Public Aid) shall annually submit to the State
11 Comptroller, Senate President, Senate Minority Leader, Speaker
12 of the House, House Minority Leader, and the respective
13 Chairmen and Minority Spokesmen of the Appropriations
14 Committees of the Senate and the House, on or before December
15 31, a report of fiscal year funds used to pay for services
16 (other than medical care) provided in any prior fiscal year.
17 This report shall document by program or service category those
18 expenditures from the most recently completed fiscal year used
19 to pay for services provided in prior fiscal years.

20 (g) In addition, each annual report required to be
21 submitted by the Department of Healthcare and Family Services
22 under subsection (e) shall include the following information
23 with respect to the State's Medicaid program:

24 (1) Explanations of the exact causes of the variance
25 between the previous year's estimated and actual
26 liabilities.

1 (2) Factors affecting the Department of Healthcare and
2 Family Services' liabilities, including but not limited to
3 numbers of aid recipients, levels of medical service
4 utilization by aid recipients, and inflation in the cost of
5 medical services.

6 (3) The results of the Department's efforts to combat
7 fraud and abuse.

8 (h) As provided in Section 4 of the General Assembly
9 Compensation Act, any utility bill for service provided to a
10 General Assembly member's district office for a period
11 including portions of 2 consecutive fiscal years may be paid
12 from funds appropriated for such expenditure in either fiscal
13 year.

14 (i) An agency which administers a fund classified by the
15 Comptroller as an internal service fund may issue rules for:

16 (1) billing user agencies in advance for payments or
17 authorized inter-fund transfers based on estimated charges
18 for goods or services;

19 (2) issuing credits, refunding through inter-fund
20 transfers, or reducing future inter-fund transfers during
21 the subsequent fiscal year for all user agency payments or
22 authorized inter-fund transfers received during the prior
23 fiscal year which were in excess of the final amounts owed
24 by the user agency for that period; and

25 (3) issuing catch-up billings to user agencies during
26 the subsequent fiscal year for amounts remaining due when

1 payments or authorized inter-fund transfers received from
2 the user agency during the prior fiscal year were less than
3 the total amount owed for that period.

4 User agencies are authorized to reimburse internal service
5 funds for catch-up billings by vouchers drawn against their
6 respective appropriations for the fiscal year in which the
7 catch-up billing was issued or by increasing an authorized
8 inter-fund transfer during the current fiscal year. For the
9 purposes of this Act, "inter-fund transfers" means transfers
10 without the use of the voucher-warrant process, as authorized
11 by Section 9.01 of the State Comptroller Act.

12 (i-1) Beginning on July 1, 2021, all outstanding
13 liabilities, not payable during the 4-month lapse period as
14 described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and
15 (c) of this Section, that are made from appropriations for that
16 purpose for any fiscal year, without regard to the fact that
17 the services being compensated for by those payments may have
18 been rendered in a prior fiscal year, are limited to only those
19 claims that have been incurred but for which a proper bill or
20 invoice as defined by the State Prompt Payment Act has not been
21 received by September 30th following the end of the fiscal year
22 in which the service was rendered.

23 (j) Notwithstanding any other provision of this Act, the
24 aggregate amount of payments to be made without regard for
25 fiscal year limitations as contained in subsections (b-1),
26 (b-3), (b-4), (b-5), (b-6), and (c) of this Section, and

1 determined by using Generally Accepted Accounting Principles,
2 shall not exceed the following amounts:

3 (1) \$6,000,000,000 for outstanding liabilities related
4 to fiscal year 2012;

5 (2) \$5,300,000,000 for outstanding liabilities related
6 to fiscal year 2013;

7 (3) \$4,600,000,000 for outstanding liabilities related
8 to fiscal year 2014;

9 (4) \$4,000,000,000 for outstanding liabilities related
10 to fiscal year 2015;

11 (5) \$3,300,000,000 for outstanding liabilities related
12 to fiscal year 2016;

13 (6) \$2,600,000,000 for outstanding liabilities related
14 to fiscal year 2017;

15 (7) \$2,000,000,000 for outstanding liabilities related
16 to fiscal year 2018;

17 (8) \$1,300,000,000 for outstanding liabilities related
18 to fiscal year 2019;

19 (9) \$600,000,000 for outstanding liabilities related
20 to fiscal year 2020; and

21 (10) \$0 for outstanding liabilities related to fiscal
22 year 2021 and fiscal years thereafter.

23 (Source: P.A. 96-928, eff. 6-15-10; 96-958, eff. 7-1-10;
24 96-1501, eff. 1-25-11; 97-75, eff. 6-30-11; 97-333, eff.
25 8-12-11.)

1 Section 5-30. The Illinois Income Tax Act is amended by
2 changing Section 901 as follows:

3 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

4 Sec. 901. Collection Authority.

5 (a) In general.

6 The Department shall collect the taxes imposed by this Act.
7 The Department shall collect certified past due child support
8 amounts under Section 2505-650 of the Department of Revenue Law
9 (20 ILCS 2505/2505-650). Except as provided in subsections (c),
10 (e), (f), and (g) of this Section, money collected pursuant to
11 subsections (a) and (b) of Section 201 of this Act shall be
12 paid into the General Revenue Fund in the State treasury; money
13 collected pursuant to subsections (c) and (d) of Section 201 of
14 this Act shall be paid into the Personal Property Tax
15 Replacement Fund, a special fund in the State Treasury; and
16 money collected under Section 2505-650 of the Department of
17 Revenue Law (20 ILCS 2505/2505-650) shall be paid into the
18 Child Support Enforcement Trust Fund, a special fund outside
19 the State Treasury, or to the State Disbursement Unit
20 established under Section 10-26 of the Illinois Public Aid
21 Code, as directed by the Department of Healthcare and Family
22 Services.

23 (b) Local Government Distributive Fund.

24 Beginning August 1, 1969, and continuing through June 30,
25 1994, the Treasurer shall transfer each month from the General

1 Revenue Fund to a special fund in the State treasury, to be
2 known as the "Local Government Distributive Fund", an amount
3 equal to 1/12 of the net revenue realized from the tax imposed
4 by subsections (a) and (b) of Section 201 of this Act during
5 the preceding month. Beginning July 1, 1994, and continuing
6 through June 30, 1995, the Treasurer shall transfer each month
7 from the General Revenue Fund to the Local Government
8 Distributive Fund an amount equal to 1/11 of the net revenue
9 realized from the tax imposed by subsections (a) and (b) of
10 Section 201 of this Act during the preceding month. Beginning
11 July 1, 1995 and continuing through January 31, 2011, the
12 Treasurer shall transfer each month from the General Revenue
13 Fund to the Local Government Distributive Fund an amount equal
14 to the net of (i) 1/10 of the net revenue realized from the tax
15 imposed by subsections (a) and (b) of Section 201 of the
16 Illinois Income Tax Act during the preceding month (ii) minus,
17 beginning July 1, 2003 and ending June 30, 2004, \$6,666,666,
18 and beginning July 1, 2004, zero. Beginning February 1, 2011,
19 and continuing through January 31, 2015, the Treasurer shall
20 transfer each month from the General Revenue Fund to the Local
21 Government Distributive Fund an amount equal to the sum of (i)
22 6% (10% of the ratio of the 3% individual income tax rate prior
23 to 2011 to the 5% individual income tax rate after 2010) of the
24 net revenue realized from the tax imposed by subsections (a)
25 and (b) of Section 201 of this Act upon individuals, trusts,
26 and estates during the preceding month and (ii) 6.86% (10% of

1 the ratio of the 4.8% corporate income tax rate prior to 2011
2 to the 7% corporate income tax rate after 2010) of the net
3 revenue realized from the tax imposed by subsections (a) and
4 (b) of Section 201 of this Act upon corporations during the
5 preceding month. Beginning February 1, 2015 and continuing
6 through January 31, 2025, the Treasurer shall transfer each
7 month from the General Revenue Fund to the Local Government
8 Distributive Fund an amount equal to the sum of (i) 8% (10% of
9 the ratio of the 3% individual income tax rate prior to 2011 to
10 the 3.75% individual income tax rate after 2014) of the net
11 revenue realized from the tax imposed by subsections (a) and
12 (b) of Section 201 of this Act upon individuals, trusts, and
13 estates during the preceding month and (ii) 9.14% (10% of the
14 ratio of the 4.8% corporate income tax rate prior to 2011 to
15 the 5.25% corporate income tax rate after 2014) of the net
16 revenue realized from the tax imposed by subsections (a) and
17 (b) of Section 201 of this Act upon corporations during the
18 preceding month. Beginning February 1, 2025, the Treasurer
19 shall transfer each month from the General Revenue Fund to the
20 Local Government Distributive Fund an amount equal to the sum
21 of (i) 9.23% (10% of the ratio of the 3% individual income tax
22 rate prior to 2011 to the 3.25% individual income tax rate
23 after 2024) of the net revenue realized from the tax imposed by
24 subsections (a) and (b) of Section 201 of this Act upon
25 individuals, trusts, and estates during the preceding month and
26 (ii) 10% of the net revenue realized from the tax imposed by

1 subsections (a) and (b) of Section 201 of this Act upon
2 corporations during the preceding month. Net revenue realized
3 for a month shall be defined as the revenue from the tax
4 imposed by subsections (a) and (b) of Section 201 of this Act
5 which is deposited in the General Revenue Fund, the Education
6 Assistance Fund, the Income Tax Surcharge Local Government
7 Distributive Fund, the Fund for the Advancement of Education,
8 and the Commitment to Human Services Fund during the month
9 minus the amount paid out of the General Revenue Fund in State
10 warrants during that same month as refunds to taxpayers for
11 overpayment of liability under the tax imposed by subsections
12 (a) and (b) of Section 201 of this Act.

13 (c) Deposits Into Income Tax Refund Fund.

14 (1) Beginning on January 1, 1989 and thereafter, the
15 Department shall deposit a percentage of the amounts
16 collected pursuant to subsections (a) and (b)(1), (2), and
17 (3), of Section 201 of this Act into a fund in the State
18 treasury known as the Income Tax Refund Fund. The
19 Department shall deposit 6% of such amounts during the
20 period beginning January 1, 1989 and ending on June 30,
21 1989. Beginning with State fiscal year 1990 and for each
22 fiscal year thereafter, the percentage deposited into the
23 Income Tax Refund Fund during a fiscal year shall be the
24 Annual Percentage. For fiscal years 1999 through 2001, the
25 Annual Percentage shall be 7.1%. For fiscal year 2003, the
26 Annual Percentage shall be 8%. For fiscal year 2004, the

1 Annual Percentage shall be 11.7%. Upon the effective date
2 of this amendatory Act of the 93rd General Assembly, the
3 Annual Percentage shall be 10% for fiscal year 2005. For
4 fiscal year 2006, the Annual Percentage shall be 9.75%. For
5 fiscal year 2007, the Annual Percentage shall be 9.75%. For
6 fiscal year 2008, the Annual Percentage shall be 7.75%. For
7 fiscal year 2009, the Annual Percentage shall be 9.75%. For
8 fiscal year 2010, the Annual Percentage shall be 9.75%. For
9 fiscal year 2011, the Annual Percentage shall be 8.75%. For
10 fiscal year 2012, the Annual Percentage shall be 8.75%. For
11 fiscal year 2013, the Annual Percentage shall be 9.75%. For
12 all other fiscal years, the Annual Percentage shall be
13 calculated as a fraction, the numerator of which shall be
14 the amount of refunds approved for payment by the
15 Department during the preceding fiscal year as a result of
16 overpayment of tax liability under subsections (a) and
17 (b)(1), (2), and (3) of Section 201 of this Act plus the
18 amount of such refunds remaining approved but unpaid at the
19 end of the preceding fiscal year, minus the amounts
20 transferred into the Income Tax Refund Fund from the
21 Tobacco Settlement Recovery Fund, and the denominator of
22 which shall be the amounts which will be collected pursuant
23 to subsections (a) and (b)(1), (2), and (3) of Section 201
24 of this Act during the preceding fiscal year; except that
25 in State fiscal year 2002, the Annual Percentage shall in
26 no event exceed 7.6%. The Director of Revenue shall certify

1 the Annual Percentage to the Comptroller on the last
2 business day of the fiscal year immediately preceding the
3 fiscal year for which it is to be effective.

4 (2) Beginning on January 1, 1989 and thereafter, the
5 Department shall deposit a percentage of the amounts
6 collected pursuant to subsections (a) and (b)(6), (7), and
7 (8), (c) and (d) of Section 201 of this Act into a fund in
8 the State treasury known as the Income Tax Refund Fund. The
9 Department shall deposit 18% of such amounts during the
10 period beginning January 1, 1989 and ending on June 30,
11 1989. Beginning with State fiscal year 1990 and for each
12 fiscal year thereafter, the percentage deposited into the
13 Income Tax Refund Fund during a fiscal year shall be the
14 Annual Percentage. For fiscal years 1999, 2000, and 2001,
15 the Annual Percentage shall be 19%. For fiscal year 2003,
16 the Annual Percentage shall be 27%. For fiscal year 2004,
17 the Annual Percentage shall be 32%. Upon the effective date
18 of this amendatory Act of the 93rd General Assembly, the
19 Annual Percentage shall be 24% for fiscal year 2005. For
20 fiscal year 2006, the Annual Percentage shall be 20%. For
21 fiscal year 2007, the Annual Percentage shall be 17.5%. For
22 fiscal year 2008, the Annual Percentage shall be 15.5%. For
23 fiscal year 2009, the Annual Percentage shall be 17.5%. For
24 fiscal year 2010, the Annual Percentage shall be 17.5%. For
25 fiscal year 2011, the Annual Percentage shall be 17.5%. For
26 fiscal year 2012, the Annual Percentage shall be 17.5%. For

1 fiscal year 2013, the Annual Percentage shall be 14%. For
2 all other fiscal years, the Annual Percentage shall be
3 calculated as a fraction, the numerator of which shall be
4 the amount of refunds approved for payment by the
5 Department during the preceding fiscal year as a result of
6 overpayment of tax liability under subsections (a) and
7 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
8 Act plus the amount of such refunds remaining approved but
9 unpaid at the end of the preceding fiscal year, and the
10 denominator of which shall be the amounts which will be
11 collected pursuant to subsections (a) and (b) (6), (7), and
12 (8), (c) and (d) of Section 201 of this Act during the
13 preceding fiscal year; except that in State fiscal year
14 2002, the Annual Percentage shall in no event exceed 23%.
15 The Director of Revenue shall certify the Annual Percentage
16 to the Comptroller on the last business day of the fiscal
17 year immediately preceding the fiscal year for which it is
18 to be effective.

19 (3) The Comptroller shall order transferred and the
20 Treasurer shall transfer from the Tobacco Settlement
21 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000
22 in January, 2001, (ii) \$35,000,000 in January, 2002, and
23 (iii) \$35,000,000 in January, 2003.

24 (d) Expenditures from Income Tax Refund Fund.

25 (1) Beginning January 1, 1989, money in the Income Tax
26 Refund Fund shall be expended exclusively for the purpose

1 of paying refunds resulting from overpayment of tax
2 liability under Section 201 of this Act, for paying rebates
3 under Section 208.1 in the event that the amounts in the
4 Homeowners' Tax Relief Fund are insufficient for that
5 purpose, and for making transfers pursuant to this
6 subsection (d).

7 (2) The Director shall order payment of refunds
8 resulting from overpayment of tax liability under Section
9 201 of this Act from the Income Tax Refund Fund only to the
10 extent that amounts collected pursuant to Section 201 of
11 this Act and transfers pursuant to this subsection (d) and
12 item (3) of subsection (c) have been deposited and retained
13 in the Fund.

14 (3) As soon as possible after the end of each fiscal
15 year, the Director shall order transferred and the State
16 Treasurer and State Comptroller shall transfer from the
17 Income Tax Refund Fund to the Personal Property Tax
18 Replacement Fund an amount, certified by the Director to
19 the Comptroller, equal to the excess of the amount
20 collected pursuant to subsections (c) and (d) of Section
21 201 of this Act deposited into the Income Tax Refund Fund
22 during the fiscal year over the amount of refunds resulting
23 from overpayment of tax liability under subsections (c) and
24 (d) of Section 201 of this Act paid from the Income Tax
25 Refund Fund during the fiscal year.

26 (4) As soon as possible after the end of each fiscal

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

12 (4.5) As soon as possible after the end of fiscal year
13 1999 and of each fiscal year thereafter, the Director shall
14 order transferred and the State Treasurer and State
15 Comptroller shall transfer from the Income Tax Refund Fund
16 to the General Revenue Fund any surplus remaining in the
17 Income Tax Refund Fund as of the end of such fiscal year;
18 excluding for fiscal years 2000, 2001, and 2002 amounts
19 attributable to transfers under item (3) of subsection (c)
20 less refunds resulting from the earned income tax credit.

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

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

1 On July 1, 1991, and thereafter, of the amounts collected
2 pursuant to subsections (a) and (b) of Section 201 of this Act,
3 minus deposits into the Income Tax Refund Fund, the Department
4 shall deposit 7.3% into the Education Assistance Fund in the
5 State Treasury. Beginning July 1, 1991, and continuing through
6 January 31, 1993, of the amounts collected pursuant to
7 subsections (a) and (b) of Section 201 of the Illinois Income
8 Tax Act, minus deposits into the Income Tax Refund Fund, the
9 Department shall deposit 3.0% into the Income Tax Surcharge
10 Local Government Distributive Fund in the State Treasury.
11 Beginning February 1, 1993 and continuing through June 30,
12 1993, of the amounts collected pursuant to subsections (a) and
13 (b) of Section 201 of the Illinois Income Tax Act, minus
14 deposits into the Income Tax Refund Fund, the Department shall
15 deposit 4.4% into the Income Tax Surcharge Local Government
16 Distributive Fund in the State Treasury. Beginning July 1,
17 1993, and continuing through June 30, 1994, of the amounts
18 collected under subsections (a) and (b) of Section 201 of this
19 Act, minus deposits into the Income Tax Refund Fund, the
20 Department shall deposit 1.475% into the Income Tax Surcharge
21 Local Government Distributive Fund in the State Treasury.

22 (f) Deposits into the Fund for the Advancement of
23 Education. Beginning February 1, 2015, the Department shall
24 deposit the following portions of the revenue realized from the
25 tax imposed upon individuals, trusts, and estates by
26 subsections (a) and (b) of Section 201 of this Act during the

1 preceding month, minus deposits into the Income Tax Refund
2 Fund, into the Fund for the Advancement of Education:

3 (1) beginning February 1, 2015, and prior to February
4 1, 2025, 1/30; and

5 (2) beginning February 1, 2025, 1/26.

6 If the rate of tax imposed by subsection (a) and (b) of
7 Section 201 is reduced pursuant to Section 201.5 of this Act,
8 the Department shall not make the deposits required by this
9 subsection (f) on or after the effective date of the reduction.

10 (g) Deposits into the Commitment to Human Services Fund.
11 Beginning February 1, 2015, the Department shall deposit the
12 following portions of the revenue realized from the tax imposed
13 upon individuals, trusts, and estates by subsections (a) and
14 (b) of Section 201 of this Act during the preceding month,
15 minus deposits into the Income Tax Refund Fund, into the
16 Commitment to Human Services Fund:

17 (1) beginning February 1, 2015, and prior to February
18 1, 2025, 1/30; and

19 (2) beginning February 1, 2025, 1/26.

20 If the rate of tax imposed by subsection (a) and (b) of
21 Section 201 is reduced pursuant to Section 201.5 of this Act,
22 the Department shall not make the deposits required by this
23 subsection (g) on or after the effective date of the reduction.

24 (Source: P.A. 96-45, eff. 7-15-09; 96-328, eff. 8-11-09;
25 96-959, eff. 7-1-10; 96-1496, eff. 1-13-11; 97-72, eff.
26 7-1-11.)

1 Section 5-35. The Illinois Estate and Generation-Skipping
2 Transfer Tax Act is amended by changing Sections 6 and 13 as
3 follows:

4 (35 ILCS 405/6) (from Ch. 120, par. 405A-6)

5 Sec. 6. Returns and payments.

6 (a) Due Dates. The Illinois transfer tax shall be paid and
7 the Illinois transfer tax return shall be filed on the due date
8 or dates, respectively, including extensions, for paying the
9 federal transfer tax and filing the related federal return.

10 (b) Installment payments and deferral. In the event that
11 any portion of the federal transfer tax is deferred or to be
12 paid in installments under the provisions of the Internal
13 Revenue Code, the portion of the Illinois transfer tax which is
14 subject to deferral or payable in installments shall be
15 determined by multiplying the Illinois transfer tax by a
16 fraction, the numerator of which is the gross value of the
17 assets included in the transferred property having a tax situs
18 in this State and which give rise to the deferred or
19 installment payment under the Internal Revenue Code, and the
20 denominator of which is the gross value of all assets included
21 in the transferred property having a tax situs in this State.
22 Deferred payments and installment payments, with interest,
23 shall be paid at the same time and in the same manner as
24 payments of the federal transfer tax are required to be made

1 under the applicable Sections of the Internal Revenue Code,
2 provided that the rate of interest on unpaid amounts of
3 Illinois transfer tax shall be determined under this Act.
4 Acceleration of payment under this Section shall occur under
5 the same circumstances and in the same manner as provided in
6 the Internal Revenue Code.

7 (c) Who shall file and pay. The Illinois transfer tax
8 return (including any supplemental or amended return) shall be
9 filed, and the Illinois transfer tax (including any additional
10 tax that may become due) shall be paid by the same person or
11 persons, respectively, who are required to pay the federal
12 transfer tax and file the federal return, or who would have
13 been required to pay a federal transfer tax and file a federal
14 return if a federal transfer tax were due.

15 (d) Where to file return. The executed Illinois transfer
16 tax return shall be filed with the Attorney General. In
17 addition, for payments made prior to July 1, 2012, a copy of
18 the Illinois transfer tax return shall be filed with the county
19 treasurer to whom the Illinois transfer tax is paid, determined
20 under subsection (e) of this Section, and, for payments made on
21 or after July 1, 2012, a copy of the Illinois transfer tax
22 return shall be filed with the State Treasurer.

23 (e) Where to pay tax. The Illinois transfer tax shall be
24 paid according to ~~to the treasurer of the county determined~~
25 ~~under~~ the following rules:

26 (1) Illinois Estate Tax. Prior to July 1, 2012, the ~~The~~

1 Illinois estate tax shall be paid to the treasurer of the
2 county in which the decedent was a resident on the date of
3 the decedent's death or, if the decedent was not a resident
4 of this State on the date of death, the county in which the
5 greater part, by gross value, of the transferred property
6 with a tax situs in this State is located.

7 (2) Illinois Generation-Skipping Transfer Tax. Prior
8 to July 1, 2012, the ~~The~~ Illinois generation-skipping
9 transfer tax involving transferred property from or in a
10 resident trust shall be paid to the county treasurer for
11 the county in which the grantor resided at the time the
12 trust became irrevocable (in the case of an inter vivos
13 trust) or the county in which the decedent resided at death
14 (in the case of a trust created by the will of a decedent).
15 In the case of an Illinois generation-skipping transfer tax
16 involving transferred property from or in a non-resident
17 trust, the Illinois generation-skipping transfer tax shall
18 be paid to the county treasurer for the county in which the
19 greater part, by gross value, of the transferred property
20 with a tax situs in this State is located.

21 (3) Payments on or after July 1, 2012. On or after July
22 1, 2012, both the Illinois estate tax and the Illinois
23 generation-skipping transfer tax shall be paid directly to
24 the State Treasurer.

25 (f) Forms; confidentiality. The Illinois transfer tax
26 return shall be in all respects in the manner and form

1 prescribed by the regulations of the Attorney General. At the
2 same time the Illinois transfer tax return is filed, the person
3 required to file shall also file with the Attorney General a
4 copy of the related federal return. For individuals dying after
5 December 31, 2005, in cases where no federal return is required
6 to be filed, the person required to file an Illinois return
7 shall also file with the Attorney General schedules of assets
8 in the manner and form prescribed by the Attorney General. The
9 Illinois transfer tax return and the copy of the federal return
10 filed with the Attorney General, the ~~or any~~ county treasurer,
11 or the State Treasurer shall be confidential, and the Attorney
12 General, each county treasurer, and the State Treasurer and all
13 of their assistants or employees are prohibited from divulging
14 in any manner any of the contents of those returns, except only
15 in a proceeding instituted under the provisions of this Act.

16 (g) County Treasurer shall accept payment. Prior to July 1,
17 2012, no ~~no~~ county treasurer shall refuse to accept payment of
18 any amount due under this Act on the grounds that the county
19 treasurer has not yet received a copy of the appropriate
20 Illinois transfer tax return.

21 (h) Beginning July 1, 2012, the State Treasurer shall not
22 refuse to accept payment of any amount due under this Act on
23 the grounds that the State Treasurer has not yet received a
24 copy of the appropriate Illinois transfer tax return.

25 (Source: P.A. 93-30, eff. 6-20-03.)

1 (35 ILCS 405/13) (from Ch. 120, par. 405A-13)

2 Sec. 13. Collection by county treasurers; tax collection
3 distribution fund.

4 (a) Collection by county treasurers. Each county treasurer
5 shall transmit to the State Treasurer all taxes, interest or
6 penalties paid to the county treasurer under this Act and in
7 the county treasurer's possession as of the last day of the
8 previous month, together with a report under oath identifying
9 the taxpayer for or by whom an amount was paid. Those amounts
10 and the report shall be transmitted to and received by the
11 State Treasurer by the 10th day of each month. At the same
12 time, a copy of the report shall be furnished to the Attorney
13 General. The report shall be in a form and contain the
14 particulars as the State Treasurer may prescribe. The State
15 Treasurer shall give the county treasurer a receipt for the
16 amount transmitted to the State Treasurer. Except as provided
17 in subsection (a-5) of this Section, if any county treasurer
18 fails to pay to the State Treasurer all amounts that may be due
19 and payable under this Act as required by this Section, the
20 county treasurer shall pay to the State Treasurer, as a
21 penalty, a sum of money equal to the interest on the amounts
22 not paid at the rate of 1% per month from the time those
23 amounts are due by the county treasurer until those amounts are
24 paid. The sureties upon the official bond of the county
25 treasurer shall be security for the payment of the penalty. The
26 penalty under this Section may be recovered in a civil action

1 against the county treasurer and his or her sureties, in the
2 name of the People of the State of Illinois, in the circuit
3 court within the county wherein the county treasurer is
4 resident; and the penalty, when recovered, shall be paid into
5 the State treasury. The civil action to recover the penalty
6 shall be brought by the State treasurer within 10 days after
7 the failure of the county treasurer to pay to the State
8 Treasurer any amounts collected by the county treasurer within
9 the time required by this Act. Failure to bring the action
10 within that time shall not prevent the bringing of the action
11 thereafter. It is the duty of the State Treasurer to make
12 necessary and proper investigation to determine what amounts
13 should be paid under this Act.

14 (a-5) The State Treasurer may waive penalties imposed by
15 subsection (a) of this Section on a case-by-case basis if the
16 State Treasurer finds that imposing penalties would be
17 unreasonable or unnecessarily burdensome because the delay in
18 payment was due to an incident caused by the operation of an
19 extraordinary force, including, but not limited to, the
20 occurrence of a natural disaster, that cannot be foreseen, that
21 cannot be avoided by the exercise of due care, and for which no
22 person can be held liable.

23 (b) Transfer Tax Collection Distributive Fund. The
24 Transfer Tax Collection Distributive Fund is created as a
25 special fund in the State treasury. The Fund is a continuation
26 of the Fund of the same name created under the Illinois Estate

1 Tax Law, repealed by this Act. As soon as may be after the
2 first day of each month after the effective date of this Act,
3 and before September 1, 2012, the State Treasurer shall
4 transfer from the General Revenue Fund to the Transfer Tax
5 Collection Distributive Fund an amount equal to 6% of the net
6 revenue realized from this Act during the preceding month.

7 As soon as may be after the first day of each month, the
8 State Treasurer shall allocate among the counties of this State
9 the amount available in the Transfer Tax Collection
10 Distributive Fund. The allocation to each county shall be 6% of
11 the net revenues collected by the county treasurer under this
12 Act. The State Comptroller, pursuant to appropriation, shall
13 then pay those allocations over to the counties. As soon as
14 possible after all of the required monthly allocations are made
15 from the Transfer Tax Collection Distributive Fund and before
16 September 1, 2012, the State Comptroller shall order
17 transferred and the State Treasurer shall transfer any moneys
18 remaining in the Transfer Tax Collection Distributive Fund from
19 that Fund to the General Revenue Fund, and the Transfer Tax
20 Collection Distributive Fund shall be dissolved.

21 (c) On and after July 1, 2012, 94% of the amounts collected
22 from the taxes, interest, and penalties collected under this
23 Act shall be deposited into the General Revenue Fund and 6% of
24 those amounts shall be deposited into the Estate Tax Refund
25 Fund, a special fund created in the State treasury.

26 Moneys in the Estate Tax Refund Fund shall be expended

1 exclusively for the purpose of paying refunds resulting from
2 overpayment of tax liability under this Act, except that,
3 whenever the State Treasurer determines that any such moneys in
4 the Fund exceed the amount required for the purpose of paying
5 refunds resulting from overpayment of tax liability under this
6 Act, the State Treasurer may transfer any such excess amounts
7 from the Estate Tax Refund Fund to the General Revenue Fund.

8 The Treasurer shall order payment of refunds resulting from
9 overpayment of tax liability under this Act from the Estate Tax
10 Refund Fund only to the extent that amounts have been deposited
11 and retained in the Fund.

12 This amendatory Act of the 97th General Assembly shall
13 constitute an irrevocable and continuing appropriation from
14 the Estate Tax Refund Fund for the purpose of paying refunds
15 upon the order of the Treasurer in accordance with the
16 provisions of this Act and for the purpose of paying refunds
17 under this Act.

18 (Source: P.A. 96-1162, eff. 7-21-10.)

19 Section 5-40. The Illinois Police Training Act is amended
20 by changing Section 9 as follows:

21 (50 ILCS 705/9) (from Ch. 85, par. 509)

22 Sec. 9. A special fund is hereby established in the State
23 Treasury to be known as "The Traffic and Criminal Conviction
24 Surcharge Fund" and shall be financed as provided in Section

1 9.1 of this Act and Section 5-9-1 of the "Unified Code of
2 Corrections", unless the fines, costs or additional amounts
3 imposed are subject to disbursement by the circuit clerk under
4 Section 27.5 of the Clerks of Courts Act. Moneys in this Fund
5 shall be expended as follows:

6 (1) A portion of the total amount deposited in the Fund
7 may be used, as appropriated by the General Assembly, for
8 the ordinary and contingent expenses of the Illinois Law
9 Enforcement Training Standards Board;

10 (2) A portion of the total amount deposited in the Fund
11 shall be appropriated for the reimbursement of local
12 governmental agencies participating in training programs
13 certified by the Board, in an amount equaling 1/2 of the
14 total sum paid by such agencies during the State's previous
15 fiscal year for mandated training for probationary police
16 officers or probationary county corrections officers and
17 for optional advanced and specialized law enforcement or
18 county corrections training. These reimbursements may
19 include the costs for tuition at training schools, the
20 salaries of trainees while in schools, and the necessary
21 travel and room and board expenses for each trainee. If the
22 appropriations under this paragraph (2) are not sufficient
23 to fully reimburse the participating local governmental
24 agencies, the available funds shall be apportioned among
25 such agencies, with priority first given to repayment of
26 the costs of mandatory training given to law enforcement

1 officer or county corrections officer recruits, then to
2 repayment of costs of advanced or specialized training for
3 permanent police officers or permanent county corrections
4 officers;

5 (3) A portion of the total amount deposited in the Fund
6 may be used to fund the "Intergovernmental Law Enforcement
7 Officer's In-Service Training Act", veto overridden
8 October 29, 1981, as now or hereafter amended, at a rate
9 and method to be determined by the board;

10 (4) A portion of the Fund also may be used by the
11 Illinois Department of State Police for expenses incurred
12 in the training of employees from any State, county or
13 municipal agency whose function includes enforcement of
14 criminal or traffic law;

15 (5) A portion of the Fund may be used by the Board to
16 fund grant-in-aid programs and services for the training of
17 employees from any county or municipal agency whose
18 functions include corrections or the enforcement of
19 criminal or traffic law; ~~and.~~

20 (6) For fiscal year 2013 only, a portion of the Fund
21 also may be used by the Department of State Police to
22 finance any of its lawful purposes or functions.

23 All payments from The Traffic and Criminal Conviction
24 Surcharge Fund shall be made each year from moneys appropriated
25 for the purposes specified in this Section. No more than 50% of
26 any appropriation under this Act shall be spent in any city

1 having a population of more than 500,000. The State Comptroller
2 and the State Treasurer shall from time to time, at the
3 direction of the Governor, transfer from The Traffic and
4 Criminal Conviction Surcharge Fund to the General Revenue Fund
5 in the State Treasury such amounts as the Governor determines
6 are in excess of the amounts required to meet the obligations
7 of The Traffic and Criminal Conviction Surcharge Fund.

8 (Source: P.A. 88-586, eff. 8-12-94; 89-464, eff. 6-13-96.)

9 Section 5-45. The Law Enforcement Camera Grant Act is
10 amended by changing Section 10 as follows:

11 (50 ILCS 707/10)

12 Sec. 10. Law Enforcement Camera Grant Fund; creation,
13 rules.

14 (a) The Law Enforcement Camera Grant Fund is created as a
15 special fund in the State treasury. From appropriations to the
16 Board from the Fund, the Board must make grants to units of
17 local government in Illinois for the purpose of installing
18 video cameras in law enforcement vehicles and training law
19 enforcement officers in the operation of the cameras.

20 Moneys received for the purposes of this Section,
21 including, without limitation, fee receipts and gifts, grants,
22 and awards from any public or private entity, must be deposited
23 into the Fund. Any interest earned on moneys in the Fund must
24 be deposited into the Fund.

1 (b) The Board may set requirements for the distribution of
2 grant moneys and determine which law enforcement agencies are
3 eligible.

4 (c) The Board shall develop model rules to be adopted by
5 law enforcement agencies that receive grants under this
6 Section. The rules shall include the following requirements:

7 (1) Cameras must be installed in the law enforcement
8 vehicles.

9 (2) Videotaping must provide audio of the officer when
10 the officer is outside of the vehicle.

11 (3) Camera access must be restricted to the supervisors
12 of the officer in the vehicle.

13 (4) Cameras must be turned on continuously throughout
14 the officer's shift.

15 (5) A copy of the videotape must be made available upon
16 request to personnel of the law enforcement agency, the
17 local State's Attorney, and any persons depicted in the
18 video. Procedures for distribution of the videotape must
19 include safeguards to protect the identities of
20 individuals who are not a party to the requested stop.

21 (6) Law enforcement agencies that receive moneys under
22 this grant shall provide for storage of the tapes for a
23 period of not less than 2 years.

24 (d) Any law enforcement agency receiving moneys under this
25 Section must provide an annual report to the Board, the
26 Governor, and the General Assembly, which will be due on May 1

1 of the year following the receipt of the grant and each May 1
2 thereafter during the period of the grant. The report shall
3 include (i) the number of cameras received by the law
4 enforcement agency, (ii) the number of cameras actually
5 installed in law enforcement vehicles, (iii) a brief
6 description of the review process used by supervisors within
7 the law enforcement agency, (iv) a list of any criminal,
8 traffic, ordinance, and civil cases where video recordings were
9 used, including party names, case numbers, offenses charged,
10 and disposition of the matter, (this item applies, but is not
11 limited to, court proceedings, coroner's inquests, grand jury
12 proceedings, and plea bargains), and (v) any other information
13 relevant to the administration of the program.

14 (e) No applications for grant money under this Section
15 shall be accepted before January 1, 2007 or after January 1,
16 2011.

17 (f) Notwithstanding any other provision of law, in addition
18 to any other transfers that may be provided by law, on July 1,
19 2012 only, or as soon thereafter as practical, the State
20 Comptroller shall direct and the State Treasurer shall transfer
21 any funds in excess of \$1,000,000 held in the Law Enforcement
22 Camera Grant Fund to the State Police Operations Assistance
23 Fund.

24 (Source: P.A. 94-987, eff. 6-30-06.)

25 Section 5-50. The Illinois Nuclear Safety Preparedness Act

1 is amended by changing Sections 4, 7, and 8.5 as follows:

2 (420 ILCS 5/4) (from Ch. 111 1/2, par. 4304)

3 Sec. 4. Nuclear accident plans; fees. Persons engaged
4 within this State in the production of electricity utilizing
5 nuclear energy, the operation of nuclear test and research
6 reactors, the chemical conversion of uranium, or the
7 transportation, storage or possession of spent nuclear fuel or
8 high-level radioactive waste shall pay fees to cover the cost
9 of establishing plans and programs to deal with the possibility
10 of nuclear accidents. Except as provided below, the fees shall
11 be used ~~exclusively~~ to fund those Agency and local government
12 activities defined as necessary by the Director to implement
13 and maintain the plans and programs authorized by this Act.
14 Local governments incurring expenses attributable to
15 implementation and maintenance of the plans and programs
16 authorized by this Act may apply to the Agency for compensation
17 for those expenses, and upon approval by the Director of
18 applications submitted by local governments, the Agency shall
19 compensate local governments from fees collected under this
20 Section. Compensation for local governments shall include
21 \$250,000 in any year through fiscal year 1993, \$275,000 in
22 fiscal year 1994 and fiscal year 1995, \$300,000 in fiscal year
23 1996, \$400,000 in fiscal year 1997, and \$450,000 in fiscal year
24 1998 and thereafter. Appropriations to the Department of
25 Nuclear Safety (of which the Agency is the successor) for

1 compensation to local governments from the Nuclear Safety
2 Emergency Preparedness Fund provided for in this Section shall
3 not exceed \$650,000 per State fiscal year. Expenditures from
4 these appropriations shall not exceed, in a single State fiscal
5 year, the annual compensation amount made available to local
6 governments under this Section, unexpended funds made
7 available for local government compensation in the previous
8 fiscal year, and funds recovered under the Illinois Grant Funds
9 Recovery Act during previous fiscal years. Notwithstanding any
10 other provision of this Act, the expenditure limitation for
11 fiscal year 1998 shall include the additional \$100,000 made
12 available to local governments for fiscal year 1997 under this
13 amendatory Act of 1997. ~~Any funds within these expenditure~~
14 ~~limitations, including the additional \$100,000 made available~~
15 ~~for fiscal year 1997 under this amendatory Act of 1997, that~~
16 ~~remain unexpended at the close of business on June 30, 1997,~~
17 ~~and on June 30 of each succeeding year, shall be excluded from~~
18 ~~the calculations of credits under subparagraph (3) of this~~
19 ~~Section.~~ The Agency shall, by rule, determine the method for
20 compensating local governments under this Section. The
21 appropriation shall not exceed \$500,000 in any year preceding
22 fiscal year 1996; the appropriation shall not exceed \$625,000
23 in fiscal year 1996, \$725,000 in fiscal year 1997, and \$775,000
24 in fiscal year 1998 and thereafter. The fees shall consist of
25 the following:

- 26 (1) A one-time charge of \$590,000 per nuclear power

1 station in this State to be paid by the owners of the
2 stations.

3 (2) An additional charge of \$240,000 per nuclear power
4 station for which a fee under subparagraph (1) was paid
5 before June 30, 1982.

6 (3) Through June 30, 1982, an annual fee of \$75,000 per
7 year for each nuclear power reactor for which an operating
8 license has been issued by the NRC, and after June 30,
9 1982, and through June 30, 1984 an annual fee of \$180,000
10 per year for each nuclear power reactor for which an
11 operating license has been issued by the NRC, and after
12 June 30, 1984, and through June 30, 1991, an annual fee of
13 \$400,000 for each nuclear power reactor for which an
14 operating license has been issued by the NRC, to be paid by
15 the owners of nuclear power reactors operating in this
16 State. After June 30, 1991, the owners of nuclear power
17 reactors in this State for which operating licenses have
18 been issued by the NRC shall pay the following fees for
19 each such nuclear power reactor: for State fiscal year
20 1992, \$925,000; for State fiscal year 1993, \$975,000; for
21 State fiscal year 1994; \$1,010,000; for State fiscal year
22 1995, \$1,060,000; for State fiscal years 1996 and 1997,
23 \$1,110,000; for State fiscal year 1998, \$1,314,000; for
24 State fiscal year 1999, \$1,368,000; for State fiscal year
25 2000, \$1,404,000; for State fiscal year 2001, \$1,696,455;
26 for State fiscal year 2002, \$1,730,636; for State fiscal

1 year 2003 through State fiscal year 2011, \$1,757,727; for
2 State fiscal year 2012 and subsequent fiscal years,
3 \$1,903,182. ~~Within 120 days after the end of the State~~
4 ~~fiscal year, the Agency shall determine, from the records~~
5 ~~of the Office of the Comptroller, the balance in the~~
6 ~~Nuclear Safety Emergency Preparedness Fund. When the~~
7 ~~balance in the fund, less any fees collected under this~~
8 ~~Section prior to their being due and payable for the~~
9 ~~succeeding fiscal year or years, exceeds \$400,000 at the~~
10 ~~close of business on June 30, 1993, 1994, 1995, 1996, 1997,~~
11 ~~and 1998, or exceeds \$500,000 at the close of business on~~
12 ~~June 30, 1999 and June 30 of each succeeding year, the~~
13 ~~excess shall be credited to the owners of nuclear power~~
14 ~~reactors who are assessed fees under this subparagraph.~~
15 ~~Credits shall be applied against the fees to be collected~~
16 ~~under this subparagraph for the subsequent fiscal year.~~
17 ~~Each owner shall receive as a credit that amount of the~~
18 ~~excess which corresponds proportionately to the amount the~~
19 ~~owner contributed to all fees collected under this~~
20 ~~subparagraph in the fiscal year that produced the excess.~~

21 (3.5) The owner of a nuclear power reactor that
22 notifies the Nuclear Regulatory Commission that the
23 nuclear power reactor has permanently ceased operations
24 during State fiscal year 1998 shall pay the following fees
25 for each such nuclear power reactor: \$1,368,000 for State
26 fiscal year 1999 and \$1,404,000 for State fiscal year 2000.

1 (4) A capital expenditure surcharge of \$1,400,000 per
2 nuclear power station in this State, whether operating or
3 under construction, shall be paid by the owners of the
4 station.

5 (5) An annual fee of \$25,000 per year for each site for
6 which a valid operating license has been issued by NRC for
7 the operation of an away-from-reactor spent nuclear fuel or
8 high-level radioactive waste storage facility, to be paid
9 by the owners of facilities for the storage of spent
10 nuclear fuel or high-level radioactive waste for others in
11 this State.

12 (6) A one-time charge of \$280,000 for each facility in
13 this State housing a nuclear test and research reactor, to
14 be paid by the operator of the facility. However, this
15 charge shall not be required to be paid by any
16 tax-supported institution.

17 (7) A one-time charge of \$50,000 for each facility in
18 this State for the chemical conversion of uranium, to be
19 paid by the owner of the facility.

20 (8) An annual fee of \$150,000 per year for each
21 facility in this State housing a nuclear test and research
22 reactor, to be paid by the operator of the facility.
23 However, this annual fee shall not be required to be paid
24 by any tax-supported institution.

25 (9) An annual fee of \$15,000 per year for each facility
26 in this State for the chemical conversion of uranium, to be

1 paid by the owner of the facility.

2 (10) A fee assessed at the rate of \$2,500 per truck for
3 each truck shipment and \$4,500 for the first cask and
4 \$3,000 for each additional cask for each rail shipment of
5 spent nuclear fuel, high-level radioactive waste,
6 transuranic waste, or a highway route controlled quantity
7 of radioactive materials received at or departing from any
8 nuclear power station or away-from-reactor spent nuclear
9 fuel, high-level radioactive waste, transuranic waste
10 storage facility, or other facility in this State to be
11 paid by the shipper of the spent nuclear fuel, high level
12 radioactive waste, transuranic waste, or highway route
13 controlled quantity of radioactive material. Truck
14 shipments of greater than 250 miles in Illinois are subject
15 to a surcharge of \$25 per mile over 250 miles for each
16 truck in the shipment. ~~The amount of fees collected each~~
17 ~~fiscal year under this subparagraph shall be excluded from~~
18 ~~the calculation of credits under subparagraph (3) of this~~
19 ~~Section.~~

20 (11) A fee assessed at the rate of \$2,500 per truck for
21 each truck shipment and \$4,500 for the first cask and
22 \$3,000 for each additional cask for each rail shipment of
23 spent nuclear fuel, high-level radioactive waste,
24 transuranic waste, or a highway route controlled quantity
25 of radioactive materials traversing the State to be paid by
26 the shipper of the spent nuclear fuel, high level

1 radioactive waste, transuranic waste, or highway route
2 controlled quantity of radioactive material. Truck
3 shipments of greater than 250 miles in Illinois are subject
4 to a surcharge of \$25 per mile over 250 miles for each
5 truck in the shipment. ~~The amount of fees collected each~~
6 ~~fiscal year under this subparagraph shall be excluded from~~
7 ~~the calculation of credits under subparagraph (3) of this~~
8 ~~Section.~~

9 (12) In each of the State fiscal years 1988 through
10 1991, in addition to the annual fee provided for in
11 subparagraph (3), a fee of \$400,000 for each nuclear power
12 reactor for which an operating license has been issued by
13 the NRC, to be paid by the owners of nuclear power reactors
14 operating in this State. Within 120 days after the end of
15 the State fiscal years ending June 30, 1988, June 30, 1989,
16 June 30, 1990, and June 30, 1991, the Agency shall
17 determine the expenses of the Illinois Nuclear Safety
18 Preparedness Program paid from funds appropriated for
19 those fiscal years. ~~When the aggregate of all fees,~~
20 ~~charges, and surcharges collected under this Section~~
21 ~~during any fiscal year exceeds the total expenditures under~~
22 ~~this Act from appropriations for that fiscal year, the~~
23 ~~excess shall be credited to the owners of nuclear power~~
24 ~~reactors who are assessed fees under this subparagraph, and~~
25 ~~the credits shall be applied against the fees to be~~
26 ~~collected under this subparagraph for the subsequent~~

~~fiscal year. Each owner shall receive as a credit that amount of the excess that corresponds proportionately to the amount the owner contributed to all fees collected under this subparagraph in the fiscal year that produced the excess.~~

(Source: P.A. 97-195, eff. 7-25-11.)

(420 ILCS 5/7) (from Ch. 111 1/2, par. 4307)

Sec. 7. All monies received by the Agency under this Act shall be deposited in the State Treasury and shall be set apart in a special fund to be known as the "Nuclear Safety Emergency Preparedness Fund". All monies within the Nuclear Safety Emergency Preparedness Fund shall be invested by the State Treasurer in accordance with established investment practices. Interest earned by such investment shall be returned to the Nuclear Safety Emergency Preparedness Fund. Monies deposited in this fund shall be expended by the Agency ~~Director only~~ to support the activities of the Illinois Nuclear Safety Preparedness Program, including activities of the Illinois State Police and the Illinois Commerce Commission under Section 8(a)(9), or to fund any other administrative or operational costs of the Agency.

(Source: P.A. 92-576, eff. 6-26-02; 93-1029, eff. 8-25-04.)

(420 ILCS 5/8.5)

(Section scheduled to be repealed on January 1, 2015)

1 Sec. 8.5. Remote monitoring system upgrades and equipment
2 replacement.

3 (a) Each nuclear power reactor for which an operating
4 license has been issued by the NRC shall be subject to the fees
5 described in this Section, which shall be paid by the owner or
6 owners of each reactor into the Nuclear Safety Emergency
7 Preparedness Fund. ~~The fees in this Section shall be used~~
8 ~~solely for the purposes set forth in this Section and cannot be~~
9 ~~transferred for other purposes.~~

10 (1) Within 14 days after the Agency notifies each owner
11 subject to the fee requirements of this Section that the
12 Agency has entered into one or more contracts with a third
13 party for purposes of upgrading the remote monitoring
14 system software and that such work will commence within 30
15 days, the owner or owners shall make a payment of \$19,697
16 for each reactor owned. Thereafter, for each such reactor,
17 the owner or owners shall submit 11 quarterly payments of
18 \$19,697. The Agency shall use the fees collected in this
19 subsection for purposes of upgrading remote monitoring
20 system software and to acquire, replace, or upgrade
21 equipment related to such monitoring, including, but not
22 limited to, generators and transfer switches, air
23 compressors, detection equipment, data loggers, and solar
24 panels.

25 (2) Within 90 days after the effective date of this
26 amendatory Act of the 97th General Assembly, the owner or

1 owners subject to the fee requirements of this Section
2 shall make a payment of \$7,575 for each reactor owned for
3 the purposes of acquiring, replacing, and upgrading
4 equipment, including, but not limited to, dosimeters,
5 safety and command vehicles, liquid scintillation
6 analyzers, an alpha spectrometry system, and compositors.
7 Thereafter, for each such reactor, the owner or owners
8 shall submit 11 quarterly payments of \$7,575.

9 (b) This Section is repealed on January 1, 2015.

10 (Source: P.A. 97-195, eff. 7-25-11.)

11 (420 ILCS 5/6 rep.)

12 Section 5-55. The Illinois Nuclear Safety Preparedness Act
13 is amended by repealing Section 6.

14 Section 5-60. The Radiation Protection Act of 1990 is
15 amended by changing Section 35 as follows:

16 (420 ILCS 40/35) (from Ch. 111 1/2, par. 210-35)

17 (Section scheduled to be repealed on January 1, 2021)

18 Sec. 35. Radiation Protection Fund.

19 (a) All moneys received by the Agency under this Act shall
20 be deposited in the State treasury and shall be set apart in a
21 special fund to be known as the "Radiation Protection Fund".
22 All monies within the Radiation Protection Fund shall be
23 invested by the State Treasurer in accordance with established

1 investment practices. Interest earned by such investment shall
2 be returned to the Radiation Protection Fund. Monies deposited
3 in this Fund shall be expended by the Agency Assistant Director
4 pursuant to appropriation ~~only~~ to support the activities of the
5 Agency under this Act and as provided in the Laser System Act
6 of 1997 and the Radon Industry Licensing Act, or to fund any
7 other administrative or operational costs of the Agency.

8 (b) On August 15, 1997, all moneys remaining in the Federal
9 Facilities Compliance Fund shall be transferred to the
10 Radiation Protection Fund.

11 (Source: P.A. 94-104, eff. 7-1-05.)

12 ARTICLE 10. RETIREMENT CONTRIBUTIONS

13 Section 10-5. The State Finance Act is amended by changing
14 Sections 8.12 and 14.1 as follows:

15 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

16 Sec. 8.12. State Pensions Fund.

17 (a) The moneys in the State Pensions Fund shall be used
18 exclusively for the administration of the Uniform Disposition
19 of Unclaimed Property Act and for the expenses incurred by the
20 Auditor General for administering the provisions of Section
21 2-8.1 of the Illinois State Auditing Act and for the funding of
22 the unfunded liabilities of the designated retirement systems.
23 Beginning in State fiscal year 2014, payments ~~Payments~~ to the

1 designated retirement systems under this Section shall be in
2 addition to, and not in lieu of, any State contributions
3 required under the Illinois Pension Code.

4 "Designated retirement systems" means:

5 (1) the State Employees' Retirement System of
6 Illinois;

7 (2) the Teachers' Retirement System of the State of
8 Illinois;

9 (3) the State Universities Retirement System;

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

11 (5) the General Assembly Retirement System.

12 (b) Each year the General Assembly may make appropriations
13 from the State Pensions Fund for the administration of the
14 Uniform Disposition of Unclaimed Property Act.

15 Each month, the Commissioner of the Office of Banks and
16 Real Estate shall certify to the State Treasurer the actual
17 expenditures that the Office of Banks and Real Estate incurred
18 conducting unclaimed property examinations under the Uniform
19 Disposition of Unclaimed Property Act during the immediately
20 preceding month. Within a reasonable time following the
21 acceptance of such certification by the State Treasurer, the
22 State Treasurer shall pay from its appropriation from the State
23 Pensions Fund to the Bank and Trust Company Fund and the
24 Savings and Residential Finance Regulatory Fund an amount equal
25 to the expenditures incurred by each Fund for that month.

26 Each month, the Director of Financial Institutions shall

1 certify to the State Treasurer the actual expenditures that the
2 Department of Financial Institutions incurred conducting
3 unclaimed property examinations under the Uniform Disposition
4 of Unclaimed Property Act during the immediately preceding
5 month. Within a reasonable time following the acceptance of
6 such certification by the State Treasurer, the State Treasurer
7 shall pay from its appropriation from the State Pensions Fund
8 to the Financial Institutions Fund and the Credit Union Fund an
9 amount equal to the expenditures incurred by each Fund for that
10 month.

11 (c) As soon as possible after the effective date of this
12 amendatory Act of the 93rd General Assembly, the General
13 Assembly shall appropriate from the State Pensions Fund (1) to
14 the State Universities Retirement System the amount certified
15 under Section 15-165 during the prior year, (2) to the Judges
16 Retirement System of Illinois the amount certified under
17 Section 18-140 during the prior year, and (3) to the General
18 Assembly Retirement System the amount certified under Section
19 2-134 during the prior year as part of the required State
20 contributions to each of those designated retirement systems;
21 except that amounts appropriated under this subsection (c) in
22 State fiscal year 2005 shall not reduce the amount in the State
23 Pensions Fund below \$5,000,000. If the amount in the State
24 Pensions Fund does not exceed the sum of the amounts certified
25 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,
26 the amount paid to each designated retirement system under this

1 subsection shall be reduced in proportion to the amount
2 certified by each of those designated retirement systems.

3 (c-5) For fiscal years 2006 through 2013 ~~2012~~, the General
4 Assembly shall appropriate from the State Pensions Fund to the
5 State Universities Retirement System the amount estimated to be
6 available during the fiscal year in the State Pensions Fund;
7 provided, however, that the amounts appropriated under this
8 subsection (c-5) shall not reduce the amount in the State
9 Pensions Fund below \$5,000,000.

10 (c-6) For fiscal year 2014 ~~2013~~ and each fiscal year
11 thereafter, as soon as may be practical after any money is
12 deposited into the State Pensions Fund from the Unclaimed
13 Property Trust Fund, the State Treasurer shall apportion the
14 deposited amount among the designated retirement systems as
15 defined in subsection (a) to reduce their actuarial reserve
16 deficiencies. The State Comptroller and State Treasurer shall
17 pay the apportioned amounts to the designated retirement
18 systems to fund the unfunded liabilities of the designated
19 retirement systems. The amount apportioned to each designated
20 retirement system shall constitute a portion of the amount
21 estimated to be available for appropriation from the State
22 Pensions Fund that is the same as that retirement system's
23 portion of the total actual reserve deficiency of the systems,
24 as determined annually by the Governor's Office of Management
25 and Budget at the request of the State Treasurer. The amounts
26 apportioned under this subsection shall not reduce the amount

1 in the State Pensions Fund below \$5,000,000.

2 (d) The Governor's Office of Management and Budget shall
3 determine the individual and total reserve deficiencies of the
4 designated retirement systems. For this purpose, the
5 Governor's Office of Management and Budget shall utilize the
6 latest available audit and actuarial reports of each of the
7 retirement systems and the relevant reports and statistics of
8 the Public Employee Pension Fund Division of the Department of
9 Insurance.

10 (d-1) As soon as practicable after the effective date of
11 this amendatory Act of the 93rd General Assembly, the
12 Comptroller shall direct and the Treasurer shall transfer from
13 the State Pensions Fund to the General Revenue Fund, as funds
14 become available, a sum equal to the amounts that would have
15 been paid from the State Pensions Fund to the Teachers'
16 Retirement System of the State of Illinois, the State
17 Universities Retirement System, the Judges Retirement System
18 of Illinois, the General Assembly Retirement System, and the
19 State Employees' Retirement System of Illinois after the
20 effective date of this amendatory Act during the remainder of
21 fiscal year 2004 to the designated retirement systems from the
22 appropriations provided for in this Section if the transfers
23 provided in Section 6z-61 had not occurred. The transfers
24 described in this subsection (d-1) are to partially repay the
25 General Revenue Fund for the costs associated with the bonds
26 used to fund the moneys transferred to the designated

1 retirement systems under Section 6z-61.

2 (e) The changes to this Section made by this amendatory Act
3 of 1994 shall first apply to distributions from the Fund for
4 State fiscal year 1996.

5 (Source: P.A. 96-959, eff. 7-1-10; 97-72, eff. 7-1-11.)

6 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

7 Sec. 14.1. Appropriations for State contributions to the
8 State Employees' Retirement System; payroll requirements.

9 (a) Appropriations for State contributions to the State
10 Employees' Retirement System of Illinois shall be expended in
11 the manner provided in this Section. Except as otherwise
12 provided in subsections (a-1), (a-2), (a-3), and (a-4) at the
13 time of each payment of salary to an employee under the
14 personal services line item, payment shall be made to the State
15 Employees' Retirement System, from the amount appropriated for
16 State contributions to the State Employees' Retirement System,
17 of an amount calculated at the rate certified for the
18 applicable fiscal year by the Board of Trustees of the State
19 Employees' Retirement System under Section 14-135.08 of the
20 Illinois Pension Code. If a line item appropriation to an
21 employer for this purpose is exhausted or is unavailable due to
22 any limitation on appropriations that may apply, (including,
23 but not limited to, limitations on appropriations from the Road
24 Fund under Section 8.3 of the State Finance Act), the amounts
25 shall be paid under the continuing appropriation for this

1 purpose contained in the State Pension Funds Continuing
2 Appropriation Act.

3 (a-1) Beginning on the effective date of this amendatory
4 Act of the 93rd General Assembly through the payment of the
5 final payroll from fiscal year 2004 appropriations,
6 appropriations for State contributions to the State Employees'
7 Retirement System of Illinois shall be expended in the manner
8 provided in this subsection (a-1). At the time of each payment
9 of salary to an employee under the personal services line item
10 from a fund other than the General Revenue Fund, payment shall
11 be made for deposit into the General Revenue Fund from the
12 amount appropriated for State contributions to the State
13 Employees' Retirement System of an amount calculated at the
14 rate certified for fiscal year 2004 by the Board of Trustees of
15 the State Employees' Retirement System under Section 14-135.08
16 of the Illinois Pension Code. This payment shall be made to the
17 extent that a line item appropriation to an employer for this
18 purpose is available or unexhausted. No payment from
19 appropriations for State contributions shall be made in
20 conjunction with payment of salary to an employee under the
21 personal services line item from the General Revenue Fund.

22 (a-2) For fiscal year 2010 only, at the time of each
23 payment of salary to an employee under the personal services
24 line item from a fund other than the General Revenue Fund,
25 payment shall be made for deposit into the State Employees'
26 Retirement System of Illinois from the amount appropriated for

1 State contributions to the State Employees' Retirement System
2 of Illinois of an amount calculated at the rate certified for
3 fiscal year 2010 by the Board of Trustees of the State
4 Employees' Retirement System of Illinois under Section
5 14-135.08 of the Illinois Pension Code. This payment shall be
6 made to the extent that a line item appropriation to an
7 employer for this purpose is available or unexhausted. For
8 fiscal year 2010 only, no payment from appropriations for State
9 contributions shall be made in conjunction with payment of
10 salary to an employee under the personal services line item
11 from the General Revenue Fund.

12 (a-3) For fiscal year 2011 only, at the time of each
13 payment of salary to an employee under the personal services
14 line item from a fund other than the General Revenue Fund,
15 payment shall be made for deposit into the State Employees'
16 Retirement System of Illinois from the amount appropriated for
17 State contributions to the State Employees' Retirement System
18 of Illinois of an amount calculated at the rate certified for
19 fiscal year 2011 by the Board of Trustees of the State
20 Employees' Retirement System of Illinois under Section
21 14-135.08 of the Illinois Pension Code. This payment shall be
22 made to the extent that a line item appropriation to an
23 employer for this purpose is available or unexhausted. For
24 fiscal year 2011 only, no payment from appropriations for State
25 contributions shall be made in conjunction with payment of
26 salary to an employee under the personal services line item

1 from the General Revenue Fund.

2 (a-4) In fiscal years ~~year~~ 2012 and 2013 only, at the time
3 of each payment of salary to an employee under the personal
4 services line item from a fund other than the General Revenue
5 Fund, payment shall be made for deposit into the State
6 Employees' Retirement System of Illinois from the amount
7 appropriated for State contributions to the State Employees'
8 Retirement System of Illinois of an amount calculated at the
9 rate certified for the applicable fiscal year by the Board of
10 Trustees of the State Employees' Retirement System of Illinois
11 under Section 14-135.08 of the Illinois Pension Code. In fiscal
12 years ~~year~~ 2012 and 2013 only, no payment from appropriations
13 for State contributions shall be made in conjunction with
14 payment of salary to an employee under the personal services
15 line item from the General Revenue Fund.

16 (b) Except during the period beginning on the effective
17 date of this amendatory Act of the 93rd General Assembly and
18 ending at the time of the payment of the final payroll from
19 fiscal year 2004 appropriations, the State Comptroller shall
20 not approve for payment any payroll voucher that (1) includes
21 payments of salary to eligible employees in the State
22 Employees' Retirement System of Illinois and (2) does not
23 include the corresponding payment of State contributions to
24 that retirement system at the full rate certified under Section
25 14-135.08 for that fiscal year for eligible employees, unless
26 the balance in the fund on which the payroll voucher is drawn

1 is insufficient to pay the total payroll voucher, or
2 unavailable due to any limitation on appropriations that may
3 apply, including, but not limited to, limitations on
4 appropriations from the Road Fund under Section 8.3 of the
5 State Finance Act. If the State Comptroller approves a payroll
6 voucher under this Section for which the fund balance is
7 insufficient to pay the full amount of the required State
8 contribution to the State Employees' Retirement System, the
9 Comptroller shall promptly so notify the Retirement System.

10 (b-1) For fiscal year 2010 and fiscal year 2011 only, the
11 State Comptroller shall not approve for payment any non-General
12 Revenue Fund payroll voucher that (1) includes payments of
13 salary to eligible employees in the State Employees' Retirement
14 System of Illinois and (2) does not include the corresponding
15 payment of State contributions to that retirement system at the
16 full rate certified under Section 14-135.08 for that fiscal
17 year for eligible employees, unless the balance in the fund on
18 which the payroll voucher is drawn is insufficient to pay the
19 total payroll voucher, or unavailable due to any limitation on
20 appropriations that may apply, including, but not limited to,
21 limitations on appropriations from the Road Fund under Section
22 8.3 of the State Finance Act. If the State Comptroller approves
23 a payroll voucher under this Section for which the fund balance
24 is insufficient to pay the full amount of the required State
25 contribution to the State Employees' Retirement System of
26 Illinois, the Comptroller shall promptly so notify the

1 retirement system.

2 (c) Notwithstanding any other provisions of law, beginning
3 July 1, 2007, required State and employee contributions to the
4 State Employees' Retirement System of Illinois relating to
5 affected legislative staff employees shall be paid out of
6 moneys appropriated for that purpose to the Commission on
7 Government Forecasting and Accountability, rather than out of
8 the lump-sum appropriations otherwise made for the payroll and
9 other costs of those employees.

10 These payments must be made pursuant to payroll vouchers
11 submitted by the employing entity as part of the regular
12 payroll voucher process.

13 For the purpose of this subsection, "affected legislative
14 staff employees" means legislative staff employees paid out of
15 lump-sum appropriations made to the General Assembly, an
16 Officer of the General Assembly, or the Senate Operations
17 Commission, but does not include district-office staff or
18 employees of legislative support services agencies.

19 (Source: P.A. 96-45, eff. 7-15-09; 96-958, eff. 7-1-10;
20 96-1497, eff. 1-14-11; 97-72, eff. 7-1-11.)

21 Section 10-10. The Illinois Pension Code is amended by
22 changing Section 14-131 as follows:

23 (40 ILCS 5/14-131)

24 Sec. 14-131. Contributions by State.

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

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

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

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

1 employees, and the recommendations of the actuary.

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

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

23 (c-1) Notwithstanding subsection (c) of this Section, for
24 fiscal years 2010, ~~and~~ 2012, and 2013 only, contributions by
25 the several departments are not required to be made for General
26 Revenue Funds payrolls processed by the Comptroller. Payrolls

1 paid by the several departments from all other State funds must
2 continue to be processed pursuant to subsection (c) of this
3 Section.

4 (c-2) For State fiscal years 2010, ~~and 2012,~~ and 2013 only,
5 on or as soon as possible after the 15th day of each month, the
6 Board shall submit vouchers for payment of State contributions
7 to the System, in a total monthly amount of one-twelfth of the
8 fiscal year General Revenue Fund contribution as certified by
9 the System pursuant to Section 14-135.08 of the Illinois
10 Pension Code.

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

25 (e) For State fiscal years 2012 through 2045, the minimum
26 contribution to the System to be made by the State for each

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

9 For State fiscal years 1996 through 2005, the State
10 contribution to the System, as a percentage of the applicable
11 employee payroll, shall be increased in equal annual increments
12 so that by State fiscal year 2011, the State is contributing at
13 the rate required under this Section; except that (i) for State
14 fiscal year 1998, for all purposes of this Code and any other
15 law of this State, the certified percentage of the applicable
16 employee payroll shall be 5.052% for employees earning eligible
17 creditable service under Section 14-110 and 6.500% for all
18 other employees, notwithstanding any contrary certification
19 made under Section 14-135.08 before the effective date of this
20 amendatory Act of 1997, and (ii) in the following specified
21 State fiscal years, the State contribution to the System shall
22 not be less than the following indicated percentages of the
23 applicable employee payroll, even if the indicated percentage
24 will produce a State contribution in excess of the amount
25 otherwise required under this subsection and subsection (a):
26 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY

1 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

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

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

8 For each of State fiscal years 2008 through 2009, the State
9 contribution to the System, as a percentage of the applicable
10 employee payroll, shall be increased in equal annual increments
11 from the required State contribution for State fiscal year
12 2007, so that by State fiscal year 2011, the State is
13 contributing at the rate otherwise required under this Section.

14 Notwithstanding any other provision of this Article, the
15 total required State General Revenue Fund contribution for
16 State fiscal year 2010 is \$723,703,100 and shall be made from
17 the proceeds of bonds sold in fiscal year 2010 pursuant to
18 Section 7.2 of the General Obligation Bond Act, less (i) the
19 pro rata share of bond sale expenses determined by the System's
20 share of total bond proceeds, (ii) any amounts received from
21 the General Revenue Fund in fiscal year 2010, and (iii) any
22 reduction in bond proceeds due to the issuance of discounted
23 bonds, if applicable.

24 Notwithstanding any other provision of this Article, the
25 total required State General Revenue Fund contribution for
26 State fiscal year 2011 is the amount recertified by the System

1 on or before April 1, 2011 pursuant to Section 14-135.08 and
2 shall be made from the proceeds of bonds sold in fiscal year
3 2011 pursuant to Section 7.2 of the General Obligation Bond
4 Act, less (i) the pro rata share of bond sale expenses
5 determined by the System's share of total bond proceeds, (ii)
6 any amounts received from the General Revenue Fund in fiscal
7 year 2011, and (iii) any reduction in bond proceeds due to the
8 issuance of discounted bonds, if applicable.

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

13 Amounts received by the System pursuant to Section 25 of
14 the Budget Stabilization Act or Section 8.12 of the State
15 Finance Act in any fiscal year do not reduce and do not
16 constitute payment of any portion of the minimum State
17 contribution required under this Article in that fiscal year.
18 Such amounts shall not reduce, and shall not be included in the
19 calculation of, the required State contributions under this
20 Article in any future year until the System has reached a
21 funding ratio of at least 90%. A reference in this Article to
22 the "required State contribution" or any substantially similar
23 term does not include or apply to any amounts payable to the
24 System under Section 25 of the Budget Stabilization Act.

25 Notwithstanding any other provision of this Section, the
26 required State contribution for State fiscal year 2005 and for

1 fiscal year 2008 and each fiscal year thereafter, as calculated
2 under this Section and certified under Section 14-135.08, shall
3 not exceed an amount equal to (i) the amount of the required
4 State contribution that would have been calculated under this
5 Section for that fiscal year if the System had not received any
6 payments under subsection (d) of Section 7.2 of the General
7 Obligation Bond Act, minus (ii) the portion of the State's
8 total debt service payments for that fiscal year on the bonds
9 issued in fiscal year 2003 for the purposes of that Section
10 7.2, as determined and certified by the Comptroller, that is
11 the same as the System's portion of the total moneys
12 distributed under subsection (d) of Section 7.2 of the General
13 Obligation Bond Act. In determining this maximum for State
14 fiscal years 2008 through 2010, however, the amount referred to
15 in item (i) shall be increased, as a percentage of the
16 applicable employee payroll, in equal increments calculated
17 from the sum of the required State contribution for State
18 fiscal year 2007 plus the applicable portion of the State's
19 total debt service payments for fiscal year 2007 on the bonds
20 issued in fiscal year 2003 for the purposes of Section 7.2 of
21 the General Obligation Bond Act, so that, by State fiscal year
22 2011, the State is contributing at the rate otherwise required
23 under this Section.

24 (f) After the submission of all payments for eligible
25 employees from personal services line items in fiscal year 2004
26 have been made, the Comptroller shall provide to the System a

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

22 (g) For purposes of determining the required State
23 contribution to the System, the value of the System's assets
24 shall be equal to the actuarial value of the System's assets,
25 which shall be calculated as follows:

26 As of June 30, 2008, the actuarial value of the System's

1 assets shall be equal to the market value of the assets as of
2 that date. In determining the actuarial value of the System's
3 assets for fiscal years after June 30, 2008, any actuarial
4 gains or losses from investment return incurred in a fiscal
5 year shall be recognized in equal annual amounts over the
6 5-year period following that fiscal year.

7 (h) For purposes of determining the required State
8 contribution to the System for a particular year, the actuarial
9 value of assets shall be assumed to earn a rate of return equal
10 to the System's actuarially assumed rate of return.

11 (i) After the submission of all payments for eligible
12 employees from personal services line items paid from the
13 General Revenue Fund in fiscal year 2010 have been made, the
14 Comptroller shall provide to the System a certification of the
15 sum of all fiscal year 2010 expenditures for personal services
16 that would have been covered by payments to the System under
17 this Section if the provisions of this amendatory Act of the
18 96th General Assembly had not been enacted. Upon receipt of the
19 certification, the System shall determine the amount due to the
20 System based on the full rate certified by the Board under
21 Section 14-135.08 for fiscal year 2010 in order to meet the
22 State's obligation under this Section. The System shall compare
23 this amount due to the amount received by the System in fiscal
24 year 2010 through payments under this Section. If the amount
25 due is more than the amount received, the difference shall be
26 termed the "Fiscal Year 2010 Shortfall" for purposes of this

1 Section, and the Fiscal Year 2010 Shortfall shall be satisfied
2 under Section 1.2 of the State Pension Funds Continuing
3 Appropriation Act. If the amount due is less than the amount
4 received, the difference shall be termed the "Fiscal Year 2010
5 Overpayment" for purposes of this Section, and the Fiscal Year
6 2010 Overpayment shall be repaid by the System to the General
7 Revenue Fund as soon as practicable after the certification.

8 (j) After the submission of all payments for eligible
9 employees from personal services line items paid from the
10 General Revenue Fund in fiscal year 2011 have been made, the
11 Comptroller shall provide to the System a certification of the
12 sum of all fiscal year 2011 expenditures for personal services
13 that would have been covered by payments to the System under
14 this Section if the provisions of this amendatory Act of the
15 96th General Assembly had not been enacted. Upon receipt of the
16 certification, the System shall determine the amount due to the
17 System based on the full rate certified by the Board under
18 Section 14-135.08 for fiscal year 2011 in order to meet the
19 State's obligation under this Section. The System shall compare
20 this amount due to the amount received by the System in fiscal
21 year 2011 through payments under this Section. If the amount
22 due is more than the amount received, the difference shall be
23 termed the "Fiscal Year 2011 Shortfall" for purposes of this
24 Section, and the Fiscal Year 2011 Shortfall shall be satisfied
25 under Section 1.2 of the State Pension Funds Continuing
26 Appropriation Act. If the amount due is less than the amount

1 received, the difference shall be termed the "Fiscal Year 2011
2 Overpayment" for purposes of this Section, and the Fiscal Year
3 2011 Overpayment shall be repaid by the System to the General
4 Revenue Fund as soon as practicable after the certification.

5 (k) For fiscal years ~~year~~ 2012 and 2013 only, after the
6 submission of all payments for eligible employees from personal
7 services line items paid from the General Revenue Fund in the
8 fiscal year have been made, the Comptroller shall provide to
9 the System a certification of the sum of all expenditures in
10 the fiscal year for personal services. Upon receipt of the
11 certification, the System shall determine the amount due to the
12 System based on the full rate certified by the Board under
13 Section 14-135.08 for the fiscal year in order to meet the
14 State's obligation under this Section. The System shall compare
15 this amount due to the amount received by the System for the
16 fiscal year. If the amount due is more than the amount
17 received, the difference shall be termed the "Prior Fiscal Year
18 Shortfall" for purposes of this Section, and the Prior Fiscal
19 Year Shortfall shall be satisfied under Section 1.2 of the
20 State Pension Funds Continuing Appropriation Act. If the amount
21 due is less than the amount received, the difference shall be
22 termed the "Prior Fiscal Year Overpayment" for purposes of this
23 Section, and the Prior Fiscal Year Overpayment shall be repaid
24 by the System to the General Revenue Fund as soon as
25 practicable after the certification.

26 (Source: P.A. 96-43, eff. 7-15-09; 96-45, eff. 7-15-09;

1 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11; 96-1511, eff.
2 1-27-11; 96-1554, eff. 3-18-11; 97-72, eff. 7-1-11.)

3 Section 10-20. The Uniform Disposition of Unclaimed
4 Property Act is amended by changing Section 18 as follows:

5 (765 ILCS 1025/18) (from Ch. 141, par. 118)

6 Sec. 18. Deposit of funds received under the Act.

7 (a) The State Treasurer shall retain all funds received
8 under this Act, including the proceeds from the sale of
9 abandoned property under Section 17, in a trust fund. The State
10 Treasurer may deposit any amount in the Trust Fund into the
11 State Pensions Fund during the fiscal year at his or her
12 discretion; however, he or she shall, on April 15 and October
13 15 of each year, deposit any amount in the trust fund exceeding
14 \$2,500,000 into the State Pensions Fund. Beginning in State
15 fiscal year 2014, all ~~All~~ amounts in excess of \$2,500,000 that
16 are deposited into the State Pensions Fund from the unclaimed
17 Property Trust Fund shall be apportioned to the designated
18 retirement systems as provided in subsection (c-6) of Section
19 8.12 of the State Finance Act to reduce their actuarial reserve
20 deficiencies. He or she shall make prompt payment of claims he
21 or she duly allows as provided for in this Act for the trust
22 fund. Before making the deposit the State Treasurer shall
23 record the name and last known address of each person appearing
24 from the holders' reports to be entitled to the abandoned

1 property. The record shall be available for public inspection
2 during reasonable business hours.

3 (b) Before making any deposit to the credit of the State
4 Pensions Fund, the State Treasurer may deduct: (1) any costs in
5 connection with sale of abandoned property, (2) any costs of
6 mailing and publication in connection with any abandoned
7 property, and (3) any costs in connection with the maintenance
8 of records or disposition of claims made pursuant to this Act.
9 The State Treasurer shall semiannually file an itemized report
10 of all such expenses with the Legislative Audit Commission.

11 (Source: P.A. 95-950, eff. 8-29-08; 96-1000, eff. 7-2-10.)

12 ARTICLE 15. REGIONAL OFFICES OF EDUCATION

13 Section 15-5. The State Finance Act is amended by changing
14 Section 8.2 as follows:

15 (30 ILCS 105/8.2) (from Ch. 127, par. 144.2)

16 Sec. 8.2. Appropriations for the distribution of the common
17 school fund to the several counties and for the payment of
18 ~~salaries and~~ expenses of regional ~~county~~ superintendents of
19 schools and the amount to be paid into the Illinois State
20 teachers' pension and retirement fund and for the refund of
21 excess taxes paid into the common school fund are payable from
22 the common school fund.

23 (Source: Laws 1953, p. 1048.)

1 Section 15-10. The State Revenue Sharing Act is amended by
2 changing Section 12 as follows:

3 (30 ILCS 115/12) (from Ch. 85, par. 616)

4 Sec. 12. Personal Property Tax Replacement Fund. There is
5 hereby created the Personal Property Tax Replacement Fund, a
6 special fund in the State Treasury into which shall be paid all
7 revenue realized:

8 (a) all amounts realized from the additional personal
9 property tax replacement income tax imposed by subsections (c)
10 and (d) of Section 201 of the Illinois Income Tax Act, except
11 for those amounts deposited into the Income Tax Refund Fund
12 pursuant to subsection (c) of Section 901 of the Illinois
13 Income Tax Act; and

14 (b) all amounts realized from the additional personal
15 property replacement invested capital taxes imposed by Section
16 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue
17 Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and
18 Section 3 of the Water Company Invested Capital Tax Act, and
19 amounts payable to the Department of Revenue under the
20 Telecommunications Infrastructure Maintenance Fee Act.

21 As soon as may be after the end of each month, the
22 Department of Revenue shall certify to the Treasurer and the
23 Comptroller the amount of all refunds paid out of the General
24 Revenue Fund through the preceding month on account of

1 overpayment of liability on taxes paid into the Personal
2 Property Tax Replacement Fund. Upon receipt of such
3 certification, the Treasurer and the Comptroller shall
4 transfer the amount so certified from the Personal Property Tax
5 Replacement Fund into the General Revenue Fund.

6 The payments of revenue into the Personal Property Tax
7 Replacement Fund shall be used exclusively for distribution to
8 taxing districts, regional offices and officials for fiscal
9 years year 2012 and 2013 only, and local officials as provided
10 in this Section and in the School Code, payment of the ordinary
11 and contingent expenses of the Property Tax Appeal Board,
12 payment of the expenses of the Department of Revenue incurred
13 in administering the collection and distribution of monies paid
14 into the Personal Property Tax Replacement Fund and transfers
15 due to refunds to taxpayers for overpayment of liability for
16 taxes paid into the Personal Property Tax Replacement Fund.

17 As soon as may be after the effective date of this
18 amendatory Act of 1980, the Department of Revenue shall certify
19 to the Treasurer the amount of net replacement revenue paid
20 into the General Revenue Fund prior to that effective date from
21 the additional tax imposed by Section 2a.1 of the Messages Tax
22 Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of
23 the Public Utilities Revenue Act; Section 3 of the Water
24 Company Invested Capital Tax Act; amounts collected by the
25 Department of Revenue under the Telecommunications
26 Infrastructure Maintenance Fee Act; and the additional

1 personal property tax replacement income tax imposed by the
2 Illinois Income Tax Act, as amended by Public Act 81-1st
3 Special Session-1. Net replacement revenue shall be defined as
4 the total amount paid into and remaining in the General Revenue
5 Fund as a result of those Acts minus the amount outstanding and
6 obligated from the General Revenue Fund in state vouchers or
7 warrants prior to the effective date of this amendatory Act of
8 1980 as refunds to taxpayers for overpayment of liability under
9 those Acts.

10 All interest earned by monies accumulated in the Personal
11 Property Tax Replacement Fund shall be deposited in such Fund.
12 All amounts allocated pursuant to this Section are appropriated
13 on a continuing basis.

14 Prior to December 31, 1980, as soon as may be after the end
15 of each quarter beginning with the quarter ending December 31,
16 1979, and on and after December 31, 1980, as soon as may be
17 after January 1, March 1, April 1, May 1, July 1, August 1,
18 October 1 and December 1 of each year, the Department of
19 Revenue shall allocate to each taxing district as defined in
20 Section 1-150 of the Property Tax Code, in accordance with the
21 provisions of paragraph (2) of this Section the portion of the
22 funds held in the Personal Property Tax Replacement Fund which
23 is required to be distributed, as provided in paragraph (1),
24 for each quarter. Provided, however, under no circumstances
25 shall any taxing district during each of the first two years of
26 distribution of the taxes imposed by this amendatory Act of

1 1979 be entitled to an annual allocation which is less than the
2 funds such taxing district collected from the 1978 personal
3 property tax. Provided further that under no circumstances
4 shall any taxing district during the third year of distribution
5 of the taxes imposed by this amendatory Act of 1979 receive
6 less than 60% of the funds such taxing district collected from
7 the 1978 personal property tax. In the event that the total of
8 the allocations made as above provided for all taxing
9 districts, during either of such 3 years, exceeds the amount
10 available for distribution the allocation of each taxing
11 district shall be proportionately reduced. Except as provided
12 in Section 13 of this Act, the Department shall then certify,
13 pursuant to appropriation, such allocations to the State
14 Comptroller who shall pay over to the several taxing districts
15 the respective amounts allocated to them.

16 Any township which receives an allocation based in whole or
17 in part upon personal property taxes which it levied pursuant
18 to Section 6-507 or 6-512 of the Illinois Highway Code and
19 which was previously required to be paid over to a municipality
20 shall immediately pay over to that municipality a proportionate
21 share of the personal property replacement funds which such
22 township receives.

23 Any municipality or township, other than a municipality
24 with a population in excess of 500,000, which receives an
25 allocation based in whole or in part on personal property taxes
26 which it levied pursuant to Sections 3-1, 3-4 and 3-6 of the

1 Illinois Local Library Act and which was previously required to
2 be paid over to a public library shall immediately pay over to
3 that library a proportionate share of the personal property tax
4 replacement funds which such municipality or township
5 receives; provided that if such a public library has converted
6 to a library organized under The Illinois Public Library
7 District Act, regardless of whether such conversion has
8 occurred on, after or before January 1, 1988, such
9 proportionate share shall be immediately paid over to the
10 library district which maintains and operates the library.
11 However, any library that has converted prior to January 1,
12 1988, and which hitherto has not received the personal property
13 tax replacement funds, shall receive such funds commencing on
14 January 1, 1988.

15 Any township which receives an allocation based in whole or
16 in part on personal property taxes which it levied pursuant to
17 Section 1c of the Public Graveyards Act and which taxes were
18 previously required to be paid over to or used for such public
19 cemetery or cemeteries shall immediately pay over to or use for
20 such public cemetery or cemeteries a proportionate share of the
21 personal property tax replacement funds which the township
22 receives.

23 Any taxing district which receives an allocation based in
24 whole or in part upon personal property taxes which it levied
25 for another governmental body or school district in Cook County
26 in 1976 or for another governmental body or school district in

1 the remainder of the State in 1977 shall immediately pay over
2 to that governmental body or school district the amount of
3 personal property replacement funds which such governmental
4 body or school district would receive directly under the
5 provisions of paragraph (2) of this Section, had it levied its
6 own taxes.

7 (1) The portion of the Personal Property Tax
8 Replacement Fund required to be distributed as of the time
9 allocation is required to be made shall be the amount
10 available in such Fund as of the time allocation is
11 required to be made.

12 The amount available for distribution shall be the
13 total amount in the fund at such time minus the necessary
14 administrative and other authorized expenses as limited by
15 the appropriation and the amount determined by: (a) \$2.8
16 million for fiscal year 1981; (b) for fiscal year 1982,
17 .54% of the funds distributed from the fund during the
18 preceding fiscal year; (c) for fiscal year 1983 through
19 fiscal year 1988, .54% of the funds distributed from the
20 fund during the preceding fiscal year less .02% of such
21 fund for fiscal year 1983 and less .02% of such funds for
22 each fiscal year thereafter; (d) for fiscal year 1989
23 through fiscal year 2011 no more than 105% of the actual
24 administrative expenses of the prior fiscal year; (e) for
25 fiscal year 2012 and beyond, a sufficient amount to pay (i)
26 stipends, additional compensation, salary reimbursements,

1 and other amounts directed to be paid out of this Fund for
2 local officials as authorized or required by statute and
3 (ii) no more than 105% of the actual administrative
4 expenses of the prior fiscal year, including payment of the
5 ordinary and contingent expenses of the Property Tax Appeal
6 Board and payment of the expenses of the Department of
7 Revenue incurred in administering the collection and
8 distribution of moneys paid into the Fund; or (f) for
9 fiscal years ~~year~~ 2012 and 2013 only, a sufficient amount
10 to pay stipends, additional compensation, salary
11 reimbursements, and other amounts directed to be paid out
12 of this Fund for regional offices and officials as
13 authorized or required by statute. Such portion of the fund
14 shall be determined after the transfer into the General
15 Revenue Fund due to refunds, if any, paid from the General
16 Revenue Fund during the preceding quarter. If at any time,
17 for any reason, there is insufficient amount in the
18 Personal Property Tax Replacement Fund for payments for
19 regional offices and officials or local officials or
20 payment of costs of administration or for transfers due to
21 refunds at the end of any particular month, the amount of
22 such insufficiency shall be carried over for the purposes
23 of payments for regional offices and officials, local
24 officials, transfers into the General Revenue Fund, and
25 costs of administration to the following month or months.
26 Net replacement revenue held, and defined above, shall be

1 transferred by the Treasurer and Comptroller to the
2 Personal Property Tax Replacement Fund within 10 days of
3 such certification.

4 (2) Each quarterly allocation shall first be
5 apportioned in the following manner: 51.65% for taxing
6 districts in Cook County and 48.35% for taxing districts in
7 the remainder of the State.

8 The Personal Property Replacement Ratio of each taxing
9 district outside Cook County shall be the ratio which the Tax
10 Base of that taxing district bears to the Downstate Tax Base.
11 The Tax Base of each taxing district outside of Cook County is
12 the personal property tax collections for that taxing district
13 for the 1977 tax year. The Downstate Tax Base is the personal
14 property tax collections for all taxing districts in the State
15 outside of Cook County for the 1977 tax year. The Department of
16 Revenue shall have authority to review for accuracy and
17 completeness the personal property tax collections for each
18 taxing district outside Cook County for the 1977 tax year.

19 The Personal Property Replacement Ratio of each Cook County
20 taxing district shall be the ratio which the Tax Base of that
21 taxing district bears to the Cook County Tax Base. The Tax Base
22 of each Cook County taxing district is the personal property
23 tax collections for that taxing district for the 1976 tax year.
24 The Cook County Tax Base is the personal property tax
25 collections for all taxing districts in Cook County for the
26 1976 tax year. The Department of Revenue shall have authority

1 to review for accuracy and completeness the personal property
2 tax collections for each taxing district within Cook County for
3 the 1976 tax year.

4 For all purposes of this Section 12, amounts paid to a
5 taxing district for such tax years as may be applicable by a
6 foreign corporation under the provisions of Section 7-202 of
7 the Public Utilities Act, as amended, shall be deemed to be
8 personal property taxes collected by such taxing district for
9 such tax years as may be applicable. The Director shall
10 determine from the Illinois Commerce Commission, for any tax
11 year as may be applicable, the amounts so paid by any such
12 foreign corporation to any and all taxing districts. The
13 Illinois Commerce Commission shall furnish such information to
14 the Director. For all purposes of this Section 12, the Director
15 shall deem such amounts to be collected personal property taxes
16 of each such taxing district for the applicable tax year or
17 years.

18 Taxing districts located both in Cook County and in one or
19 more other counties shall receive both a Cook County allocation
20 and a Downstate allocation determined in the same way as all
21 other taxing districts.

22 If any taxing district in existence on July 1, 1979 ceases
23 to exist, or discontinues its operations, its Tax Base shall
24 thereafter be deemed to be zero. If the powers, duties and
25 obligations of the discontinued taxing district are assumed by
26 another taxing district, the Tax Base of the discontinued

1 taxing district shall be added to the Tax Base of the taxing
2 district assuming such powers, duties and obligations.

3 If two or more taxing districts in existence on July 1,
4 1979, or a successor or successors thereto shall consolidate
5 into one taxing district, the Tax Base of such consolidated
6 taxing district shall be the sum of the Tax Bases of each of
7 the taxing districts which have consolidated.

8 If a single taxing district in existence on July 1, 1979,
9 or a successor or successors thereto shall be divided into two
10 or more separate taxing districts, the tax base of the taxing
11 district so divided shall be allocated to each of the resulting
12 taxing districts in proportion to the then current equalized
13 assessed value of each resulting taxing district.

14 If a portion of the territory of a taxing district is
15 disconnected and annexed to another taxing district of the same
16 type, the Tax Base of the taxing district from which
17 disconnection was made shall be reduced in proportion to the
18 then current equalized assessed value of the disconnected
19 territory as compared with the then current equalized assessed
20 value within the entire territory of the taxing district prior
21 to disconnection, and the amount of such reduction shall be
22 added to the Tax Base of the taxing district to which
23 annexation is made.

24 If a community college district is created after July 1,
25 1979, beginning on the effective date of this amendatory Act of
26 1995, its Tax Base shall be 3.5% of the sum of the personal

1 property tax collected for the 1977 tax year within the
2 territorial jurisdiction of the district.

3 The amounts allocated and paid to taxing districts pursuant
4 to the provisions of this amendatory Act of 1979 shall be
5 deemed to be substitute revenues for the revenues derived from
6 taxes imposed on personal property pursuant to the provisions
7 of the "Revenue Act of 1939" or "An Act for the assessment and
8 taxation of private car line companies", approved July 22,
9 1943, as amended, or Section 414 of the Illinois Insurance
10 Code, prior to the abolition of such taxes and shall be used
11 for the same purposes as the revenues derived from ad valorem
12 taxes on real estate.

13 Monies received by any taxing districts from the Personal
14 Property Tax Replacement Fund shall be first applied toward
15 payment of the proportionate amount of debt service which was
16 previously levied and collected from extensions against
17 personal property on bonds outstanding as of December 31, 1978
18 and next applied toward payment of the proportionate share of
19 the pension or retirement obligations of the taxing district
20 which were previously levied and collected from extensions
21 against personal property. For each such outstanding bond
22 issue, the County Clerk shall determine the percentage of the
23 debt service which was collected from extensions against real
24 estate in the taxing district for 1978 taxes payable in 1979,
25 as related to the total amount of such levies and collections
26 from extensions against both real and personal property. For

1 1979 and subsequent years' taxes, the County Clerk shall levy
2 and extend taxes against the real estate of each taxing
3 district which will yield the said percentage or percentages of
4 the debt service on such outstanding bonds. The balance of the
5 amount necessary to fully pay such debt service shall
6 constitute a first and prior lien upon the monies received by
7 each such taxing district through the Personal Property Tax
8 Replacement Fund and shall be first applied or set aside for
9 such purpose. In counties having fewer than 3,000,000
10 inhabitants, the amendments to this paragraph as made by this
11 amendatory Act of 1980 shall be first applicable to 1980 taxes
12 to be collected in 1981.

13 (Source: P.A. 96-45, eff. 7-15-09; 97-72, eff. 7-1-11; 97-619,
14 eff. 11-14-11.)

15 Section 15-15. The School Code is amended by changing
16 Sections 3-2.5 and 18-5 as follows:

17 (105 ILCS 5/3-2.5)

18 Sec. 3-2.5. Salaries.

19 (a) Except as otherwise provided in this Section, the
20 regional superintendents of schools shall receive for their
21 services an annual salary according to the population, as
22 determined by the last preceding federal census, of the region
23 they serve, as set out in the following schedule:

1 SALARIES OF REGIONAL SUPERINTENDENTS OF
2 SCHOOLS

3 POPULATION OF REGION	ANNUAL SALARY
4 Less than 48,000	\$73,500
5 48,000 to 99,999	\$78,000
6 100,000 to 999,999	\$81,500
7 1,000,000 and over	\$83,500

8 The changes made by Public Act 86-98 in the annual salary
9 that the regional superintendents of schools shall receive for
10 their services shall apply to the annual salary received by the
11 regional superintendents of schools during each of their
12 elected terms of office that commence after July 26, 1989 and
13 before the first Monday of August, 1995.

14 The changes made by Public Act 89-225 in the annual salary
15 that regional superintendents of schools shall receive for
16 their services shall apply to the annual salary received by the
17 regional superintendents of schools during their elected terms
18 of office that commence after August 4, 1995 and end on August
19 1, 1999.

20 The changes made by this amendatory Act of the 91st General
21 Assembly in the annual salary that the regional superintendents
22 of schools shall receive for their services shall apply to the
23 annual salary received by the regional superintendents of
24 schools during each of their elected terms of office that
25 commence on or after August 2, 1999.

26 Beginning July 1, 2000, the salary that the regional

1 superintendent of schools receives for his or her services
 2 shall be adjusted annually to reflect the percentage increase,
 3 if any, in the most recent Consumer Price Index, as defined and
 4 officially reported by the United States Department of Labor,
 5 Bureau of Labor Statistics, except that no annual increment may
 6 exceed 2.9%. If the percentage of change in the Consumer Price
 7 Index is a percentage decrease, the salary that the regional
 8 superintendent of schools receives shall not be adjusted for
 9 that year.

10 When regional superintendents are authorized by the School
 11 Code to appoint assistant regional superintendents, the
 12 assistant regional superintendent shall receive an annual
 13 salary based on his or her qualifications and computed as a
 14 percentage of the salary of the regional superintendent to whom
 15 he or she is assistant, as set out in the following schedule:

16 SALARIES OF ASSISTANT REGIONAL
 17 SUPERINTENDENTS

QUALIFICATIONS OF	PERCENTAGE OF SALARY
ASSISTANT REGIONAL	OF REGIONAL
SUPERINTENDENT	SUPERINTENDENT
No Bachelor's degree, but State certificate valid for teaching and supervising.	70%
Bachelor's degree plus State certificate valid for supervising.	75%

1 Master's degree plus
2 State certificate valid
3 for supervising. 90%

4 However, in any region in which the appointment of more
5 than one assistant regional superintendent is authorized,
6 whether by Section 3-15.10 of this Code or otherwise, not more
7 than one assistant may be compensated at the 90% rate and any
8 other assistant shall be paid at not exceeding the 75% rate, in
9 each case depending on the qualifications of the assistant.

10 The salaries provided in this Section plus an amount for
11 other employment-related compensation or benefits for regional
12 superintendents and assistant regional superintendents are
13 payable monthly by the State Board of Education out of the
14 Personal Property Tax Replacement Fund through a specific
15 appropriation to that effect in the State Board of Education
16 budget for the fiscal years ~~year~~ 2012 and 2013 only, and are
17 payable monthly from the Common School Fund for fiscal year
18 2014 ~~2013~~ and beyond through a specific appropriation to that
19 effect in the State Board of Education budget. The State
20 Comptroller in making his or her warrant to any county for the
21 amount due it from the Personal Property Tax Replacement Fund
22 for the fiscal years ~~year~~ 2012 and 2013 only, and from the
23 Common School Fund for fiscal year 2014 ~~2013~~ and beyond shall
24 deduct from it the several amounts for which warrants have been
25 issued to the regional superintendent, and any assistant
26 regional superintendent, of the educational service region

1 encompassing the county since the preceding apportionment from
2 the Personal Property Tax Replacement Fund for the fiscal years
3 ~~year~~ 2012 and 2013 only, and from the Common School Fund for
4 fiscal year 2014 ~~2013~~ and beyond.

5 County boards may provide for additional compensation for
6 the regional superintendent or the assistant regional
7 superintendents, or for each of them, to be paid quarterly from
8 the county treasury.

9 (b) Upon abolition of the office of regional superintendent
10 of schools in educational service regions containing 2,000,000
11 or more inhabitants as provided in Section 3-0.01 of this Code,
12 the funds provided under subsection (a) of this Section shall
13 continue to be appropriated and reallocated, as provided for
14 pursuant to subsection (b) of Section 3-0.01 of this Code, to
15 the educational service centers established pursuant to
16 Section 2-3.62 of this Code for an educational service region
17 containing 2,000,000 or more inhabitants.

18 (c) If the State pays all or any portion of the employee
19 contributions required under Section 16-152 of the Illinois
20 Pension Code for employees of the State Board of Education, it
21 shall also, subject to appropriation in the State Board of
22 Education budget for such payments to Regional Superintendents
23 and Assistant Regional Superintendents, pay the employee
24 contributions required of regional superintendents of schools
25 and assistant regional superintendents of schools on the same
26 basis, but excluding any contributions based on compensation

1 that is paid by the county rather than the State.

2 This subsection (c) applies to contributions based on
3 payments of salary earned after the effective date of this
4 amendatory Act of the 91st General Assembly, except that in the
5 case of an elected regional superintendent of schools, this
6 subsection does not apply to contributions based on payments of
7 salary earned during a term of office that commenced before the
8 effective date of this amendatory Act.

9 (Source: P.A. 96-893, eff. 7-1-10; 96-1086, eff. 7-16-10;
10 97-333, eff. 8-12-11; 97-619, eff. 11-14-11.)

11 (105 ILCS 5/18-5) (from Ch. 122, par. 18-5)

12 Sec. 18-5. Compensation of regional superintendents and
13 assistants. The State Board of Education shall request an
14 appropriation payable from the Personal Property Tax
15 Replacement Fund for fiscal years ~~year~~ 2012 and 2013 only, and
16 the common school fund for fiscal year 2014 ~~2013~~ and beyond as
17 and for compensation for regional superintendents of schools
18 and the assistant regional superintendents of schools
19 authorized by Section 3-15.10 of this Act, and as provided in
20 "An Act concerning fees and salaries and to classify the
21 several counties of this State with reference thereto",
22 approved March 29, 1872 as amended, and shall present vouchers
23 to the Comptroller monthly for the payment to the several
24 regional superintendents and such assistant regional
25 superintendents of their compensation as fixed by law. Such

1 payments shall be made either (1) monthly, at the close of the
2 month, or (2) semimonthly on or around the 15th of the month
3 and at the close of the month, at the option of the regional
4 superintendent or assistant regional superintendent.

5 (Source: P.A. 97-619, eff. 11-14-11.)

6 ARTICLE 20. GRANT FUNDS RECOVERY ACT

7 Section 20-5. The Illinois Grant Funds Recovery Act is
8 amended by changing Section 4.2 as follows:

9 (30 ILCS 705/4.2)

10 Sec. 4.2. Suspension of grant making authority. Any grant
11 funds and any grant program administered by a grantor agency
12 subject to this Act are indefinitely suspended on January 1,
13 2013 ~~July 1, 2012~~, and on July 1st of every 5th year
14 thereafter, unless the General Assembly, by law, authorizes
15 that grantor agency to make grants or lifts the suspension of
16 the authorization of that grantor agency to make grants. In the
17 case of a suspension of the authorization of a grantor agency
18 to make grants, the authority of that grantor agency to make
19 grants is suspended until the suspension is explicitly lifted
20 by law by the General Assembly, even if an appropriation has
21 been made for the explicit purpose of such grants. This
22 suspension of grant making authority supersedes any other law
23 or rule to the contrary.

1 (Source: P.A. 96-1529, eff. 2-16-11.)

2 ARTICLE 95. SEVERABILITY

3 Section 95-95. Severability. The provisions of this Act are
4 severable under Section 1.31 of the Statute on Statutes.

5 ARTICLE 99. EFFECTIVE DATE

6 Section 99-99. Effective date. This Act takes effect upon
7 becoming law.