

1 AN ACT concerning the executive branch.

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 Administrative  
5 Code of Illinois is amended by changing Sections 50-5 and 50-10  
6 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 shall, as soon as possible and not later than the second  
10 Wednesday in April in 2003 and the third Wednesday in February  
11 of each year beginning in 2004, except as otherwise provided in  
12 this Section, submit a State budget, embracing therein the  
13 amounts recommended by the Governor to be appropriated to the  
14 respective departments, offices, and institutions, and for all  
15 other public purposes, the estimated revenues from taxation,  
16 the estimated revenues from sources other than taxation, and an  
17 estimate of the amount required to be raised by taxation. In  
18 2004 only, the Governor shall submit the capital development  
19 section of the State budget not later than the fourth Tuesday  
20 of March (March 23, 2004). The amounts recommended by the  
21 Governor for appropriation to the respective departments,  
22 offices and institutions shall be formulated according to the  
23 various functions and activities for which the respective  
24 department, office or institution of the State government  
25 (including the elective officers in the executive department  
26 and including the University of Illinois and the judicial  
27 department) is responsible. The amounts relating to particular  
28 functions and activities shall be further formulated in  
29 accordance with the object classification specified in Section  
30 13 of the State Finance Act.

31 The Governor shall not propose expenditures and the General  
32 Assembly shall not enact appropriations that exceed the

1 resources estimated to be available, as provided in this  
2 Section.

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

8 (1) General Revenue Fund.

9 (2) Common School Fund.

10 (3) Educational Assistance Fund.

11 (4) Road Fund.

12 (5) Motor Fuel Tax Fund.

13 (6) Agricultural Premium Fund.

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

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

1 considered as a use of funds in the budgeted fiscal year.

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

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

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

14 (Source: P.A. 93-1, eff. 2-6-03.)

15 (15 ILCS 20/50-10) (was 15 ILCS 20/38.1)

16 Sec. 50-10. Budget contents. The budget shall be submitted  
17 by the Governor with line item and program data. The budget  
18 shall also contain performance data presenting an estimate for  
19 the current fiscal year, projections for the budget year, and  
20 information for the 3 prior fiscal years comparing department  
21 objectives with actual accomplishments, formulated according  
22 to the various functions and activities, and, wherever the  
23 nature of the work admits, according to the work units, for  
24 which the respective departments, offices, and institutions of  
25 the State government (including the elective officers in the  
26 executive department and including the University of Illinois  
27 and the judicial department) are responsible.

28 For the fiscal year beginning July 1, 1992 and for each  
29 fiscal year thereafter, the budget shall include the  
30 performance measures of each department's accountability  
31 report.

32 For the fiscal year beginning July 1, 1997 and for each  
33 fiscal year thereafter, the budget shall include one or more  
34 line items appropriating moneys to the Department of Human  
35 Services to fund participation in the Home-Based Support

1 Services Program for Mentally Disabled Adults under the  
2 Developmental Disability and Mental Disability Services Act by  
3 persons described in Section 2-17 of that Act.

4 The budget shall contain a capital development section in  
5 which the Governor will present (1) information on the capital  
6 projects and capital programs for which appropriations are  
7 requested, (2) the capital spending plans, which shall document  
8 the first and subsequent years cash requirements by fund for  
9 the proposed bonded program, and (3) a statement that shall  
10 identify by year the principal and interest costs until  
11 retirement of the State's general obligation debt. In addition,  
12 the principal and interest costs of the budget year program  
13 shall be presented separately, to indicate the marginal cost of  
14 principal and interest payments necessary to retire the  
15 additional bonds needed to finance the budget year's capital  
16 program. In 2004 only, the capital development section of the  
17 State budget shall be submitted by the Governor not later than  
18 the fourth Tuesday of March (March 23, 2004).

19 For the budget year, the current year, and 3 prior fiscal  
20 years, the Governor shall also include in the budget estimates  
21 of or actual values for the assets and liabilities for General  
22 Assembly Retirement System, State Employees' Retirement System  
23 of Illinois, State Universities Retirement System, Teachers'  
24 Retirement System of the State of Illinois, and Judges  
25 Retirement System of Illinois.

26 The budget submitted by the Governor shall contain, in  
27 addition, in a separate book, a tabulation of all position and  
28 employment titles in each such department, office, and  
29 institution, the number of each, and the salaries for each,  
30 formulated according to divisions, bureaus, sections, offices,  
31 departments, boards, and similar subdivisions, which shall  
32 correspond as nearly as practicable to the functions and  
33 activities for which the department, office, or institution is  
34 responsible.

35 Together with the budget, the Governor shall transmit the  
36 estimates of receipts and expenditures, as received by the

1 Director of the Governor's Office of Management and Budget  
2 ~~Bureau of the Budget~~, of the elective officers in the executive  
3 and judicial departments and of the University of Illinois.

4 (Source: P.A. 91-239, eff. 1-1-00; revised 8-23-03.)

5 Section 10. The Governor's Office of Management and Budget  
6 Act is amended by changing Section 2.5 as follows:

7 (20 ILCS 3005/2.5) (from Ch. 127, par. 412.5)

8 Sec. 2.5. Effective January 1, 1980, to require the  
9 preparation and submission of an annual long-range capital  
10 expenditure plan for all State agencies. Such Capital Plan  
11 shall detail each project for each of the following 3 fiscal  
12 years, including the project cost in current dollar amounts,  
13 the future maintenance costs for the completed project, the  
14 anticipated life expectancy of the project and the impact the  
15 project will have on the annual operating budget for the  
16 agency. Each State agency's annual capital plan shall include  
17 energy conservation projects intended to reduce energy costs to  
18 the greatest extent possible in those agency's buildings and  
19 facilities included in the capital plan. Each State agency's  
20 annual capital plan shall be submitted to the Office no later  
21 than January 15th of each year. A summary of all capital plans  
22 and future needs assessments shall be included in the  
23 Governor's Budget Request and the detail of the capital plans  
24 shall be delivered to the Chairmen and Minority Spokesmen of  
25 the House and Senate Appropriations Committees and the Illinois  
26 Economic and Fiscal Commission on the date of the Governor's  
27 Budget Address to the General Assembly; except that, in 2004  
28 only, the summary and detail shall be delivered not later than  
29 the fourth Tuesday in March (March 23, 2004).

30 (Source: P.A. 93-25, eff. 6-20-03.)

31 Section 15. The State Finance Act is amended by changing  
32 Section 13.4 as follows:

1 (30 ILCS 105/13.4) (from Ch. 127, par. 149.4)

2 Sec. 13.4. All appropriations recommended to the General  
3 Assembly by the Governor in the State Budget submitted pursuant  
4 to Section 50-5 of the State Budget Law (15 ILCS 20/50-5) shall  
5 be incorporated into and prepared as one or more appropriation  
6 bills which shall either be introduced in the General Assembly  
7 or submitted to the legislative leaders of both the Senate and  
8 the House of Representatives not later than 2 session days  
9 after the submission of the Governor's budget recommendations,  
10 as provided in Section 50-5 of the State Budget Law of the  
11 Civil Administrative Code of Illinois, immediately preceding  
12 the start of the fiscal year for which the Budget is  
13 recommended.

14 (Source: P.A. 91-239, eff. 1-1-00.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.