



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0228

Introduced 1/20/2009, by Rep. Chapin Rose

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.719 new
30 ILCS 105/8h
625 ILCS 5/3-684 new

Amends the Illinois Vehicle Code and the State Finance Act. Provides for the issuance of Soil and Water Conservation District license plates. Provides that, in addition to the appropriate registration fees, an applicant for the special plate shall be charged a fee of \$40 at original issuance and \$27 at renewal. Provides that \$15 of the original issuance fee and \$2 of the renewal fee shall be deposited into the Secretary of State Special License Plate Fund. Provides that \$25 of the additional original issuance fee and the renewal fee shall be deposited into the Soil and Water Conservation District Fund, a new special fund in the State treasury that shall be used for grants to Illinois soil and water conservation districts for projects that conserve and restore soil and water in Illinois, and provides that State Finance Act provisions allowing the transfer of moneys from other funds into the General Revenue Fund does not apply to moneys deposited into the new Fund.

LRB096 03182 AJT 13199 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

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 adding
5 Section 5.719 and changing Section 8h as follows:

6 (30 ILCS 105/5.719 new)

7 Sec. 5.719. The Soil and Water Conservation District Fund.

8 (30 ILCS 105/8h)

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

10 (a) Except as otherwise provided in this Section and
11 Section 8n of this Act, and notwithstanding any other State law
12 to the contrary, the Governor may, through June 30, 2007, from
13 time to time direct the State Treasurer and Comptroller to
14 transfer a specified sum from any fund held by the State
15 Treasurer to the General Revenue Fund in order to help defray
16 the State's operating costs for the fiscal year. The total
17 transfer under this Section from any fund in any fiscal year
18 shall not exceed the lesser of (i) 8% of the revenues to be
19 deposited into the fund during that fiscal year or (ii) an
20 amount that leaves a remaining fund balance of 25% of the July
21 1 fund balance of that fiscal year. In fiscal year 2005 only,
22 prior to calculating the July 1, 2004 final balances, the

1 Governor may calculate and direct the State Treasurer with the
2 Comptroller to transfer additional amounts determined by
3 applying the formula authorized in Public Act 93-839 to the
4 funds balances on July 1, 2003. No transfer may be made from a
5 fund under this Section that would have the effect of reducing
6 the available balance in the fund to an amount less than the
7 amount remaining unexpended and unreserved from the total
8 appropriation from that fund estimated to be expended for that
9 fiscal year. This Section does not apply to any funds that are
10 restricted by federal law to a specific use, to any funds in
11 the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the
12 Hospital Provider Fund, the Medicaid Provider Relief Fund, the
13 Teacher Health Insurance Security Fund, the Reviewing Court
14 Alternative Dispute Resolution Fund, the Voters' Guide Fund,
15 the Foreign Language Interpreter Fund, the Lawyers' Assistance
16 Program Fund, the Supreme Court Federal Projects Fund, the
17 Supreme Court Special State Projects Fund, the Supplemental
18 Low-Income Energy Assistance Fund, the Good Samaritan Energy
19 Trust Fund, the Low-Level Radioactive Waste Facility
20 Development and Operation Fund, the Horse Racing Equity Trust
21 Fund, the Metabolic Screening and Treatment Fund, or the
22 Hospital Basic Services Preservation Fund, or to any funds to
23 which Section 70-50 of the Nurse Practice Act applies. No
24 transfers may be made under this Section from the Pet
25 Population Control Fund. Notwithstanding any other provision
26 of this Section, for fiscal year 2004, the total transfer under

1 this Section from the Road Fund or the State Construction
2 Account Fund shall not exceed the lesser of (i) 5% of the
3 revenues to be deposited into the fund during that fiscal year
4 or (ii) 25% of the beginning balance in the fund. For fiscal
5 year 2005 through fiscal year 2007, no amounts may be
6 transferred under this Section from the Road Fund, the State
7 Construction Account Fund, the Criminal Justice Information
8 Systems Trust Fund, the Wireless Service Emergency Fund, or the
9 Mandatory Arbitration Fund.

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

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

18 (a-5) Transfers directed to be made under this Section on
19 or before February 28, 2006 that are still pending on May 19,
20 2006 (the effective date of Public Act 94-774) shall be
21 redirected as provided in Section 8n of this Act.

22 (b) This Section does not apply to: (i) the Ticket For The
23 Cure Fund; (ii) any fund established under the Community Senior
24 Services and Resources Act; or (iii) on or after January 1,
25 2006 (the effective date of Public Act 94-511), the Child Labor
26 and Day and Temporary Labor Enforcement Fund.

1 (c) This Section does not apply to the Demutualization
2 Trust Fund established under the Uniform Disposition of
3 Unclaimed Property Act.

4 (d) This Section does not apply to moneys set aside in the
5 Illinois State Podiatric Disciplinary Fund for podiatric
6 scholarships and residency programs under the Podiatric
7 Scholarship and Residency Act.

8 (e) Subsection (a) does not apply to, and no transfer may
9 be made under this Section from, the Pension Stabilization
10 Fund.

11 (f) Subsection (a) does not apply to, and no transfer may
12 be made under this Section from, the Illinois Power Agency
13 Operations Fund, the Illinois Power Agency Facilities Fund, the
14 Illinois Power Agency Debt Service Fund, and the Illinois Power
15 Agency Trust Fund.

16 (g) This Section does not apply to the Veterans Service
17 Organization Reimbursement Fund.

18 (h) This Section does not apply to the Supreme Court
19 Historic Preservation Fund.

20 (i) This Section does not apply to, and no transfer may be
21 made under this Section from, the Money Follows the Person
22 Budget Transfer Fund.

23 (j) This Section does not apply to, and no transfer may be
24 made under this Section from, the Soil and Water Conservation
25 District Fund.

26 (Source: P.A. 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511,

1 eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05;
2 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff.
3 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773,
4 eff. 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06;
5 94-839, eff. 6-6-06; 95-331, eff. 8-21-07; 95-410, eff.
6 8-24-07; 95-481, eff. 8-28-07; 95-629, eff. 9-25-07; 95-639,
7 eff. 10-5-07; 95-695, eff. 11-5-07; 95-744, eff. 7-18-08;
8 95-876, eff. 8-21-08.)

9 Section 10. The Illinois Vehicle Code is amended by adding
10 Section 3-684 as follows:

11 (625 ILCS 5/3-684 new)

12 Sec. 3-684. Soil and Water Conservation District Plates.

13 (a) In addition to any other special license plate, the
14 Secretary, upon receipt of all applicable fees and applications
15 made in the form prescribed by the Secretary of State, may
16 issue Soil and Water Conservation District license plates. The
17 special Soil and Water Conservation District plate issued under
18 this Section shall be affixed only to passenger vehicles of the
19 first division and motor vehicles of the second division
20 weighing not more than 8,000 pounds. Plates issued under this
21 Section shall expire according to the staggered multi-year
22 procedure established by Section 3-414.1 of this Code.

23 (b) The design, color, and format of the plates shall be
24 wholly within the discretion of the Secretary of State.

1 Appropriate documentation, as determined by the Secretary,
2 must accompany each application. The Secretary, in his or her
3 discretion, shall approve and prescribe stickers or decals as
4 provided under Section 3-412.

5 (c) An applicant for the special plate shall be charged a
6 \$40 fee for original issuance in addition to the appropriate
7 registration fee. Of this fee, \$25 shall be deposited into the
8 Soil and Water Conservation District Fund and \$15 shall be
9 deposited into the Secretary of State Special License Plate
10 Fund, to be used by the Secretary to help defray the
11 administrative processing costs. For each registration renewal
12 period, a \$27 fee, in addition to the appropriate registration
13 fee, shall be charged. Of this fee, \$25 shall be deposited into
14 the Soil and Water Conservation District Fund and \$2 shall be
15 deposited into the Secretary of State Special License Plate
16 Fund.

17 (d) The Soil and Water Conservation District Fund is
18 created as a special fund in the State treasury. All money in
19 the Soil and Water Conservation District Fund shall be paid,
20 subject to appropriation by the General Assembly and approval
21 by the Secretary, as grants to Illinois soil and water
22 conservation districts for projects that conserve and restore
23 soil and water in Illinois.