

SB3639



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3639

Introduced 1/19/2022, by Sen. Dan McConchie

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-5

Amends the State Budget Law of the Civil Administrative Code of Illinois. Provides that, no later than the third Wednesday of February of each year, the Governor's Office of Management and Budget shall submit a report to the Secretary of the Senate and the Clerk of the House of Representatives containing the actual or projected fund balances, revenues, and expenditures for all appropriated funds for the previous fiscal year, the current fiscal year, and the upcoming fiscal year. Effective immediately.

LRB102 23126 HLH 32286 b

A BILL FOR

1 AN ACT concerning State government.

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

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

7 (15 ILCS 20/50-5)

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

9 (a) The Governor shall, as soon as possible and not later
10 than the second Wednesday in March in 2010 (March 10, 2010),
11 the third Wednesday in February in 2011, the fourth Wednesday
12 in February in 2012 (February 22, 2012), the first Wednesday
13 in March in 2013 (March 6, 2013), the fourth Wednesday in March
14 in 2014 (March 26, 2014), the first Wednesday in February in
15 2022 (February 2, 2022), and the third Wednesday in February
16 of each year thereafter, except as otherwise provided in this
17 Section, submit a State budget, embracing therein the amounts
18 recommended by the Governor to be appropriated to the
19 respective departments, offices, and institutions, and for all
20 other public purposes, the estimated revenues from taxation,
21 and the estimated revenues from sources other than taxation.
22 Except with respect to the capital development provisions of
23 the State budget, beginning with the revenue estimates

1 prepared for fiscal year 2012, revenue estimates shall be
2 based solely on: (i) revenue sources (including non-income
3 resources), rates, and levels that exist as of the date of the
4 submission of the State budget for the fiscal year and (ii)
5 revenue sources (including non-income resources), rates, and
6 levels that have been passed by the General Assembly as of the
7 date of the submission of the State budget for the fiscal year
8 and that are authorized to take effect in that fiscal year.
9 Except with respect to the capital development provisions of
10 the State budget, the Governor shall determine available
11 revenue, deduct the cost of essential government services,
12 including, but not limited to, pension payments and debt
13 service, and assign a percentage of the remaining revenue to
14 each statewide prioritized goal, as established in Section
15 50-25 of this Law, taking into consideration the proposed
16 goals set forth in the report of the Commission established
17 under that Section. The Governor shall also demonstrate how
18 spending priorities for the fiscal year fulfill those
19 statewide goals. The amounts recommended by the Governor for
20 appropriation to the respective departments, offices and
21 institutions shall be formulated according to each
22 department's, office's, and institution's ability to
23 effectively deliver services that meet the established
24 statewide goals. The amounts relating to particular functions
25 and activities shall be further formulated in accordance with
26 the object classification specified in Section 13 of the State

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

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

1 General Assembly.

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

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

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

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

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

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

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

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

25 By March 15 of each year, the Commission on Government
26 Forecasting and Accountability shall prepare revenue and fund

1 transfer estimates in accordance with the requirements of this
2 Section and report those estimates to the General Assembly and
3 the Governor.

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

9 No later than the third Wednesday of February of each
10 year, the Governor's Office of Management and Budget shall
11 submit a report to the Secretary of the Senate and the Clerk of
12 the House of Representatives containing the actual or
13 projected fund balances, revenues, and expenditures for all
14 appropriated funds for the previous fiscal year, the current
15 fiscal year, and the upcoming fiscal year.

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

19 (1) for fiscal year 2010, the revenues for all
20 budgeted funds, both actual to date and estimated for the
21 full fiscal year;

22 (2) for fiscal year 2010, the expenditures for all
23 budgeted funds, both actual to date and estimated for the
24 full fiscal year;

25 (3) for fiscal year 2011, the estimated revenues for
26 all budgeted funds, including without limitation the

1 affordable General Revenue Fund appropriations, for the
2 full fiscal year; and

3 (4) for fiscal year 2011, an estimate of the
4 anticipated liabilities for all budgeted funds, including
5 without limitation the affordable General Revenue Fund
6 appropriations, debt service on bonds issued, and the
7 State's contributions to the pension systems, for the full
8 fiscal year.

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

12 Beginning with budgets prepared for fiscal year 2013, the
13 budgets submitted by the Governor and appropriations made by
14 the General Assembly for all executive branch State agencies
15 must adhere to a method of budgeting where each priority must
16 be justified each year according to merit rather than
17 according to the amount appropriated for the preceding year.

18 (Source: P.A. 102-671, eff. 11-30-21.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.