

1 AN ACT concerning State government.

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 and by adding Sections 5.640 and 6z-68 as follows:

6 (30 ILCS 105/5.640 new)

7 Sec. 5.640. The Intercity Passenger Rail Fund.

8 (30 ILCS 105/6z-68 new)

9 Sec. 6z-68. The Intercity Passenger Rail Fund.

10 (a) The Intercity Passenger Rail Fund is created as a
11 special fund in the State treasury. Moneys in the Fund may be
12 used by the Department of Transportation, subject to
13 appropriation, for the operation of intercity passenger rail
14 services in the State through Amtrak or its successor.

15 Moneys received for the purposes of this Section,
16 including, without limitation, income tax checkoff receipts
17 and gifts, grants, and awards from any public or private
18 entity, must be deposited into the Fund. Any interest earned on
19 moneys in the Fund must be deposited into the Fund.

20 (b) At least one month before the beginning of each fiscal
21 year, the chief operating officer of Amtrak or its successor
22 must certify to the State Treasurer the number of Amtrak
23 tickets sold at the State rate during that current fiscal year.

24 On the first day of that next fiscal year, or as soon
25 thereafter as practical, the State Treasurer must transfer,
26 from the General Revenue Fund to the Intercity Passenger Rail
27 Fund, an amount equal to the tickets certified by the chief
28 operating officer of Amtrak multiplied by \$50.

29 (30 ILCS 105/8h)

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

1 (a) Except as provided in subsection (b), notwithstanding
2 any other State law to the contrary, the Governor may, through
3 June 30, 2007, from time to time direct the State Treasurer and
4 Comptroller to transfer a specified sum from any fund held by
5 the State Treasurer to the General Revenue Fund in order to
6 help defray the State's operating costs for the fiscal year.
7 The total transfer under this Section from any fund in any
8 fiscal year shall not exceed the lesser of (i) 8% of the
9 revenues to be deposited into the fund during that fiscal year
10 or (ii) an amount that leaves a remaining fund balance of 25%
11 of the July 1 fund balance of that fiscal year. In fiscal year
12 2005 only, prior to calculating the July 1, 2004 final
13 balances, the Governor may calculate and direct the State
14 Treasurer with the Comptroller to transfer additional amounts
15 determined by applying the formula authorized in Public Act
16 93-839 to the funds balances on July 1, 2003. No transfer may
17 be made from a fund under this Section that would have the
18 effect of reducing the available balance in the fund to an
19 amount less than the amount remaining unexpended and unreserved
20 from the total appropriation from that fund estimated to be
21 expended for that fiscal year. This Section does not apply to
22 any funds that are restricted by federal law to a specific use,
23 to any funds in the Motor Fuel Tax Fund, the Intercity
24 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
25 Provider Relief Fund, or the Reviewing Court Alternative
26 Dispute Resolution Fund, or to any funds to which subsection
27 (f) of Section 20-40 of the Nursing and Advanced Practice
28 Nursing Act applies. Notwithstanding any other provision of
29 this Section, for fiscal year 2004, the total transfer under
30 this Section from the Road Fund or the State Construction
31 Account Fund shall not exceed the lesser of (i) 5% of the
32 revenues to be deposited into the fund during that fiscal year
33 or (ii) 25% of the beginning balance in the fund. For fiscal
34 year 2005 through fiscal year 2007, no amounts may be
35 transferred under this Section from the Road Fund, the State
36 Construction Account Fund, the Criminal Justice Information

1 Systems Trust Fund, the Wireless Service Emergency Fund, or the
2 Mandatory Arbitration Fund.

3 In determining the available balance in a fund, the
4 Governor may include receipts, transfers into the fund, and
5 other resources anticipated to be available in the fund in that
6 fiscal year.

7 The State Treasurer and Comptroller shall transfer the
8 amounts designated under this Section as soon as may be
9 practicable after receiving the direction to transfer from the
10 Governor.

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

13 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
14 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
15 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
16 1-15-05.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.