



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1890

Introduced 2/17/2021, by Rep. Amy Elik

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5h.5

Amends the State Finance Act. In provisions concerning cash flow borrowing and general funds liquidity, provides that moneys transferred to general funds and the Health Insurance Reserve Fund under specified provisions shall be repaid to the fund of origin within 24 months (currently, 48 months) after the date on which they were borrowed. Effective immediately.

LRB102 10657 RJF 15986 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 State Finance Act is amended by changing
5 Section 5h.5 as follows:

6 (30 ILCS 105/5h.5)

7 Sec. 5h.5. Cash flow borrowing and general funds
8 liquidity; Fiscal Years 2018, 2019, 2020, and 2021.

9 (a) In order to meet cash flow deficits and to maintain
10 liquidity in general funds and the Health Insurance Reserve
11 Fund, on and after July 1, 2017 and through June 30, 2021, the
12 State Treasurer and the State Comptroller, in consultation
13 with the Governor's Office of Management and Budget, shall
14 make transfers to general funds and the Health Insurance
15 Reserve Fund, as directed by the State Comptroller, out of
16 special funds of the State, to the extent allowed by federal
17 law.

18 No such transfer may reduce the cumulative balance of all
19 of the special funds of the State to an amount less than the
20 total debt service payable during the 12 months immediately
21 following the date of the transfer on any bonded indebtedness
22 of the State and any certificates issued under the Short Term
23 Borrowing Act. At no time shall the outstanding total

1 transfers made from the special funds of the State to general
2 funds and the Health Insurance Reserve Fund under this Section
3 exceed \$1,500,000,000; once the amount of \$1,500,000,000 has
4 been transferred from the special funds of the State to
5 general funds and the Health Insurance Reserve Fund,
6 additional transfers may be made from the special funds of the
7 State to general funds and the Health Insurance Reserve Fund
8 under this Section only to the extent that moneys have first
9 been re-transferred from general funds and the Health
10 Insurance Reserve Fund to those special funds of the State.
11 Notwithstanding any other provision of this Section, no such
12 transfer may be made from any special fund that is exclusively
13 collected by or directly appropriated to any other
14 constitutional officer without the written approval of that
15 constitutional officer.

16 (b) If moneys have been transferred to general funds and
17 the Health Insurance Reserve Fund pursuant to subsection (a)
18 of this Section, Public Act 100-23 shall constitute the
19 continuing authority for and direction to the State Treasurer
20 and State Comptroller to reimburse the funds of origin from
21 general funds by transferring to the funds of origin, at such
22 times and in such amounts as directed by the Comptroller when
23 necessary to support appropriated expenditures from the funds,
24 an amount equal to that transferred from them plus any
25 interest that would have accrued thereon had the transfer not
26 occurred, except that any moneys transferred pursuant to

1 subsection (a) of this Section shall be repaid to the fund of
2 origin within 24 ~~48~~ months after the date on which they were
3 borrowed. When any of the funds from which moneys have been
4 transferred pursuant to subsection (a) have insufficient cash
5 from which the State Comptroller may make expenditures
6 properly supported by appropriations from the fund, then the
7 State Treasurer and State Comptroller shall transfer from
8 general funds to the fund only such amount as is immediately
9 necessary to satisfy outstanding expenditure obligations on a
10 timely basis.

11 (c) On the first day of each quarterly period in each
12 fiscal year, until such time as a report indicates that all
13 moneys borrowed and interest pursuant to this Section have
14 been repaid, the Comptroller shall provide to the President
15 and the Minority Leader of the Senate, the Speaker and the
16 Minority Leader of the House of Representatives, and the
17 Commission on Government Forecasting and Accountability a
18 report on all transfers made pursuant to this Section in the
19 prior quarterly period. The report must be provided in
20 electronic format. The report must include all of the
21 following:

22 (1) the date each transfer was made;

23 (2) the amount of each transfer;

24 (3) in the case of a transfer from general funds to a
25 fund of origin pursuant to subsection (b) of this Section,
26 the amount of interest being paid to the fund of origin;

1 and

2 (4) the end of day balance of the fund of origin, the
3 general funds, and the Health Insurance Reserve Fund on
4 the date the transfer was made.

5 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
6 101-10, eff. 6-5-19; 101-636, eff. 6-10-20.)

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