

1 AN ACT concerning regulation.

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

4 Section 3. The State Finance Act is amended by changing
5 Section 8h as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.

8 (a) Except as provided in subsection (b), notwithstanding
9 any other State law to the contrary, the Governor may, through
10 June 30, 2007, from time to time direct the State Treasurer and
11 Comptroller to transfer a specified sum from any fund held by
12 the State Treasurer to the General Revenue Fund in order to
13 help defray the State's operating costs for the fiscal year.
14 The total transfer under this Section from any fund in any
15 fiscal year shall not exceed the lesser of (i) 8% of the
16 revenues to be deposited into the fund during that fiscal year
17 or (ii) an amount that leaves a remaining fund balance of 25%
18 of the July 1 fund balance of that fiscal year. In fiscal year
19 2005 only, prior to calculating the July 1, 2004 final
20 balances, the Governor may calculate and direct the State
21 Treasurer with the Comptroller to transfer additional amounts
22 determined by applying the formula authorized in Public Act
23 93-839 to the funds balances on July 1, 2003. No transfer may
24 be made from a fund under this Section that would have the
25 effect of reducing the available balance in the fund to an
26 amount less than the amount remaining unexpended and unreserved
27 from the total appropriation from that fund estimated to be
28 expended for that fiscal year. This Section does not apply to
29 any funds that are restricted by federal law to a specific use,
30 to any funds in the Motor Fuel Tax Fund, the Hospital Provider
31 Fund, the Medicaid Provider Relief Fund, or the Reviewing Court
32 Alternative Dispute Resolution Fund, or to any funds to which

1 subsection (f) of Section 20-40 of the Nursing and Advanced
2 Practice Nursing Act applies. Notwithstanding any other
3 provision of this Section, for fiscal year 2004, the total
4 transfer under this Section from the Road Fund or the State
5 Construction Account Fund shall not exceed the lesser of (i) 5%
6 of the revenues to be deposited into the fund during that
7 fiscal year or (ii) 25% of the beginning balance in the fund.
8 For fiscal year 2005 through fiscal year 2007, no amounts may
9 be transferred under this Section from the Road Fund, the State
10 Construction Account Fund, the Criminal Justice Information
11 Systems Trust Fund, the Wireless Service Emergency Fund, or the
12 Mandatory Arbitration Fund.

13 In determining the available balance in a fund, the
14 Governor may include receipts, transfers into the fund, and
15 other resources anticipated to be available in the fund in that
16 fiscal year.

17 The State Treasurer and Comptroller shall transfer the
18 amounts designated under this Section as soon as may be
19 practicable after receiving the direction to transfer from the
20 Governor.

21 (b) This Section does not apply to any fund established
22 under the Community Senior Services and Resources Act.

23 (c) This Section does not apply to moneys set aside in the
24 Illinois State Podiatric Disciplinary Fund for podiatric
25 scholarships and residency programs under the Podiatric
26 Scholarship and Residency Act.

27 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
28 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
29 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
30 1-15-05.)

31 Section 5. The Podiatric Medical Practice Act of 1987 is
32 amended by changing Section 19 as follows:

33 (225 ILCS 100/19) (from Ch. 111, par. 4819)

34 (Section scheduled to be repealed on January 1, 2008)

1 Sec. 19. Disciplinary Fund. All fees and fines received by
2 the Department under this Act shall be deposited in the
3 Illinois State Podiatric Disciplinary Fund, a special fund
4 created hereunder in the State Treasury. Of the moneys
5 deposited into the Illinois State Podiatric Disciplinary Fund,
6 during each 2-year renewal period, \$200,000 ~~15%~~ of the money
7 received from the payment of renewal fees shall be used for
8 podiatric scholarships and residency programs under the
9 Podiatric Scholarship and Residency Act and the remainder shall
10 be appropriated to the Department for expenses of the
11 Department and of the Podiatric Medical Licensing Board and for
12 podiatric scholarships and residency programs under the
13 Podiatric Scholarship and Residency Act.

14 Moneys in the Illinois State Podiatric Disciplinary Fund
15 may be invested and reinvested in investments authorized for
16 the investment of funds of the State Employees' Retirement
17 System of Illinois.

18 All earnings received from such investments shall be
19 deposited in the Illinois State Podiatric Disciplinary Fund and
20 may be used for the same purposes as fees deposited in such
21 fund.

22 Moneys in the Fund may be transferred to the Professions
23 Indirect Cost Fund as authorized under Section 2105-300 of the
24 Department of Professional Regulation Law (20 ILCS
25 2105/2105-300).

26 Moneys set aside for podiatric scholarships and residency
27 programs under the Podiatric Scholarship and Residency Act, as
28 provided for in this Section, may not be transferred under
29 Section 8h of the State Finance Act.

30 Upon the completion of any audit of the Department as
31 prescribed by the Illinois State Auditing Act which includes an
32 audit of the Illinois State Podiatric Disciplinary Fund, the
33 Department shall make the audit open to inspection by any
34 interested person.

35 (Source: P.A. 90-76, eff. 12-30-97; 90-372, eff. 7-1-98;
36 91-239, eff. 1-1-00.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.