

1 AN ACT concerning the State budget.

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  
6 Section 50-5 as follows:

7 (15 ILCS 20/50-5) (was 15 ILCS 20/38)

8 Sec. 50-5. Governor to submit State budget. The Governor  
9 of Illinois shall, as soon as possible and not later than the  
10 third Wednesday in February of each year beginning in 1998,  
11 submit a State budget, embracing therein the amounts  
12 recommended by the Governor to be appropriated to the  
13 respective departments, offices, and institutions, and for  
14 all other public purposes, the estimated revenues from  
15 taxation, the estimated revenues from sources other than  
16 taxation, and an estimate of the amount required to be raised  
17 by taxation. The amounts recommended by the Governor for  
18 appropriation to the respective departments, offices and  
19 institutions shall be formulated according to the various  
20 functions and activities for which the respective department,  
21 office or institution of the State government (including the  
22 elective officers in the executive department and including  
23 the University of Illinois and the judicial department) is  
24 responsible. The amounts relating to particular functions and  
25 activities shall be further formulated in accordance with the  
26 object classification specified in Section 13 of the State  
27 Finance Act.

28 The Governor shall not propose expenditures and the  
29 General Assembly shall not enact appropriations that exceed  
30 the resources estimated to be available, as provided in this  
31 Section.

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

- 6           (1) General Revenue Fund.
- 7           (2) Common School Fund.
- 8           (3) Educational Assistance Fund.
- 9           (4) Road Fund.
- 10          (5) Motor Fuel Tax Fund.
- 11          (6) Agricultural Premium Fund.

12           These funds shall be known as the "budgeted funds". The  
13 revenue estimates used in the State budget for the budgeted  
14 funds shall include the estimated beginning fund balance,  
15 plus revenues estimated to be received during the budgeted  
16 year, plus the estimated receipts due the State as of June 30  
17 of the budgeted year that are expected to be collected during  
18 the lapse period following the budgeted year, minus the  
19 receipts collected during the first 2 months of the budgeted  
20 year that became due to the State in the year before the  
21 budgeted year. Revenues shall also include estimated federal  
22 reimbursements associated with the recognition of Section 25  
23 of the State Finance Act liabilities. For any budgeted fund  
24 for which current year revenues are anticipated to exceed  
25 expenditures, the surplus shall be considered to be a  
26 resource available for expenditure in the budgeted fiscal  
27 year.

28           Expenditure estimates for the budgeted funds included in  
29 the State budget shall include the costs to be incurred by  
30 the State for the budgeted year, to be paid in the next  
31 fiscal year, excluding costs paid in the budgeted year which  
32 were carried over from the prior year, where the payment is  
33 authorized by Section 25 of the State Finance Act. For any  
34 budgeted fund for which expenditures are expected to exceed

1 revenues in the current fiscal year, the deficit shall be  
2 considered as a use of funds in the budgeted fiscal year.

3 Revenues and expenditures shall also include transfers  
4 between funds that are based on revenues received or costs  
5 incurred during the budget year.

6 By March 15 of each year, the Economic and Fiscal  
7 Commission shall prepare revenue and fund transfer estimates  
8 in accordance with the requirements of this Section and  
9 report those estimates to the General Assembly and the  
10 Governor.

11 For all funds other than the budgeted funds, the proposed  
12 expenditures shall not exceed funds estimated to be available  
13 for the fiscal year as shown in the budget. Appropriation  
14 for a fiscal year shall not exceed funds estimated by the  
15 General Assembly to be available during that year.

16 (Source: P.A. 90-479, eff. 8-17-97; 91-239, eff. 1-1-00.)