

1 AN ACT concerning State 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 Sections 8h, as added by Public Act 93-32, and 8j as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.  
8 Notwithstanding any other State law to the contrary, the  
9 Director of the Governor's Office of Management and Budget  
10 ~~Bureau of the Budget~~ may from time to time direct the State  
11 Treasurer and Comptroller to transfer a specified sum from any  
12 fund held by the State Treasurer to the General Revenue Fund in  
13 order to help defray the State's operating costs for the fiscal  
14 year. The total transfer under this Section from any fund in  
15 any fiscal year shall not exceed the lesser of 8% of the  
16 revenues to be deposited into the fund during that year or 25%  
17 of the beginning balance in the fund. No transfer may be made  
18 from a fund under this Section that would have the effect of  
19 reducing the available balance in the fund to an amount less  
20 than the amount remaining unexpended and unreserved from the  
21 total appropriation from that fund for that fiscal year. This  
22 Section does not apply to any funds that are restricted by  
23 federal law to a specific use or to any funds in the Motor Fuel  
24 Tax Fund. Notwithstanding any other provision of this Section,  
25 the total transfer under this Section from the Road Fund or the  
26 State Construction Account Fund shall not exceed 5% of the  
27 revenues to be deposited into the fund during that year.

28 In determining the available balance in a fund, the  
29 Director of the Governor's Office of Management and Budget  
30 ~~Bureau of the Budget~~ may include receipts, transfers into the  
31 fund, and other resources anticipated to be available in the  
32 fund in that fiscal year.

1           The State Treasurer and Comptroller shall transfer the  
2 amounts designated under this Section as soon as may be  
3 practicable after receiving the direction to transfer from the  
4 Director of the Governor's Office of Management and Budget  
5 ~~Bureau of the Budget~~.

6           If the Director of the Governor's Office of Management and  
7 Budget directs the State Treasurer and the Comptroller to  
8 transfer moneys into the General Revenue Fund under this  
9 Section, he or she shall notify the Illinois Economic and  
10 Fiscal Commission of the direction to transfer the moneys and  
11 the amount directed to be transferred.

12         (Source: P.A. 93-32, eff. 6-20-03; revised 8-21-03.)

13           (30 ILCS 105/8j)

14           Sec. 8j. Allocation and transfer of fee receipts to General  
15 Revenue Fund. ~~If and only if any one or more of Senate Bills~~  
16 ~~774, 841, 842, and 1903 of the 93rd General Assembly become~~  
17 ~~law,~~ Notwithstanding any other law to the contrary, additional  
18 amounts generated by the new and increased fees created or  
19 authorized by Public Acts 93-22, 93-23, 93-24, and 93-32 ~~these~~  
20 ~~amendatory Acts of the 93rd General Assembly~~ ~~this amendatory Act~~  
21 ~~of the 93rd General Assembly and by Senate Bill 774, Senate~~  
22 ~~Bill 841, and Senate Bill 842 of the 93rd General Assembly, if~~  
23 ~~those bills become law,~~ shall be allocated between the fund  
24 otherwise entitled to receive the fee and the General Revenue  
25 Fund by the Governor's Office of Management and Budget ~~Bureau~~  
26 ~~of the Budget~~. In determining the amount of the allocation to  
27 the General Revenue Fund, the Director of the Governor's Office  
28 of Management and Budget ~~Bureau of the Budget~~ shall calculate  
29 whether the available resources in the fund are sufficient to  
30 satisfy the unexpended and unreserved appropriations from the  
31 fund for the fiscal year.         In calculating the available  
32 resources in a fund, the Director of the Governor's Office of  
33 Management and Budget ~~Bureau of the Budget~~ may include  
34 receipts, transfers into the fund, and other resources  
35 anticipated to be available in the fund in that fiscal year.

1           Upon determining the amount of an allocation to the General  
2 Revenue Fund under this Section, the Director of the Governor's  
3 Office of Management and Budget ~~Bureau of the Budget~~ may direct  
4 the State Treasurer and Comptroller to transfer the amount of  
5 that allocation from the fund in which the fee amounts have  
6 been deposited to the General Revenue Fund; provided, however,  
7 that the Director shall not direct the transfer of any amount  
8 that would have the effect of reducing the available resources  
9 in the fund to an amount less than the amount remaining  
10 unexpended and unreserved from the total appropriation from  
11 that fund for that fiscal year.

12           The State Treasurer and Comptroller shall transfer the  
13 amounts designated under this Section as soon as may be  
14 practicable after receiving the direction to transfer from the  
15 Director of the Governor's Office of Management and Budget  
16 ~~Bureau of the Budget~~.

17           If the Director of the Governor's Office of Management and  
18 Budget directs the State Treasurer and the Comptroller to  
19 transfer moneys into the General Revenue Fund under this  
20 Section, he or she shall notify the Illinois Economic and  
21 Fiscal Commission of the direction to transfer the moneys and  
22 the amount directed to be transferred.

23           (Source: P.A. 93-25, eff. 6-20-03; 93-32, eff. 6-20-03; revised  
24 8-21-03.)

25           Section 99. Effective date. This Act takes effect upon  
26 becoming law.