



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB3127

Introduced 2/15/2018, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

30 ILCS 330/15
30 ILCS 420/9a

from Ch. 127, par. 665
from Ch. 127, par. 759a

Amends the General Obligation Bond Act. Provides that the unused portion of federal funds received for or as reimbursement for a capital facilities project (currently, the unused portion of federal funds received for a capital facilities project) shall remain in the Capital Development Board Contributory Trust Fund. Removes a provision providing that any federal funds received as reimbursement for the completed construction of a capital improvement project shall be deposited in the Capital Development Bond Retirement and Interest Fund. Amends the Capital Development Bond Act of 1972. Makes conforming changes. Effective immediately.

LRB100 18899 HLH 34143 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The General Obligation Bond Act is amended by
5 changing Section 15 as follows:

6 (30 ILCS 330/15) (from Ch. 127, par. 665)

7 Sec. 15. Computation of Principal and Interest; transfers.

8 (a) Upon each delivery of Bonds authorized to be issued
9 under this Act, the Comptroller shall compute and certify to
10 the Treasurer the total amount of principal of, interest on,
11 and premium, if any, on Bonds issued that will be payable in
12 order to retire such Bonds, the amount of principal of,
13 interest on and premium, if any, on such Bonds that will be
14 payable on each payment date according to the tenor of such
15 Bonds during the then current and each succeeding fiscal year,
16 and the amount of sinking fund payments needed to be deposited
17 in connection with Qualified School Construction Bonds
18 authorized by subsection (e) of Section 9. With respect to the
19 interest payable on variable rate bonds, such certifications
20 shall be calculated at the maximum rate of interest that may be
21 payable during the fiscal year, after taking into account any
22 credits permitted in the related indenture or other instrument
23 against the amount of such interest required to be appropriated

1 for such period pursuant to subsection (c) of Section 14 of
2 this Act. With respect to the interest payable, such
3 certifications shall include the amounts certified by the
4 Director of the Governor's Office of Management and Budget
5 under subsection (b) of Section 9 of this Act.

6 On or before the last day of each month the State Treasurer
7 and Comptroller shall transfer from (1) the Road Fund with
8 respect to Bonds issued under paragraph (a) of Section 4 of
9 this Act, or Bonds issued under authorization in Public Act
10 98-781, or Bonds issued for the purpose of refunding such
11 bonds, and from (2) the General Revenue Fund, with respect to
12 all other Bonds issued under this Act, to the General
13 Obligation Bond Retirement and Interest Fund an amount
14 sufficient to pay the aggregate of the principal of, interest
15 on, and premium, if any, on Bonds payable, by their terms on
16 the next payment date divided by the number of full calendar
17 months between the date of such Bonds and the first such
18 payment date, and thereafter, divided by the number of months
19 between each succeeding payment date after the first. Such
20 computations and transfers shall be made for each series of
21 Bonds issued and delivered. Interest payable on variable rate
22 bonds shall be calculated at the maximum rate of interest that
23 may be payable for the relevant period, after taking into
24 account any credits permitted in the related indenture or other
25 instrument against the amount of such interest required to be
26 appropriated for such period pursuant to subsection (c) of

1 Section 14 of this Act. Computations of interest shall include
2 the amounts certified by the Director of the Governor's Office
3 of Management and Budget under subsection (b) of Section 9 of
4 this Act. Interest for which moneys have already been deposited
5 into the capitalized interest account within the General
6 Obligation Bond Retirement and Interest Fund shall not be
7 included in the calculation of the amounts to be transferred
8 under this subsection. Notwithstanding any other provision in
9 this Section, the transfer provisions provided in this
10 paragraph shall not apply to transfers made in fiscal year 2010
11 or fiscal year 2011 with respect to Bonds issued in fiscal year
12 2010 or fiscal year 2011 pursuant to Section 7.2 of this Act.
13 In the case of transfers made in fiscal year 2010 or fiscal
14 year 2011 with respect to the Bonds issued in fiscal year 2010
15 or fiscal year 2011 pursuant to Section 7.2 of this Act, on or
16 before the 15th day of the month prior to the required debt
17 service payment, the State Treasurer and Comptroller shall
18 transfer from the General Revenue Fund to the General
19 Obligation Bond Retirement and Interest Fund an amount
20 sufficient to pay the aggregate of the principal of, interest
21 on, and premium, if any, on the Bonds payable in that next
22 month.

23 The transfer of monies herein and above directed is not
24 required if monies in the General Obligation Bond Retirement
25 and Interest Fund are more than the amount otherwise to be
26 transferred as herein above provided, and if the Governor or

1 his authorized representative notifies the State Treasurer and
2 Comptroller of such fact in writing.

3 (b) After the effective date of this Act, the balance of,
4 and monies directed to be included in the Capital Development
5 Bond Retirement and Interest Fund, Anti-Pollution Bond
6 Retirement and Interest Fund, Transportation Bond, Series A
7 Retirement and Interest Fund, Transportation Bond, Series B
8 Retirement and Interest Fund, and Coal Development Bond
9 Retirement and Interest Fund shall be transferred to and
10 deposited in the General Obligation Bond Retirement and
11 Interest Fund. This Fund shall be used to make debt service
12 payments on the State's general obligation Bonds heretofore
13 issued which are now outstanding and payable from the Funds
14 herein listed as well as on Bonds issued under this Act.

15 (c) The unused portion of federal funds received for or as
16 reimbursement for a capital facilities project, as authorized
17 by Section 3 of this Act, for which monies from the Capital
18 Development Fund have been expended shall remain in the Capital
19 Development Board Contributory Trust Fund and shall be used for
20 capital projects and for no other purpose, subject to
21 appropriation and as directed by the Capital Development Board.
22 ~~Any federal funds received as reimbursement for the completed~~
23 ~~construction of a capital facilities project, as authorized by~~
24 ~~Section 3 of this Act, for which monies from the Capital~~
25 ~~Development Fund have been expended shall be deposited in the~~
26 ~~General Obligation Bond Retirement and Interest Fund.~~

1 (Source: P.A. 100-23, eff. 7-6-17.)

2 Section 10. The Capital Development Bond Act of 1972 is
3 amended by changing Section 9a as follows:

4 (30 ILCS 420/9a) (from Ch. 127, par. 759a)

5 Sec. 9a. The unused portion of federal funds received for
6 or as reimbursement for a capital improvement project for which
7 moneys from the Capital Development Fund have been expended
8 shall remain in the Capital Development Board Contributory
9 Trust Fund and shall be used for capital projects and for no
10 other purpose, subject to appropriation and as directed by the
11 Capital Development Board. ~~Any federal funds received as~~
12 ~~reimbursement for the completed construction of a capital~~
13 ~~improvement project for which moneys from the Capital~~
14 ~~Development Fund have been expended shall be deposited in the~~
15 ~~Capital Development Bond Retirement and Interest Fund.~~

16 (Source: P.A. 98-245, eff. 1-1-14.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.