

1 AN ACT concerning 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 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: (i) any fund
22 established under the Community Senior Services and Resources
23 Act; or (ii) on or after the effective date of this amendatory
24 Act of the 94th General Assembly, the Teachers Health Insurance
25 Security Fund.

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

30 Section 99. Effective date. This Act takes effect upon
31 becoming law.