



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2311

Introduced 1/12/2006, by Sen. Dale A. Righter

SYNOPSIS AS INTRODUCED:

30 ILCS 105/8g

30 ILCS 120/10

from Ch. 85, par. 660

Amends the State Finance Act. In fiscal year 2013 and in each fiscal year thereafter, requires the transfer from the General Revenue Fund to the Agricultural Premium Fund and the Fair and Exposition Fund of amounts equal to 100% of the total statutory payments required from those special funds for that fiscal year to county fairs and fair and exposition authorities under the Agricultural Fair Act. In each of the fiscal years 2008 through 2012, requires transfer of an amount equal to a lower, specified percentage of those total statutory payments. Provides that the required transfer amounts are the maximum amounts to be transferred in each fiscal year, notwithstanding any other law to the contrary. Amends the Agricultural Fair Act. With respect to the distribution formula for premiums to county fairs, uses either of the 2 previous fiscal years (now, either fiscal year 1984 or 1985).

LRB094 17180 RSP 52468 b

FISCAL NOTE ACT
MAY APPLY

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 8g as follows:

6 (30 ILCS 105/8g)

7 Sec. 8g. Fund transfers.

8 (a) In addition to any other transfers that may be provided
9 for by law, as soon as may be practical after the effective
10 date of this amendatory Act of the 91st General Assembly, the
11 State Comptroller shall direct and the State Treasurer shall
12 transfer the sum of \$10,000,000 from the General Revenue Fund
13 to the Motor Vehicle License Plate Fund created by Senate Bill
14 1028 of the 91st General Assembly.

15 (b) In addition to any other transfers that may be provided
16 for by law, as soon as may be practical after the effective
17 date of this amendatory Act of the 91st General Assembly, the
18 State Comptroller shall direct and the State Treasurer shall
19 transfer the sum of \$25,000,000 from the General Revenue Fund
20 to the Fund for Illinois' Future created by Senate Bill 1066 of
21 the 91st General Assembly.

22 (c) In addition to any other transfers that may be provided
23 for by law, on August 30 of each fiscal year's license period,
24 the Illinois Liquor Control Commission shall direct and the
25 State Comptroller and State Treasurer shall transfer from the
26 General Revenue Fund to the Youth Alcoholism and Substance
27 Abuse Prevention Fund an amount equal to the number of retail
28 liquor licenses issued for that fiscal year multiplied by \$50.

29 (d) The payments to programs required under subsection (d)
30 of Section 28.1 of the Horse Racing Act of 1975 shall be made,
31 pursuant to appropriation, from the special funds referred to
32 in the statutes cited in that subsection, rather than directly

1 from the General Revenue Fund.

2 Beginning January 1, 2000, on the first day of each month,
3 or as soon as may be practical thereafter, the State
4 Comptroller shall direct and the State Treasurer shall transfer
5 from the General Revenue Fund to each of the special funds from
6 which payments are to be made under Section 28.1(d) of the
7 Horse Racing Act of 1975 an amount equal to 1/12 of the annual
8 amount required for those payments from that special fund,
9 which annual amount shall not exceed the annual amount for
10 those payments from that special fund for the calendar year
11 1998. The special funds to which transfers shall be made under
12 this subsection (d) include, but are not necessarily limited
13 to, the Agricultural Premium Fund; the Metropolitan Exposition
14 Auditorium and Office Building Fund; the Fair and Exposition
15 Fund; the Standardbred Breeders Fund; the Thoroughbred
16 Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

17 (d-5) In each of the following fiscal years, the State
18 Comptroller shall order and the State Treasurer shall transfer
19 from the General Revenue Fund to the Agricultural Premium Fund
20 an amount equal to the following percentage of the total
21 statutory payments required from the Agricultural Premium Fund
22 for that fiscal year to county fairs under the Agricultural
23 Fair Act: in fiscal year 2008, 75%; in fiscal year 2009, 80%;
24 in fiscal year 2010, 85%; in fiscal year 2011, 90%; in fiscal
25 year 2012, 95%; and in fiscal year 2013 and in each fiscal year
26 thereafter, 100%. In each of the following fiscal years, the
27 State Comptroller shall order and the State Treasurer shall
28 transfer from the General Revenue Fund to the Fair and
29 Exposition Fund an amount equal to the following percentage of
30 the total statutory payments required from the Fair and
31 Exposition Fund for that fiscal year to fair and exposition
32 authorities under the Agricultural Fair Act: in fiscal year
33 2008, 75%; in fiscal year 2009, 80%; in fiscal year 2010, 85%;
34 in fiscal year 2011, 90%; in fiscal year 2012, 95%; and in
35 fiscal year 2013 and in each fiscal year thereafter, 100%.
36 Notwithstanding any provision of this Section or of any other

1 law to the contrary, the total amount transferred in any fiscal
2 year from the General Revenue Fund to the Agricultural Premium
3 Fund or the Fair and Exposition Fund shall not exceed the
4 amount required under this subsection to be transferred in that
5 fiscal year.

6 (e) In addition to any other transfers that may be provided
7 for by law, as soon as may be practical after the effective
8 date of this amendatory Act of the 91st General Assembly, but
9 in no event later than June 30, 2000, the State Comptroller
10 shall direct and the State Treasurer shall transfer the sum of
11 \$15,000,000 from the General Revenue Fund to the Fund for
12 Illinois' Future.

13 (f) In addition to any other transfers that may be provided
14 for by law, as soon as may be practical after the effective
15 date of this amendatory Act of the 91st General Assembly, but
16 in no event later than June 30, 2000, the State Comptroller
17 shall direct and the State Treasurer shall transfer the sum of
18 \$70,000,000 from the General Revenue Fund to the Long-Term Care
19 Provider Fund.

20 (f-1) In fiscal year 2002, in addition to any other
21 transfers that may be provided for by law, at the direction of
22 and upon notification from the Governor, the State Comptroller
23 shall direct and the State Treasurer shall transfer amounts not
24 exceeding a total of \$160,000,000 from the General Revenue Fund
25 to the Long-Term Care Provider Fund.

26 (g) In addition to any other transfers that may be provided
27 for by law, on July 1, 2001, or as soon thereafter as may be
28 practical, the State Comptroller shall direct and the State
29 Treasurer shall transfer the sum of \$1,200,000 from the General
30 Revenue Fund to the Violence Prevention Fund.

31 (h) In each of fiscal years 2002 through 2004, but not
32 thereafter, in addition to any other transfers that may be
33 provided for by law, the State Comptroller shall direct and the
34 State Treasurer shall transfer \$5,000,000 from the General
35 Revenue Fund to the Tourism Promotion Fund.

36 (i) On or after July 1, 2001 and until May 1, 2002, in

1 addition to any other transfers that may be provided for by
 2 law, at the direction of and upon notification from the
 3 Governor, the State Comptroller shall direct and the State
 4 Treasurer shall transfer amounts not exceeding a total of
 5 \$80,000,000 from the General Revenue Fund to the Tobacco
 6 Settlement Recovery Fund. Any amounts so transferred shall be
 7 re-transferred by the State Comptroller and the State Treasurer
 8 from the Tobacco Settlement Recovery Fund to the General
 9 Revenue Fund at the direction of and upon notification from the
 10 Governor, but in any event on or before June 30, 2002.

11 (i-1) On or after July 1, 2002 and until May 1, 2003, in
 12 addition to any other transfers that may be provided for by
 13 law, at the direction of and upon notification from the
 14 Governor, the State Comptroller shall direct and the State
 15 Treasurer shall transfer amounts not exceeding a total of
 16 \$80,000,000 from the General Revenue Fund to the Tobacco
 17 Settlement Recovery Fund. Any amounts so transferred shall be
 18 re-transferred by the State Comptroller and the State Treasurer
 19 from the Tobacco Settlement Recovery Fund to the General
 20 Revenue Fund at the direction of and upon notification from the
 21 Governor, but in any event on or before June 30, 2003.

22 (j) On or after July 1, 2001 and no later than June 30,
 23 2002, in addition to any other transfers that may be provided
 24 for by law, at the direction of and upon notification from the
 25 Governor, the State Comptroller shall direct and the State
 26 Treasurer shall transfer amounts not to exceed the following
 27 sums into the Statistical Services Revolving Fund:

28	From the General Revenue Fund	\$8,450,000
29	From the Public Utility Fund	1,700,000
30	From the Transportation Regulatory Fund	2,650,000
31	From the Title III Social Security and	
32	Employment Fund	3,700,000
33	From the Professions Indirect Cost Fund	4,050,000
34	From the Underground Storage Tank Fund	550,000
35	From the Agricultural Premium Fund	750,000
36	From the State Pensions Fund	200,000

1	From the Road Fund	2,000,000
2	From the Health Facilities	
3	Planning Fund	1,000,000
4	From the Savings and Residential Finance	
5	Regulatory Fund	130,800
6	From the Appraisal Administration Fund	28,600
7	From the Pawnbroker Regulation Fund	3,600
8	From the Auction Regulation	
9	Administration Fund	35,800
10	From the Bank and Trust Company Fund.....	634,800
11	From the Real Estate License	
12	Administration Fund	313,600

13 (k) In addition to any other transfers that may be provided
14 for by law, as soon as may be practical after the effective
15 date of this amendatory Act of the 92nd General Assembly, the
16 State Comptroller shall direct and the State Treasurer shall
17 transfer the sum of \$2,000,000 from the General Revenue Fund to
18 the Teachers Health Insurance Security Fund.

19 (k-1) In addition to any other transfers that may be
20 provided for by law, on July 1, 2002, or as soon as may be
21 practical thereafter, the State Comptroller shall direct and
22 the State Treasurer shall transfer the sum of \$2,000,000 from
23 the General Revenue Fund to the Teachers Health Insurance
24 Security Fund.

25 (k-2) In addition to any other transfers that may be
26 provided for by law, on July 1, 2003, or as soon as may be
27 practical thereafter, the State Comptroller shall direct and
28 the State Treasurer shall transfer the sum of \$2,000,000 from
29 the General Revenue Fund to the Teachers Health Insurance
30 Security Fund.

31 (k-3) On or after July 1, 2002 and no later than June 30,
32 2003, in addition to any other transfers that may be provided
33 for by law, at the direction of and upon notification from the
34 Governor, the State Comptroller shall direct and the State
35 Treasurer shall transfer amounts not to exceed the following
36 sums into the Statistical Services Revolving Fund:

1	Appraisal Administration Fund	\$150,000
2	General Revenue Fund	10,440,000
3	Savings and Residential Finance	
4	Regulatory Fund	200,000
5	State Pensions Fund	100,000
6	Bank and Trust Company Fund	100,000
7	Professions Indirect Cost Fund	3,400,000
8	Public Utility Fund	2,081,200
9	Real Estate License Administration Fund	150,000
10	Title III Social Security and	
11	Employment Fund	1,000,000
12	Transportation Regulatory Fund	3,052,100
13	Underground Storage Tank Fund	50,000

14 (1) In addition to any other transfers that may be provided
15 for by law, on July 1, 2002, or as soon as may be practical
16 thereafter, the State Comptroller shall direct and the State
17 Treasurer shall transfer the sum of \$3,000,000 from the General
18 Revenue Fund to the Presidential Library and Museum Operating
19 Fund.

20 (m) In addition to any other transfers that may be provided
21 for by law, on July 1, 2002 and on the effective date of this
22 amendatory Act of the 93rd General Assembly, or as soon
23 thereafter as may be practical, the State Comptroller shall
24 direct and the State Treasurer shall transfer the sum of
25 \$1,200,000 from the General Revenue Fund to the Violence
26 Prevention Fund.

27 (n) In addition to any other transfers that may be provided
28 for by law, on July 1, 2003, or as soon thereafter as may be
29 practical, the State Comptroller shall direct and the State
30 Treasurer shall transfer the sum of \$6,800,000 from the General
31 Revenue Fund to the DHS Recoveries Trust Fund.

32 (o) On or after July 1, 2003, and no later than June 30,
33 2004, in addition to any other transfers that may be provided
34 for by law, at the direction of and upon notification from the
35 Governor, the State Comptroller shall direct and the State
36 Treasurer shall transfer amounts not to exceed the following

1 sums into the Vehicle Inspection Fund:

2 From the Underground Storage Tank Fund \$35,000,000.

3 (p) On or after July 1, 2003 and until May 1, 2004, in
4 addition to any other transfers that may be provided for by
5 law, at the direction of and upon notification from the
6 Governor, the State Comptroller shall direct and the State
7 Treasurer shall transfer amounts not exceeding a total of
8 \$80,000,000 from the General Revenue Fund to the Tobacco
9 Settlement Recovery Fund. Any amounts so transferred shall be
10 re-transferred from the Tobacco Settlement Recovery Fund to the
11 General Revenue Fund at the direction of and upon notification
12 from the Governor, but in any event on or before June 30, 2004.

13 (q) In addition to any other transfers that may be provided
14 for by law, on July 1, 2003, or as soon as may be practical
15 thereafter, the State Comptroller shall direct and the State
16 Treasurer shall transfer the sum of \$5,000,000 from the General
17 Revenue Fund to the Illinois Military Family Relief Fund.

18 (r) In addition to any other transfers that may be provided
19 for by law, on July 1, 2003, or as soon as may be practical
20 thereafter, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$1,922,000 from the General
22 Revenue Fund to the Presidential Library and Museum Operating
23 Fund.

24 (s) In addition to any other transfers that may be provided
25 for by law, on or after July 1, 2003, the State Comptroller
26 shall direct and the State Treasurer shall transfer the sum of
27 \$4,800,000 from the Statewide Economic Development Fund to the
28 General Revenue Fund.

29 (t) In addition to any other transfers that may be provided
30 for by law, on or after July 1, 2003, the State Comptroller
31 shall direct and the State Treasurer shall transfer the sum of
32 \$50,000,000 from the General Revenue Fund to the Budget
33 Stabilization Fund.

34 (u) On or after July 1, 2004 and until May 1, 2005, in
35 addition to any other transfers that may be provided for by
36 law, at the direction of and upon notification from the

1 Governor, the State Comptroller shall direct and the State
2 Treasurer shall transfer amounts not exceeding a total of
3 \$80,000,000 from the General Revenue Fund to the Tobacco
4 Settlement Recovery Fund. Any amounts so transferred shall be
5 retransferred by the State Comptroller and the State Treasurer
6 from the Tobacco Settlement Recovery Fund to the General
7 Revenue Fund at the direction of and upon notification from the
8 Governor, but in any event on or before June 30, 2005.

9 (v) In addition to any other transfers that may be provided
10 for by law, on July 1, 2004, or as soon thereafter as may be
11 practical, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$1,200,000 from the General
13 Revenue Fund to the Violence Prevention Fund.

14 (w) In addition to any other transfers that may be provided
15 for by law, on July 1, 2004, or as soon thereafter as may be
16 practical, the State Comptroller shall direct and the State
17 Treasurer shall transfer the sum of \$6,445,000 from the General
18 Revenue Fund to the Presidential Library and Museum Operating
19 Fund.

20 (x) In addition to any other transfers that may be provided
21 for by law, on January 15, 2005, or as soon thereafter as may
22 be practical, the State Comptroller shall direct and the State
23 Treasurer shall transfer to the General Revenue Fund the
24 following sums:

25 From the State Crime Laboratory Fund, \$200,000;

26 From the State Police Wireless Service Emergency Fund,
27 \$200,000;

28 From the State Offender DNA Identification System
29 Fund, \$800,000; and

30 From the State Police Whistleblower Reward and
31 Protection Fund, \$500,000.

32 (y) Notwithstanding any other provision of law to the
33 contrary, in addition to any other transfers that may be
34 provided for by law on June 30, 2005, or as soon as may be
35 practical thereafter, the State Comptroller shall direct and
36 the State Treasurer shall transfer the remaining balance from

1 the designated funds into the General Revenue Fund and any
2 future deposits that would otherwise be made into these funds
3 must instead be made into the General Revenue Fund:

4 (1) the Keep Illinois Beautiful Fund;

5 (2) the Metropolitan Fair and Exposition Authority
6 Reconstruction Fund;

7 (3) the New Technology Recovery Fund;

8 (4) the Illinois Rural Bond Bank Trust Fund;

9 (5) the ISBE School Bus Driver Permit Fund;

10 (6) the Solid Waste Management Revolving Loan Fund;

11 (7) the State Postsecondary Review Program Fund;

12 (8) the Tourism Attraction Development Matching Grant
13 Fund;

14 (9) the Patent and Copyright Fund;

15 (10) the Credit Enhancement Development Fund;

16 (11) the Community Mental Health and Developmental
17 Disabilities Services Provider Participation Fee Trust
18 Fund;

19 (12) the Nursing Home Grant Assistance Fund;

20 (13) the By-product Material Safety Fund;

21 (14) the Illinois Student Assistance Commission Higher
22 EdNet Fund;

23 (15) the DORS State Project Fund;

24 (16) the School Technology Revolving Fund;

25 (17) the Energy Assistance Contribution Fund;

26 (18) the Illinois Building Commission Revolving Fund;

27 (19) the Illinois Aquaculture Development Fund;

28 (20) the Homelessness Prevention Fund;

29 (21) the DCFS Refugee Assistance Fund;

30 (22) the Illinois Century Network Special Purposes
31 Fund; and

32 (23) the Build Illinois Purposes Fund.

33 (z) In addition to any other transfers that may be provided
34 for by law, on July 1, 2005, or as soon as may be practical
35 thereafter, the State Comptroller shall direct and the State
36 Treasurer shall transfer the sum of \$1,200,000 from the General

1 Revenue Fund to the Violence Prevention Fund.

2 (aa) In addition to any other transfers that may be
3 provided for by law, on July 1, 2005, or as soon as may be
4 practical thereafter, the State Comptroller shall direct and
5 the State Treasurer shall transfer the sum of \$9,000,000 from
6 the General Revenue Fund to the Presidential Library and Museum
7 Operating Fund.

8 (bb) In addition to any other transfers that may be
9 provided for by law, on July 1, 2005, or as soon as may be
10 practical thereafter, the State Comptroller shall direct and
11 the State Treasurer shall transfer the sum of \$6,803,600 from
12 the General Revenue Fund to the Securities Audit and
13 Enforcement Fund.

14 (cc) In addition to any other transfers that may be
15 provided for by law, on or after July 1, 2005 and until May 1,
16 2006, at the direction of and upon notification from the
17 Governor, the State Comptroller shall direct and the State
18 Treasurer shall transfer amounts not exceeding a total of
19 \$80,000,000 from the General Revenue Fund to the Tobacco
20 Settlement Recovery Fund. Any amounts so transferred shall be
21 re-transferred by the State Comptroller and the State Treasurer
22 from the Tobacco Settlement Recovery Fund to the General
23 Revenue Fund at the direction of and upon notification from the
24 Governor, but in any event on or before June 30, 2006.

25 (dd) ~~(y)~~ In addition to any other transfers that may be
26 provided for by law, on April 1, 2005, or as soon thereafter as
27 may be practical, at the direction of the Director of Public
28 Aid (now Director of Healthcare and Family Services), the State
29 Comptroller shall direct and the State Treasurer shall transfer
30 from the Public Aid Recoveries Trust Fund amounts not to exceed
31 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.
32 (Source: P.A. 93-32, eff. 6-20-03; 93-648, eff. 1-8-04; 93-839,
33 eff. 7-30-04; 93-1067, eff. 1-15-05; 94-58, eff. 6-17-05;
34 94-91, eff. 7-1-05; revised 12-15-05.)

35 Section 10. The Agricultural Fair Act is amended by

1 changing Section 10 as follows:

2 (30 ILCS 120/10) (from Ch. 85, par. 660)

3 Sec. 10. (a) Effective with fiscal year 1987, each county
4 fair's authorized base shall be set at 66 2/3% of the approved
5 amount of premium paid in either of the 2 previous fiscal years
6 ~~fiscal year 1984 or 1985~~, whichever year has the largest
7 approved amount. The authorized base of the Gallatin,
8 Montgomery and Massac county fairs for fiscal years 1987 and
9 1988 shall be \$15,000 each. If there is a change in the
10 appropriation, the Director shall allocate to each fair the
11 same percentages of that appropriation as it received of the
12 authorized bases for all fairs.

13 (b) The Department shall reimburse each eligible county
14 fair as follows:

15 100% of the first \$2,000 of approved premiums awarded at
16 each eligible county fair;

17 85% of the next \$2,000;

18 75% of the next \$3,000;

19 65% of the next \$3,000;

20 55% of the next \$4,000; and

21 50% of the remaining premiums paid until the total
22 reimbursement equals the authorized base amount for each fair.

23 (c) If, after all approved state aid claims are paid for
24 the current year pursuant to subsection (b) of this Section,
25 any amount remains in the appropriations for state aid, that
26 remaining amount shall be distributed on a grant basis. If the
27 total amount of excess approved state aid claims over the
28 authorized base is equal to or less than the remaining amount
29 appropriated for state aid, then each participating fair shall
30 receive a grant equivalent to the excess of its approved claim
31 over its authorized base. If the total amount of excess
32 approved state aid claims exceeds the remaining monies
33 appropriated for state aid, the grants shall be distributed to
34 the participating fairs in proportion to the total amounts of
35 their respective excess approved claims. If, after all approved

1 claims are paid, any amount remains, that amount shall be
2 distributed to all county fairs eligible under this Section in
3 proportion to their total state aid claims. Fairs filing
4 approved claims exceeding both their authorized base and the
5 grant provided for in this subsection shall participate in the
6 Growth Incentive Program set forth in Section 10.1.

7 Grant monies received by a county fair shall be used only
8 for premiums, awards, judge's fees, and other expenses incurred
9 by the fair which are directly related to the operation of the
10 fair and approved by regulation of the Department. Each fair
11 shall file with the Department a fiscal accounting of the
12 expenditure of the grant monies received under this subsection
13 each year at the same time it files its report under Section 12
14 in relation to the fair held in the next succeeding year.

15 Effective with fiscal year 1989 and each odd numbered
16 fiscal year thereafter, the authorized base of all
17 participating county fairs shall be adjusted by applying 66
18 2/3% to the amount of approved premiums paid in the highest of
19 the previous 2 fiscal years.

20 (Source: P.A. 91-934, eff. 6-1-01.)