



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB6688

by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-5	was 15 ILCS 20/38
15 ILCS 20/50-25 new	
25 ILCS 155/4	from Ch. 63, par. 344

Amends the State Budget Law of the Civil Administrative Code of Illinois and the Commission on Government Forecasting and Accountability Act. Prohibits the Governor's proposed expenditures for a fiscal year, and the General Assembly's appropriations therefor, from exceeding the available revenue estimated by the Commission on Government Forecasting and Accountability (now, may not exceed revenues estimated to be available). Requires that the Commission estimate the revenues available for the next fiscal year's appropriation by each February 1 (now, at the convening of each regular General Assembly session) and revise the estimate by each May 1 (now, by the third Wednesday in each March). Eliminates the requirement that the General Assembly adopt the estimates by joint resolution. Requires that the Commission revise its estimate of revenues available for each current fiscal year's appropriation by October 1, February 1, and May 1, and prohibits supplemental appropriations in excess of the most recent estimate. Effective immediately.

LRB095 22036 JAM 52308 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Budget Law of the Civil Administrative
5 Code of Illinois is amended by changing Section 50-5 and adding
6 Section 50-25 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 first
10 Wednesday in March in 2007 (March 7, 2007) and the third
11 Wednesday in February of each year beginning in 2008, except as
12 otherwise provided in this Section, submit a State budget,
13 embracing therein the amounts recommended by the Governor to be
14 appropriated to the respective departments, offices, and
15 institutions, and for all other public purposes, the estimated
16 revenues from taxation, the estimated revenues from sources
17 other than taxation, and an estimate of the amount required to
18 be raised by taxation. In 2004 only, the Governor shall submit
19 the capital development section of the State budget not later
20 than the fourth Tuesday of March (March 23, 2004). The amounts
21 recommended by the Governor for appropriation to the respective
22 departments, offices and institutions shall be formulated
23 according to the various functions and activities for which the

1 respective department, office or institution of the State
2 government (including the elective officers in the executive
3 department and including the University of Illinois and the
4 judicial department) is responsible. The amounts relating to
5 particular functions and activities shall be further
6 formulated in accordance with the object classification
7 specified in Section 13 of the State Finance Act.

8 The Governor shall not propose expenditures and the General
9 Assembly shall not enact appropriations that exceed the
10 resources estimated to be available, as provided in this
11 Section, by the Commission on Government Forecasting and
12 Accountability under subsection (a) of Section 4 of the
13 Commission on Government Forecasting and Accountability Act.

14 For the purposes of Article VIII, Section 2 of the 1970
15 Illinois Constitution, the State budget for the following funds
16 shall be prepared on the basis of revenue and expenditure
17 measurement concepts that are in concert with generally
18 accepted accounting principles for governments:

- 19 (1) General Revenue Fund.
- 20 (2) Common School Fund.
- 21 (3) Educational Assistance Fund.
- 22 (4) Road Fund.
- 23 (5) Motor Fuel Tax Fund.
- 24 (6) Agricultural Premium Fund.

25 These funds shall be known as the "budgeted funds". The
26 revenue estimates used in the State budget for the budgeted

1 funds shall include the estimated beginning fund balance, plus
2 revenues estimated to be received during the budgeted year,
3 plus the estimated receipts due the State as of June 30 of the
4 budgeted year that are expected to be collected during the
5 lapse period following the budgeted year, minus the receipts
6 collected during the first 2 months of the budgeted year that
7 became due to the State in the year before the budgeted year.
8 Revenues shall also include estimated federal reimbursements
9 associated with the recognition of Section 25 of the State
10 Finance Act liabilities. For any budgeted fund for which
11 current year revenues are anticipated to exceed expenditures,
12 the surplus shall be considered to be a resource available for
13 expenditure in the budgeted fiscal year.

14 Expenditure estimates for the budgeted funds included in
15 the State budget shall include the costs to be incurred by the
16 State for the budgeted year, to be paid in the next fiscal
17 year, excluding costs paid in the budgeted year which were
18 carried over from the prior year, where the payment is
19 authorized by Section 25 of the State Finance Act. For any
20 budgeted fund for which expenditures are expected to exceed
21 revenues in the current fiscal year, the deficit shall be
22 considered as a use of funds in the budgeted fiscal year.

23 Revenues and expenditures shall also include transfers
24 between funds that are based on revenues received or costs
25 incurred during the budget year.

26 ~~By March 15 of each year, the Commission on Government~~

1 ~~Forecasting and Accountability shall prepare revenue and fund~~
2 ~~transfer estimates in accordance with the requirements of this~~
3 ~~Section and report those estimates to the General Assembly and~~
4 ~~the Governor.~~

5 For all funds other than the budgeted funds, the proposed
6 expenditures shall not exceed, and the appropriations for those
7 expenditures shall not exceed, the revenues estimated by the
8 Commission on Government Forecasting and Accountability to be
9 available for those funds for that fiscal year. ~~funds estimated~~
10 ~~to be available for the fiscal year as shown in the budget.~~
11 ~~Appropriation for a fiscal year shall not exceed funds~~
12 ~~estimated by the General Assembly to be available during that~~
13 ~~year.~~

14 (Source: P.A. 93-1, eff. 2-6-03; 93-662, eff. 2-11-04; 93-1067,
15 eff. 1-15-05; 94-1108, eff. 2-16-07.)

16 (15 ILCS 20/50-25 new)

17 Sec. 50-25. Current fiscal year appropriations. Funds may
18 not be appropriated during a fiscal year for expenditure or
19 obligation during that same fiscal year in excess of the
20 estimate of unobligated revenues contained in the most recent
21 revenue estimate report for that fiscal year by the Commission
22 on Government Forecasting and Accountability under subsection
23 (a) or (a-5) of Section 4 of the Commission on Government
24 Forecasting and Accountability Act.

1 Section 10. The Commission on Government Forecasting and
2 Accountability Act is amended by changing Section 4 as follows:

3 (25 ILCS 155/4) (from Ch. 63, par. 344)

4 Sec. 4. Revenue estimates.

5 (a) By each February 1, the Commission shall report to the
6 General assembly and the Governor estimates of revenues
7 available to the State for appropriation and fund transfer for
8 the next fiscal year, as provided in Section 50-5 of the State
9 Budget Law. By each May 1, the Commission shall revise and
10 report to the General Assembly and the Governor estimates of
11 revenues available for appropriation and fund transfer for the
12 next fiscal year, reflecting the most current information.

13 The Commission report required by May 1 ~~The Commission~~
14 ~~shall publish, at the convening of each regular session of the~~
15 ~~General Assembly, a report on the estimated income of the State~~
16 ~~from all applicable revenue sources for the next ensuing fiscal~~
17 ~~year and of any other funds estimated to be available for such~~
18 ~~fiscal year. On the third Wednesday in March after the session~~
19 ~~convenes, the Commission shall issue a revised and updated set~~
20 ~~of revenue figures reflecting the latest available~~
21 ~~information. The House and Senate by joint resolution shall~~
22 ~~adopt or modify such estimates as may be appropriate. The joint~~
23 ~~resolution~~ shall constitute the General Assembly's estimate,
24 under paragraph (b) of Section 2 of Article VIII of the
25 Constitution, of the funds estimated to be available during the

1 next fiscal year.

2 (a-5) By October 1, February 1, and May 1 of each fiscal
3 year, the Commission shall report to the General Assembly and
4 the Governor estimates of unobligated revenues available for
5 appropriation for that fiscal year.

6 (b) On the third Wednesday in March, the Commission shall
7 issue estimated:

8 (1) pension funding requirements under P.A. 86-273;
9 and

10 (2) liabilities of the State employee group health
11 insurance program.

12 These estimated costs shall be for the fiscal year
13 beginning the following July 1.

14 (c) The requirement for reporting to the General Assembly
15 shall be satisfied by filing copies of the report with the
16 Speaker, the Minority Leader and the Clerk of the House of
17 Representatives and the President, the Minority Leader and the
18 Secretary of the Senate and the Legislative Research unit, as
19 required by Section 3.1 of the General Assembly Organization
20 Act, and filing such additional copies with the State
21 Government Report Distribution Center for the General Assembly
22 as is required under paragraph (t) of Section 7 of the State
23 Library Act.

24 (Source: P.A. 93-632, eff. 2-1-04.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.